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Re/Constructing the Road to Human Rights Education: Potholes, Pitfalls and Possibilities

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RE/CONSTRUCTING THE ROAD TO HUMAN RIGHTS EDUCATION:
POTHOLEs, PitFAilS AND POSSIBILITIES

A Master's Project
by
Mary D. Lugton
and
Phoebe McKinney

Submitted to the Center for International Education of the
University of Massachusetts in partial fulfillment
of the requirements for the degree of

MASTER OF EDUCATION

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DEDICATION

To Bob Miltz, who ran with the Panthers
and helped these not-so-young lions get their HRE start
~ Mary D. Lugton and Phoebe McKinney

To my sister Tisa, a teacher in every way.
You would have gotten this.
~ Phoebe McKinney

To the spirit of a great Namibian educator
Benno Saunders
my mentor and friend
~ Mary D. Lugton
PREFACE

“Only fifty percent of your learning will take place in the classroom!” So boomed the professor in our first year seminar. Little did we know then how prescient this statement would be. Since February 2000, a significant portion of our learning has indeed occurred outside the confines of the classroom -- developing a comprehensive human rights education project.¹

The human rights education (HRE) workshops that we have designed as part of our project attempt to demystify human rights for teachers and learners by making human rights education more relevant to local contexts, and by encouraging teachers and learners to explore possibilities for human rights action in their own communities. In order to accomplish this, we have worked with teachers to uncover HRE “entry-points” and to develop strategies that can increase their access to both human rights and human rights education. Recently, this process has also entailed addressing directly the obstacles and challenges teachers face in implementing HRE in their schools and classrooms. Interestingly enough, when we embarked upon this project, we were naively unaware of the debates about whether the formal schools are actually appropriate sites for HRE!

The development of our HRE project has provided us with a rich and multifaceted mechanism for a truly collaborative learning experience. At the same time, it has offered us myriad opportunities for making connections: connections between our

¹ For a complete chronology of the development of our HRE project, we refer the reader to Appendix A.
professional experiences and graduate school; connections between our experiences in the US and our experiences in Mexico and Namibia respectively; and connections between graduate school and our plans for "life after graduate school."

Despite the fact that the School of Education did not offer any classes that focused on HRE, each of us has found a way to continually link her respective in-class course work, readings, and assignments to HRE. This on-going process has included identifying and exploring multiple intersections and cross-overs between, for example, HRE and teacher education, social justice education, multicultural education and nonformal education. It has also involved exploring various theories of learning and language acquisition and examining the theories of critical pedagogy and critical literacy in order to unravel their implications for the development of our HRE project. Throughout this process our respective academic interests have complemented each other and imbued our HRE project with deeper insight. For example, while Mary's interest in curriculum design has greatly facilitated our workshop planning, Phoebe's inquiry into globalization and educational policy has played a significant role in reconfiguring our "critical eye." By continually seeking out and making connections between our course work and our human rights education project, we have been able to not only enhance our learning but also refine our workshops and develop our practice.

This master's project is an integral part of our ongoing work in HRE, which we plan to continue after graduating. In many ways it synthesizes the cross-pollinated learning that we have derived both from our graduate course work and our human rights education project. In other ways, it represents a unique opportunity to spend time
immersed in the debates surrounding human rights and human rights education, and to consider their implications for school-based HRE.

This preface would not be complete without mentioning our own positions vis-à-vis human rights education. Since we first embarked upon our HRE project, our version of human rights education has placed great emphasis on "local meaning-making." Since that time, we have also come to develop a greater awareness of how we (and HRE) are affected by larger global trends and tendencies. This has involved a recognition of the need for our HRE practice to reflect nascent but fundamental shifts in North/South dynamics. As North-based HRE practitioners, we want to avoid uncritically reproducing the homogenizing tendencies within the "universal" human rights framework. Although we originate from the North, having spent considerable portions of our adult lives working or living in the "global South," we also consider ourselves "globalized hybrids." We have both benefited enormously from the personal and professional friendships and alliances that have evolved from these "border-crossing" experiences. Equally importantly, our views on HRE are deeply informed by the lessons and insights we have gained through our sustained, committed and critical engagement with the complex and multiple realities existing beyond the perspectival confines of the "global North." As we further develop our HRE project, we wish to continue in this vein -- constantly re-examining and challenging our own perspectives (and biases) by engaging with the

2 For some illustrative cases, we again refer the reader to Appendix A.

3 It must be noted that our Northern-originating perspectives are quite different. While Phoebe has U.S. citizenship, Mary is only a U.S. resident. Moreover, her British passport fails to recognize her identity as a Scot, let alone acknowledge the legacy of conflict and domination in Scottish-Anglo relations.

4 Our sustained, committed and critical engagement with and within these realities mitigates against accusations of the romanticizing tendencies typical of so many from the North vis-a-vis the South.
multiple, contradictory and challenging perspectives of human rights educators around
the globe.

Our choice of the formal schools as promising sites for HRE may seem strange, especially since Phoebe has spent much of her adult professional life as an activist and organizer in the non-formal education sector. However, her commitment to the schools (and to the teachers working there) is intricately connected to her previous work, stemming as it does from her belief that real change occurs only as a result of people learning, analyzing, organizing and agitating “on the ground.” Insofar as schools (and teachers and learners) constitute an important aspect of “the ground,” she believes in the potential of teaching and learning for and about human rights in school for effecting real change. For Mary, the answer comes directly from her experiences teaching in Namibia, in classrooms still infused with the specters of apartheid. Acting as agents of change, albeit within the small spaces of the humdrum, she, a few colleagues and many more learners actively sought out ways to rid the environment of these ghosts, to challenge continued acts of in-dignity and injustice, and to uncover, through their learning experiences, the possibilities for developing their full potential as human beings.
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INTRODUCTION

Statement of the Problem

The last decade has witnessed an unprecedented interest in human rights and an unrivaled proliferation of human rights education (HRE) initiatives around the world. As a relatively new conceptual and practical field, HRE is still a fluid “work in progress,” subject to hot debates over its definition, purpose and goals. Like human rights, with which HRE is so inextricably entwined, HRE is a “contested discourse.” Yet, within these contested spaces, a number of trends and tendencies are slowly starting to surface.

One trend indicates that increasingly, people around the world are beginning to develop their own understandings of human rights. While this process of “local human rights meaning-making” represents an exciting development, spurred in part by globalization, it also underscores some of the inherent tensions within human rights per se. At the heart of these tensions lie contradictory understandings of rights, and the principles upon which human rights are founded, such as democracy. These tensions also relate to the traditional split between civil and political rights and economic, social and cultural rights, the perennial debate on universality versus cultural relativism, and the burning question of who will be the future “gatekeepers” of human rights (and, by implication, human rights education).

This trend towards “local human rights meaning-making” has direct bearing on human rights education, for it holds great potential for the development of locally contextualized and relevant forms of HRE that take into account the lived realities of people’s social, economic, cultural and political conditions. These culturally relevant
forms of HRE, inspired in large measure by the World Conference on Human Rights (1993) and the United Nations Decade of Human Rights Education (1995-2004), conceive of human rights (and HRE), not as a static legal vision, but as a transformative social vision. Not surprisingly, there are those who regard this approach with suspicion. Ever protective of the “purity” of international human rights law, many human rights advocates fear that a more transformative approach to human rights education will somehow water down human rights (Bossuyt, 1993). Others are only too happy to enter the human rights education fray, so long as the education remains grounded in the law. At the same time, there are indications that the more transformative vision of HRE is beginning to take root and gain credence as a way to advocate for fundamental social change (CEDAL, 1996).

Another trend relates to the implementation of HRE in formal school settings. Most of the UN’s mandates for human rights education refer to the formal schools, and, while far from unanimous in their opinion, many HRE proponents strongly support the implementation of school-based HRE. In fact, HRE has already been incorporated into the formal school curriculum of countries such as Chile, the Philippines, Namibia and Cambodia. Even in the United States, which has remained somewhat skeptical of human rights within the confines of its own borders, HRE is being included in the formal school curriculum of many states (Banks, 2001). Yet within this trend lies a more sobering reality, succinctly stated by the Chilean human rights educator and advocate, Abraham Magendzo: “Incorporating human rights into the school curriculum is fraught with difficulties and tensions” (1994, p. 251). Unfortunately, few HRE proponents and program planners seem to pay anything more than cursory attention to the particular
challenges and tensions involved in integrating HRE into the formal school curriculum. Instead, a disturbing tendency to “present human rights as a neat package with no unresolved questions” has emerged (Frost, 1996, p. 69).

The package is not neat and many of the questions remain unresolved. Engaging with the “mess,” the questions, the tensions and the challenges is an arduous process. It means critically examining existing political and educational climates in order to assess their openness and commitment to human rights education. It requires problematizing the sociopolitical and cultural contexts of schools in order to address the institutional challenges of implementing school-based HRE. It also entails grappling with the curricular and pedagogical challenges of implementing HRE in formal school settings. Another important challenge relates to the teachers who have been commandeered as the foot soldiers in the HRE battle. What is their motivation? What are their concerns? How are they being trained in human rights education? Finally, it requires that the particular contextual challenges of implementing HRE in formal school settings around the world be placed front and center in any discussion of school-based HRE.

The failure of many HRE proponents to critically interrogate the tensions embedded within human rights and human rights education or to rigorously address the challenges of implementing HRE in formal school settings has far-reaching consequences. Not only does this shortsightedness result in a discernible disconnect between the rhetoric of HRE mandates and the reality of its [non]-implementation in the formal school system, it also perpetuates an all-too-familiar “top-down” approach to educational change. This top-down approach bears an uncanny resemblance to some of the hierarchical tendencies within the more traditional human rights discourse where, for
example, the legal aspects of human rights take precedence, and where some rights become construed as having priority over others. Moreover, it may undercut recent pedagogical emphases within HRE on learner-centered meaning making, and hint at a certain degree of continued resistance to the re-invigoration and re-interpretation of human rights and human rights education at the local level.

Purpose of the Study

The purpose of this study is three-fold. First, it will examine some of the tensions and controversies within the human rights paradigm to reveal the ways in which human rights are not a static “given” but rather a fluid and evolving discourse fraught with conceptual complexities and unresolved issues. Second, it will discuss different approaches to human rights education and consider how the recent evolution of the meaning and scope of HRE reflects shifts in and poses challenges to the broader human rights discourse. Third, it will analyze a number of key tensions and challenges in implementing human rights education in formal school settings and review a number of HRE teacher training initiatives from around the world.

Rationale

We have chosen to pursue this particular direction for our master’s project for a number of reasons. In the course of our HRE project, we have developed an awareness of the inherent tensions – both within human rights and between human rights and new forms of human rights education – and have wanted to investigate our “human rights hunches” in greater depth. The purpose of this search is not to find answers, but to promote dialogue: to critically engage with the literature on human rights and human rights education; to examine both the “noise” and the “silences in the texts; and to
actively search out spaces for our future work in HRE. Specifically, we have been curious to find out if (or to what extent) human rights educators address the “great debates” of human rights and to explore the implications of these debates for human rights education. We have also wanted to examine more closely the tensions and challenges related to implementing human rights education in formal schools. In the course of our HRE workshops, teachers have brought to our attention a number of concerns about the possibility of implementing HRE in their schools and classrooms. Almost immediately, we realized that effective implementation of HRE initiatives required that these concerns be taken seriously.

Another reason for pursuing this particular direction for our master’s project relates to our future. From a professional perspective, we envision the next step in our work as the development of an HRE NGO for teachers, with application to multiple settings around the globe. Developing a deeper understanding of the debates surrounding human rights and human rights education, and the tensions and challenges faced by teachers in implementing HRE initiatives in formal schools is a necessary starting point for an informed HRE practice.

Third, in the course of our literature reviews, we encountered relatively few articles that explicitly set forth or comprehensively addressed these particular obstacles and challenges. By far the greater volume of human rights education literature paid either lip service to or ignored these challenges entirely, thereby avoiding their implications for operationalizing school-based human rights education initiatives. For us, this oversight was a portent -- it presented us with a space from which to begin our master’s project. In the classroom, we often refer to such spaces as “teachable
moments.” For purposes of our master’s project, we have come to consider them as inquiry entry-points.

Process

This inquiry has been a truly collaborative effort. Even though we have each taken primary responsibility for authoring particular sections, we have also done extensive editing of one another’s work. The final “product” derives from literally thousands of hours of reading, discussion and editing, as well as a variety of experiences planning and facilitating our own HRE workshops and attending and participating in others. In many ways, it represents a truly “meaningful learning experience” (Visser, 2001). It has laid the path for continued growth and has implications for real-life contexts; and it has drawn from our past learning experiences and allowed us to help one another to learn more. Finally, it has been meaningful because it became a challenge of gargantuan proportions, one that required us to un-cover new understandings of the word “persistence.”

Significance of the Study

As mentioned above, with a few notable exceptions, HRE proponents have tended to deal only summarily with the tensions and challenges related to human rights and human rights education in general, and the implementation of HRE in formal school settings in particular. Indeed, to our knowledge (and in the face of all the “activity” and “noise”), no one in the HRE field to date has provided a synthesis of these tensions and challenges. By identifying and analyzing them in a comprehensive and in-depth manner, we hope to underscore the importance of critically engaging with these issues. In fact, we would go so far as to suggest that avoiding them only contributes to the disconnect
between the rhetoric and reality of human rights and between the rhetoric of HRE and the reality of its implementation in formal schools. At the same time, we also hope to reveal some of the possibilities and spaces for action that can appear when these issues are discussed openly. Furthermore, by reviewing literature from around the world, we are contributing to the emerging inter-regional dialogue among human rights educators. Finally, it is our hope that this project will challenge us to continue developing our own practice in a mindful and informed manner, as we constantly seek out entry-points and connections, and actively engage with the transformative social vision of human rights education.
SECTION I
HUMAN RIGHTS

INTRODUCTION

In writing about the dramatic and revolutionary world events of 1989-1990, including the fall of the Berlin Wall, the fall of the Politburo in Czechoslovakia and the release of Nelson Mandela, Canadian human rights law professor Irwin Cotler referred to “a velvet revolution ‘without force or lies’ (Chechov) that was inspired by the “secular religion of our times” (Cotler, 1993, p. 9). The “secular religion” to which Cotler refers is human rights and the power of human rights as a revolutionary change agent (Cotler, 1993, p. 9).

This section explores the revolutionary power of ideas that are grounded in and stem from peoples’ lived experiences and realities. An exploration of ideas – and of the power of ideas – as powerful agents of change, may lack the element of concrete “application” generally expected of a Master’s Project in the UMass School of Education, and may strike the more pragmatically-oriented reader as so much “nonsense on stilts” (Bentham. As quoted by Cotler, 1995, p. 9). However, the primary author of this section is unswervingly committed to the notion of the fundamental importance and revolutionary potential of ideas (and of the expression of those ideas through deeds); of imagining and envisioning that which does not yet exist, but which, once imagined, might possibly be worth striving for, and even attaining. After all, the struggle for human rights and human dignity is, in many ways, the struggle of the human imagination.
The last decade has witnessed an increased interest in and concern for human rights around the world. This concern has been expressed as an increased interest in the power of human rights to provide a counter-point to the acceleration, within the process of globalization, of acute exploitation, injustice and suffering. In this post-modern and globalized period, where universal narratives are generally viewed with suspicion, human rights continues as perhaps the only remaining universal common language, "... the only universalistic ideology-in-the-making" (Baxi, 1997, p. 142). This "ideology-in-the-making" offers an important means to address social, political, cultural and economic issues within a disorienting globalized reality.

The increased interest around the globe in human rights has also ushered in the fast-growing phenomenon of human rights education (HRE). Simply put, human rights education is teaching people about their human rights, since human rights can only acquire meaning in peoples’ lives if they are aware that such rights exist. Human rights education however, refers not only to how human rights are taught but also to how they are defined (Bernstein Tarrow, 1989, p. 184). In order to understand human rights education, one must first understand human rights.

This section attempts to lay the groundwork for an understanding of human rights. This includes an examination of some of the tensions and controversies within human rights as well as some of the recent challenges to (and shifts within) human rights. It will explore the role of globalization and the perennial debate about universalism vs. cultural relativism in contributing to these tensions, controversies and challenges. The immediate purpose of doing so is twofold: 1) to reveal the ways in which human rights is not a static "given," but rather a fluid and evolving discourse replete with conceptual complexities
and tensions; and 2) to prepare the reader to participate in an informed way in the discussions about HRE that comprise the remainder of the paper.

A detailed examination of human rights in a paper about HRE is important for another reason. We would like to underscore our conviction that a transformative HRE practice must critically interrogate and problematize human rights. Human rights educators based in (or originating from) the North need to be vigilant in their efforts not to reproduce the Northern domination of the human rights discourse that this section discusses. Concretely, this requires an approach to HRE that is cognizant of and engages with the ongoing issues, tensions and controversies within human rights. Moreover, it demands the understanding of human rights as a discursive practice that functions as both regulatory and liberatory. As human rights educators, we believe that this approach to HRE has the potential to create explicitly political alliances of solidarity with human rights activists and educators in the (primarily) global South who are themselves engaged in the process of simultaneously embracing and challenging human rights. Moreover, we believe that the mainstream international human rights community, which helps to serve as the “gatekeepers” and regulators of human rights, has much to learn from (and ultimately, much to benefit from) engaging with these challenges. We are interested in the possibility of HRE to serve as a conduit between those who are “outside” the mainstream human rights arena and those who guard its gates. In our view, North-based human rights educators who design and conduct HRE that ignores these challenges not only cut themselves (and the people whom they teach) off from the richness, power and challenge of ideas, but also run the (perhaps unintentional) risk of utilizing their own
“privileged” positions to reproduce, rather than to transform, the human rights and the global “status quo.”

A. DECLARING HUMAN RIGHTS

With the establishment of the United Nations (UN) in 1945 and the adoption of the Universal Declaration of Human Rights (UDHR)\textsuperscript{2} in 1948, a government’s treatment of its citizens became, for the first time in history, not just a domestic issue, but the subject of legitimate international concern. The UN’s development of international human rights as a global vision of a “common standard of achievement for all peoples and all nations” (Preamble, UDHR) was a direct response to World War II and the genocidal atrocities of the Holocaust. It was also a “revolution” in international law. The Charter of the United Nations (1945) refers to “... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion” (UN Charter, Article 55, C.). The Universal Declaration of Human Rights, which was unanimously adopted (with eight abstentions) by the UN General Assembly in 1948, declares the general principles and standards of international human rights.

The thirty articles of the Universal Declaration of Human Rights articulate a vision of the full spectrum of economic, social, cultural, political and civil human rights. Renee Cassin, one of the drafters of the UDHR, using the metaphor of a classical Greek temple, said that the UDHR is “founded on four pillars” (As cited by Claude, 1996, pp.

\footnote{Throughout this section, the terms “Northern” and “Western” are used interchangeably.}

\footnote{A copy of the Universal Declaration of Human Rights is attached as Appendix B.}
According to Cassin, the first pillar involves the personal rights covered by UDHR Articles 3-11 and include the right to life, equality, liberty and security. Articles 12-17 form the second pillar, which are “...the rights that belong to the individual and his and her relationships with the social group in which they participate” (As cited by Claude, 1996, pp. 184-185). These include the right to a nationality and to move freely within and outside nation-states, to own property, to marry and enjoy a private family life, to practice religion and the right to asylum in case of persecution. The third pillar concerns the civil liberties and political rights covered by Articles 18-21. These rights focus on the relationship between citizens and their governments and include the freedom to contribute to the creation of government institutions, to access governments, participate in decision-making, and freedom of conscience, thought and expression. They include freedom of association and assembly, the right to vote and the right to run for office. The fourth pillar covers economic and social rights, which are covered by Articles 22-27. They include the right to work, social security, employment, health care and education, and to participate in cultural life. A fifth section, Cassin called (in the classical Greek tradition) the “pediment of the temple,” erected on the four pillars and found in Article 28-30. These involve the right to a social and international order in which human rights can be fully realized is in Article 28 (Claude, 1996, pp. 184-185). Claude notes that Articles 28-30 were suggested by UDHR co-drafter Charles Malik of Lebanon to overcome (or at least compensate for) the Western bias expressed in the UDHR that rights are “... largely negative and thus basically depend on governments doing nothing by incorporating the alternative view that governments have duties to
implement a favorable social structure within which human rights can take root.” (Claude, 1996, p. 185)

Although the UDHR articulates a common definition of human dignity and values (all human beings have human rights and human rights should be protected by law) and establishes a common standard of rights achievement for all nations, it does not codify human rights. As a declaration, it lacks enforcement provisions and is not a legally binding document. However, once it was adopted by the UN General Assembly, efforts turned to codifying human rights via the creation of legally binding treaties. These treaties, or conventions, are called the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). They elaborate on the rights enunciated in the UDHR and establish mechanisms for their enforcement. Countries that ratify them commit to them legally.

Together, the UDHR, the ICCPR and the ICESCR make up the International Bill of Human Rights and form the foundation of international human rights law. The rights elaborated in the International Bill of Human Rights are inalienable (regardless of circumstances, they cannot be taken away); indivisible (each human right is equally important, thus one right cannot be denied because it is considered less important than another); and interdependent. The interdependence of rights refers to the complementarity of the full spectrum of civil, political, economic, social and cultural rights. For example, someone’s ability to participate in government - a civil and political right - is directly affected by her/his right to receive an education and obtain her/his basic

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3 However, so many countries have treated the UDHR as law and incorporated it into their constitutions that many consider it to have assumed the status of customary international law.
needs – an economic, social and cultural right. Put in starker terms, why save someone from torture if s/he is going to starve to death?

B. CONTESTING HUMAN RIGHTS

1. Overview

In the years since the creation of this brilliant vision, human rights have been variously described as "... moral rights, historical products, as universal, as relative, as necessary ingredients of advocacy in an unjust world... as tools of imperialism that are haphazardly inflicted upon the developing world and poor nations" (Workman, 1994, p. 1).

The source of the vastly divergent definitions are the political and ideological dynamics and power struggles that undergird the human rights paradigm. For, while human rights may be "universal," they are also fundamentally – and hotly – contested. Traditionally, some of the "contestation" in human rights has revolved around the split between civil and political rights and economic, social and cultural rights, the resulting "hierarchy of rights," and debates concerning universalism and cultural relativism. More recently, debates within human rights have reflected profoundly shifting international realities, including the challenges of globalization.

Human rights, as envisioned by the UN, have been "hotly contested terrain" from their inception. Consider, for example, the length of time it took to create, adopt and ratify the foundational documents of the International Bill of Rights. The UDHR stood as the singular "international standard of achievement for all peoples and all nations" for almost thirty years. It took almost twenty years to complete the ICCPR and the ICESCR.
Though adopted by the UN in 1966, it took until 1976 – ten years later – for the specified number of 35 member states\(^4\) to ratify them and thus to enter them into full legal force.

The fact that it took twenty years for UN member states to “agree” on these documents is not solely a matter of neglect (although it cannot be said that human rights was a UN priority during this period).\(^5\) It was a matter of protracted political and ideologically-driven negotiation, compromise and in some cases, member-state bullying (often the U.S. and its allies). It also reflects the more general but inherent struggle within human rights that stems from the dynamic tension between the concern of nation-states for the creation of a common universal set of values to govern interstate relations (and government-citizen relations) and the concern that such values (and laws) not impact on their integrity or sovereignty.

2. Splitting Human Rights: Civil and Political vs. Economic, Social and Cultural Rights

The history and ongoing evolution of human rights (at least at the level of international relations) is the history of vision and cynicism, conflict and compromise, ideology and politics.\(^6\) In many respects, the international framework of human rights has been driven and shaped by the political and ideological domination and hegemony of the West. Indian legal scholar Upendra Baxi observes that “[t]he discourse of human rights

\(^4\) They have since been ratified by over two-thirds of the countries around the world (Claude, 1996, p. 186). The United States has not ratified the Convenant on Economic, Social and Cultural Rights and only ratified the Convenant on Civil and Political Rights in 1992.

\(^5\) As of 1993, the UN Centre for Human Rights operated on less than 0.7% of the UN budget (Bossuyt, 1993, p. 51).

\(^6\) While important to note, this issue is vast, and is not within the general scope of this paper.
ought to be pluralistic, according equal dignity to all traditions of the world; by contrast, it is hegemonically ‘western’” (Baxi, 1997, p. 151). One of the ways that this hegemony has manifested itself is through the interpretation of rights at the legal level. For example, as mentioned in the overview, one of the main sources of debate within human rights is the legal split of rights into two sets of rights: civil and political (CP) rights and economic, social and cultural (ESC) rights. For although the UDHR emphasizes the indivisibility of the entire spectrum of human rights, economic, social and cultural rights “... are surrounded by controversies of both an ideological and technical nature” (Eide and Rosas, 1995, p. 17).

The language of “generations” of rights reveals the hierarchy among rights: Civil and political rights are known as “first generation” rights while economic, social and cultural rights are called “second generation” rights. Another more recent set of rights, “solidarity rights,” which concern self-determination and the right to development, are known as “third generation” rights. Although the term “generations” is widely used, it is controversial. One possibly more positive way to think about the concept of “generations of rights” might be understand it in terms of family generations – the hope being that family progeny will be better suited to face the challenges of creating a better world. Importantly (and with reference to the controversy over the term), this is not to suggest in any way that previous rights (or Conventions) are any less suitable, relevant or significant than they have always been.

Differing conceptions of the fundamental role of the state, as well as the role of the state vis-à-vis human rights, form part of the root of the CP/ESC split. Procedurally and legally, this split is the result of differences in the nature and emphases of these
rights, including the perceived role of the state. CP rights involve the specific, liberty-oriented rights, such as freedom of expression and of movement, that *a state may not take from its citizens* (italics added) and that incur only passive obligations of abstention from the State” (Eide and Rosas, 1995, p. 17). CP rights are “absolute and immediate” (Eide, 1995a, p. 22) and they are justiciable — a judge can determine whether a specific national law does or does not secure civil and political rights. Since the ICCPR involves rights that are legally enforceable, its obligations are meant to be carried out immediately by countries that have signed it (New Brunswick Human Rights Commission, 2000, p. 37).

This stands in marked contrast to the underlying emphasis in ESC rights on the role of the state as *actively providing protection and assistance* (italics added) to its citizens (Eide and Rosas, 1995, p. 17). ESC rights concern basic necessities such as food, housing, health care and education, which *a state should provide for its citizens* (italics added). In other words, ESC rights “... require active measures by the State” (Eide and Rosas, 1995, p. 17). Because of this, the rights outlined in the ICESCR are to be progressively implemented according to the resources available in the countries that have signed this treaty, and may be implemented according to how the state prioritizes them. They can be implemented progressively, partially and selectively (Bossuyt, 1993, p. 52) as aims, rather than as “existing rights giving rise to claims and obligations now” (Wright, 1993, p. 87).

The primary difference between CP and ESC rights can be understood through the distinction between “freedom from” and “freedom to” (Eide and Rosas, 1995, p. 17). The underlying concept in CP rights — *freedom from state interference*, is consonant with
Western concepts of the role of the state in relation to its citizens. This is particularly true for the United States. For example, the rights contained in the U.S. Bill of Rights are mainly civil and political. As mentioned above, CP rights, as a relatively simple matter (at least legally) of state abstention, require immediate and total observance.

The difference between CP and ESC rights creates challenges to ESC at the legal level. In large part, this is because ESC rights are not easily justiciable. It is, for example, difficult for a judge to determine whether a state has fulfilled its ESC obligations, since “[it] is up to each State to decide which social rights should be implemented first and which citizens should be first entitled to the benefits of those rights” (Bossuyt, 1993, p. 52). As a result, ESC rights are considered more political than legal (Eide, 1995a, p. 22). In fact, some consider that, since economic, cultural and social rights are programmatic and to be gradually realized, they are “not a matter of rights” at all (E.W. Vierdag, 1978. As cited in Eide, 1995, p. 22).

Although the UN General Assembly has passed many resolutions affirming and emphasizing the interdependence and indivisibility between the two sets of rights, in real terms, far greater weight has been accorded to civil and political rights than to economic, social and cultural rights. Over the years, the mainstream international human rights community (government representatives, politicians, NGOs, judges, UN officials, representatives of national and international human rights institutions) has developed legal enforcement mechanisms for human rights that concentrate almost exclusively on

\[\text{7 However, Eide and Rosas, the editors of the comprehensive book, “Economic, Social and Cultural Rights: A Universal Challenge” (1995), “... are of the opinion that at least some of the rights falling into the category of economic, social and cultural rights lend themselves to... ‘justiciability’” (Eide and Rosas, 1995, p. 17).}\]
CP rights. CP rights have received vast amounts of theoretical and practical attention, while ESC rights have been neglected (Eide and Rosas, 1995, p. 15) and are rarely a part of human rights instruments with effective enforcement mechanisms (Wright, 1993, p. 87).

The more surface challenges concerning progressive implementation and justiciability mask deeper ideological, economic and political issues involving ESC rights. As Eide and Rosas cogently observe:

Taking economic, social and cultural rights seriously implies at the same time a commitment to social integration, solidarity and equality, including tackling the question of income distribution. Economic, social and cultural rights seriously include a major concern with the protection of vulnerable groups, such as the poor, the handicapped and indigenous peoples” (Eide and Rosas, 1995, p. 17).

Any sentipensante (Fals Borda, 2000) can imagine how economic, social and cultural rights represent an ideological tinderbox and pose a serious potential threat to the global status quo. Importantly, this includes the threat that ESC rights pose to vested economic interests and the undesired constraints that they place on the freedom of these vested interests to pursue the economic model of their choice.

Surprisingly however, issues of justiciability (and ideology) seem not to have affected the actual ratification of the ICESCR. As of 1995, most of the states that had ratified the ICCPR had also ratified the ICESCR. In fact, more states have ratified the ICESCR than the ICCPR (Eide and Rosas, 1995, p. 23). However, the U.S. remains its

8 The argument has often been made that CP rights aren’t expensive to implement, while ESC rights are. Eide points out that this argument represents an oversimplification of the obligations under the two categories of rights. He cites the General Comment 6 on the right to life, adopted by the Human Rights Committee (UN doc. A/37/40), which refers “... inter alia, to widespread and serious malnutrition leading to extensive child mortality, as a non-fulfillment of the right to life” (As cited by Eide, 1995, p. 38). The right to life is not an ESC right.
powerful hold-out: of the nearly 120 states that have ratified the ICCPR (and the ICESCR), only the United States and Haiti have failed to ratify the ICESCR” (Eide, 1995a, p. 22). U.S. government resistance may be cultural (e.g., the U.S. Bill of Right’s emphasizes civil and political rights), but it appears that the ideology of the Cold War also may have played a powerful role. This can be seen in the rather schizophrenic approach that the U.S. government had to ESC rights in the early years of the UN. Interestingly, during the drafting of the UDHR in 1947-1948, the U.S. delegation to the UN Human Rights Commission favored the inclusion of economic and social rights. As noted by Eide, “[t]he inclusion of economic and social rights in the UDHR found support from both West and East European States” (Eide, 1995a, p. 30). However (and in striking contrast), just a few years later, the U.S. government changed its mind and led the campaign to reverse the General Assembly’s decision. In 1950, the UN General Assembly passed a resolution that emphasized the interdependence of all categories of rights and called upon the UN Commission on Human Rights to adopt a single rights convention.9 The next year however, the General Assembly reversed its decision and split civil and political rights and economic, social and cultural rights into two sets of rights.10

Finally, it is important to emphasize the dynamic tension within (and between) ESC and CP rights and not to leave the reader with the impression that this complex area of human rights is a binary or static issue. Importantly, despite political, cultural and ideological resistance, subsequent human rights instruments, including the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All

9 General Assembly resolution 421 (V) of 4 December, 1950.

10 General Assembly resolution 543 (VI) of 5 February 1952.
Forms of Racial Discrimination (CERD) and the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) reveal the gradual evolution over time toward greater integration into human rights Conventions of CP and ESC rights (Eide, 1995a, p.24). These Conventions “... express references to the right to the equal enjoyment of economic, social and cultural rights as well as to civil and political rights” (Eide, 1995a, p. 25).11

However, the full realization of both CP and ESC rights in real terms will require at the least a “willingness to uphold the vision of a universal rule of law” (Eide and Rosas, 1995, p. 18), a shift away from the traditional focus of the Western liberal paradigm on individual rights, and a re-orientation at the national and international level away from market-oriented (and profit-centered) economic policies toward global universal solidarity and social action. Concretely, this will includes addressing in a meaningful way fundamental and seemingly intractable issues related to unemployment, poverty and the increasing income and quality of life disparities in the North, the South and in Eastern Europe and between the North and the rest of the world.

3. Abusing Human Rights

Northern hegemony over human rights has also manifested itself is through the political use (and misuse) of the rights framework in international relations. For example, throughout the Cold War, the U.S. government often exploited the human

11 Although beyond the scope of this paper to explore in-depth, it is interesting to note that international legal experts have been exploring an “integrated approach” to ESC, which looks to the potential of civil and political rights treaties to strengthen the judicial protection of economic, social, and cultural rights. For example, how the right to life or the right to private and family life may encompass the ESC right to housing (Sheinin, 1995, p. 51).
rights discourse for political purposes. It used human rights as a rhetorical tool to wield against the Soviet Union in order to accuse them of abuses of civil and political rights (even though the US only ratified the ICCPR in 1992). The Soviet government also played the "human rights game," countering accusations about its human rights record by attacking the lack of economic, social and cultural rights in the US. Even today, this abuse of human rights continues as, for example, the US government continues to condition international aid (and selectively, trade) based on its assessment of a country's (always in the "Third World") human rights (again, civil and political rights) record.

Unfortunately, the geo-political realities of the Cold war, as well as the continued (and cynical) misapplication by the US government of the discourse of human rights, has exacerbated the view of human rights as a tool that the North selectively employs to advance its own international economic and political interests. As Indian human rights legal scholar Upendra Baxi observes, the "... human rights diplomacy of the North has been complicit, during and even after the Cold War, with the worst violations of human rights in the nation-states of the South" (Baxi, 1997, p. 152).

Growing critiques by people around the world have helped to reveal the fundamental hypocrisy of the North in relation to human rights. For example, the North readily denounces rights violations in other countries (almost invariably in so-called "Third World" countries), yet refuses to acknowledge (or eliminate) egregious violations within its own borders, including widespread environmental racism, lack of universal access to healthcare, and the questionable election processes of the last year. In addition, mainstream North-based human rights NGOs (with a willing media as their key ally) portray rights violations and victims as a nearly singular "Third World" phenomenon,
thereby exaggerating the extent of violations in the South in relation to the North and exotifying the “Otherness” of rights victims. Northern governments also seem unwilling (or unable) to regulate or restrain the rights-violating practices of Northern-based multinational corporations, such as the well-documented exploitative conditions in factories along the Mexico-US border. Moreover, North-generated (and exported) structural adjustment programs, international aid and so-called development programs have in many instances caused (or at least contributed to) extensive violations of human rights. This includes reducing state budgetary allocations for social sectors such as education. Finally, more and more people in both the North and the South are recognizing that the logic of North-driven “free trade” (as currently constituted) and the logic of a market-friendly human rights paradigm (i.e., that economic development promotes human rights) is fundamentally at odds with the original vision of human rights (Baxi, 1997). This hypocrisy has contributed to what Baxi calls a “rights wariness” in the global South, informed by the perception of

... an immense duality, and even duplicity, in the endless propagation of human rights languages, even to the point of identifying those as ‘human rights colonialism’...The classical liberal tradition of rights and justice carries the legacy of the original sin: these traditions are at their best and brightest in justifying/recycling colonialism/imperialism, in both ‘classical’ and contemporary incarnations. (Baxi, 1997, p. 151)

C. CULTURING HUMAN RIGHTS

1. Universalism and Cultural Relativism

The dominant liberal tradition of human rights maintains that human rights are “universal” – by virtue of being human, every person in the world is entitled to them as basic rights. The fundamental universality of human rights has been repeated in various
UN fora, including the 1993 World Conference on Human Rights in Vienna which declared that “... all human rights are universal, indivisible and interdependent and interrelated” (UN doc. A/CONF.157/23, part I, para. 5).

However, the concept of human rights as universal is not universally accepted. In fact, the question of universalism has been the source of one of the most fundamental, protracted and unresolved debates about international human rights. Many have argued that human rights are not universal but “... historically rooted in the Western legal tradition and [growing] out of its particular social conditions” (Merry, 1993, p. 28). They have also questioned the cross-cultural applicability of human rights and argued that human rights are antagonistic to the different cultural traditions of societies ‘outside’ of the West, particularly those of indigenous peoples. They contend that human rights is an “artifact of Western cultural traditions raised to the status of global normativity that parallels imperialism” (Merry, 1993, p. 28).

Article 27 of the UDHR and Article 15 of the ICESCR establish cultural rights as a specific category of rights. Asbjorn Eide points out, however, that “[c]ultural rights are at the end of the rights listed in both instruments, and appear almost as a remnant category” (Eide, 1995b, p. 229). Eide contends that placement of cultural rights at the end of the documents reflects the lack of attention that individual cultural rights have traditionally received in both human rights theory and practice (Eide, 1995b, p. 229). However, there is a vast body of human rights literature about cultural rights when they are understood as the rights of groups to cultural development and preservation. Conceiving of cultural rights in this way raises crucial questions about cultural relativism
and the universality of human rights and raises issues that "... go to the core of the human rights debate..." (Eide, 1995b, p. 229).

Interestingly, the American Anthropological Association advanced this view as early as 1946. Referring to Article 55 of the UN Charter, the Association declared that, "... efforts to formulate uniform and universal standards of human rights were bound to fail in a culturally pluralistic world, reflected Western elitist illusions about human commonalities and disregarded deep-seated differences among peoples worldwide regarding moral standards" (Claude, 1996, p. 183).

Moreover, it appears that the drafters of the UDHR were aware of the tension between universality and cultural relativism. A 1947 UNESCO report\(^{12}\) suggests that the original framers of the UDHR did not intend the document to be based on Western notions of natural law. By contrast, they were concerned that the UDHR not be based on Western notions of natural law and that "abstract philosophical or religious notions" not be included in the document (Workman, 1994, p. 61). The document reads:

All rights derive, on the one hand, from the nature of man as such and, on the other, since man depends on man, from the state of development achieved by the social and political groups in which he participates. (Eide, 1992, p. 35)

The drafters were also aware of the potential impact of cultural differences on different conceptualizations of rights:

The interpretation of rights ... are fundamentally different, even antagonistic... the very diversity of the interpretations and justifications put forward is an important object lesson... the systems are antagonistic in theory but converge in their practical conclusions. (Eide, 1992, p. 35)

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In spite of the intentions of the UDHR's drafters, traditionally, the notion of human rights as basic universal rights has prevailed, and it is this view which has been dominated both the legal and rhetorical human rights arenas.

2. Localizing Universalism

Canadian law professor Richard Devlin offers insight into some of the underlying conceptual tensions and issues in the universal/cultural relativism debate. Devlin argues that the perspective that human rights, as basic rights, are universal, is an "essentialist" argument whose "...core theme is that human rights transcends politics and that there is a fundamental, universal consensus about the entitlement to basic rights" (Devlin, 1993, p. 992). While acknowledging that this view is attractive, Devlin asserts that it masks the "...fundamental lack of consensus as to what the nature and parameters of these basic rights might be" (Devlin, 1993, p. 992). Moreover, the essentialist view draws on a pre-modern version of a core/essential subject rather than the modern notion of the self as "a construct of a multitude of influences" (Devlin, 1993, p. 992). Devlin also points out that claims of universalism by the mainstream human rights community, premised on transhistorical conceptions of the person, society and culture, hide "[t]he Eurocentric, white male perspective that is the hidden but determinative norm of the dominant tradition of human rights ... [that] privileges a white male interpretation of the meaning of rights" (Devlin, 1993, pp. 999, 1000).

Many others have argued that the conceptual foundation of human rights – freedom, dignity, equality, justice, peace, democracy and self-determination – reflect Western ideological and historical concepts of natural and positive rights, liberal democracy and individualism. For example, although civil and political rights refer to the
rights of the individual, notions of selfhood in Western traditions can contrast strongly with cultural traditions that define the self mainly (or entirely) in relation to community. Again, Richard Devlin is helpful here in arguing that the traditional focus in human rights law on a Western definition of the individual is a form of ethnocentric "fundamentalist liberalism" (Devlin, 1993, p.1000) that ignores the inherent interdependence – the "mutually constitutive" nature of human beings (Devlin, 1993, p. 1000). He believes that the dominant approach to human rights (and human rights law) ignores the perspectives and needs of other cultures and perpetuates the inability of the mainstream human rights discourse to come fully to terms with the concept of collective rights (Devlin, 1993).

The secular and market-oriented nature of the liberal tradition of individual rights has also been interrogated with regard to its compatibility with (or awareness of) other cultural traditions which emphasize dignity and rights within the framework of communal solidarity rather than the "... ideology of possessive market individualism where human rights became the rights of homo economicus, lacking communitarian responsibilities or faithfulness to spiritual heritage" (Baxi, 1997, p. 152). Leading development critic Gustavo Esteva and education specialist Madhu Suri Prakash defend the "pluriverse" of indigenous cultures against what they term "the Trojan Horse of Recolonization" – human rights (1998, p. 110). Their opinion of human rights is particularly scathing, but worthy of extensive quotation, as their anger and analysis speak to both the heart and heat of the universalism/relativism debate:

The birth of universal human rights is inextricably bound up with the global manufacture of the independent western [sic] nation-state. Following five centuries of colonialism, the post-World War II universalization of this western institution continues to deal severe blows to all other political organizations...
For villages or cities across the globe, the moral currency of universalizable human rights is being newly minted, promising even to contain the immoralities of state governments (national or local) as well as international development agencies. This moral currency, conceived and created for abstract ‘citizens,’ follows Hobbes in containing their meanness, brutality, greed and envy, while enjoining duties, obligations and responsibilities towards fellow-citizens and flags. It replaces the traditional communal morality of people not reduced to modern individualism, either old or new (Dewey, 1962).

Functioning like the British pound, the American dollar and other “hard” currencies, this equally “hard” moral coinage of human rights enjoys the same international status of pre-eminence as do the other coins of the economically ‘developed.’ Both monetary and moral currencies of the ‘developed’ destroy and devalue the ‘soft’ currencies of communities and peoples considered not only economically but also morally ‘underdeveloped.’ Following the colonial path of Christian missionaries . . . their descendants, the delegates of human rights agencies, offer secular salvation: the moral or economic development of underdeveloped cultures . . . This style of ‘cultural independence’ is incompatible with cultural autonomy . . . Their Insiders’ morality is worlds apart from the Outsiders’, inextricably shaped by ideals of economic growth or ‘progress.’ (Esteva and Prakash, 1998, pp. 114-115)

Although they veer dangerously close to essentializing indigenous peoples, their argument is bitterly compelling and their metaphor of human rights as a colonial currency is a sober one. It can also be understood as a reminder that the universalism/relativism debate is essentially a debate about the hegemonic domination by the West over the discourse of human rights itself. The absence of multiple perspectives is lamentable in part because so much of the hostility toward the internationalization of human rights “. . . has been predicated upon the view of the dialogue as being a particularly ‘Western’ monologue of development which posits the ‘West’ as a model of achievement which the developing world ought to, appropriately, emulate” (Conley and Ettinger, 1998, p. 34).

However, Esteva and Prakash do not acknowledge that the reach and impact (for better or worse) of “modernism” has made it difficult for any people to remain “a world
apart" from the rest of the planet and the influence of other cultural practices. As anthropologist Richard Wilson argues, "... just because a cultural form is global, it does not mean that everyone relates to it in the same way – its interpretation depends on local and individual value distinctions" (Wilson, 1997, p. 12). Amartya Sen’s view resonates with Wilson’s and offers a rather refreshing approach to the complicated question of culture in a globalized world. Importantly, he offers a “Southern” perspective on culture that, in the view of this paper’s authors, is perhaps most instructive for people in the North (particularly in the U.S.) whose cultural practices (e.g. consumer and popular culture) are globally hegemonic, but who suffer from a singular brand of almost total domestic self-absorption. Sen argues that:

[c]ross-cultural communication and appreciation need not necessarily be matters of shame and disgrace. We do have the capacity to enjoy things that have originated elsewhere, and cultural nationalism or chauvinism can be seriously debilitating as an approach to living... While there is some danger in ignoring the uniqueness of cultures, there is also the possibility of being deceived by the presumption of ubiquitous insularity. (Sen, 1999, p. 242)

Esteva and Prakash have also overlooked the fact that many people from the South, including indigenous peoples, are willingly utilizing the human rights paradigm to actively resist the excesses and abuses of globalization, nor do they acknowledge that “[c]ultural relativists are being increasingly undermined by the globalization of cultural, economic and political processes and the sense that we are all moving into a ‘post-cultural’ world” (Wilson, 1997, p. 10).

Regardless of whether there is indeed a general sense of movement toward a “post-cultural” world, there does appear to be a new and growing sense that human rights can be relevant, useful and applicable to diverse and divergent cultures. This new view
represents a shift away from the traditional binary framing of the universalism/cultural relativism debate, towards the concept of the transnational appropriation of human rights. According to Richard Wilson, the transnational cultural appropriation of human rights is “... fundamentally creative and represent[s] forms of resistance to global homogenization” (1997, p. 18). He maintains that this dynamic process is taking place through a kind of local translation, or “vernacularisation,” that pluralizes human rights law at the global and local level (Wilson, 1997, p. 18). This is a “diffusionist” view of globalization, which 1) posits that human rights and cultural practice are not inherently antagonistic, but mutually complementary (or at least as dialectically relational); 2) emphasizes the potential synergy between human rights norms and local traditions; and 3) acknowledges the cross-cultural impact of “modernity.” According to Wilson:

Globalization ... does not just imply a process of homogenization and integration, but involves a proliferation of diversity as well. A diversity of normative orders may still prevail, but they are no longer predicated upon isolation. Rather, a sense of difference is constructed out of relatedness, opposition and an awareness of plurality. Nor are moral differences as reliant on enclosed systems as before, but are more fragmented and susceptible to transnational flows of moral values, particularly through world religions. (Wilson, 1997, p. 12)

This shift in perspective can perhaps be understood by comparing two differing views on the Buddhist concept of dharma. On the one hand, Esteva and Prakash argue that Mahatma Ghandi’s political genius was based on his ability to fight for independence by drawing both on British “Outsider” morality and simultaneously affirming with “Insiders – the virtues of Humd Swaraj and dharma” (1998, pp. 114-115). On the other hand, the Thai Buddhist monk Sulak Siversaska believes that dharma and human rights actually mirror each other. According to Siversaska, “... the Buddhist
moral principle of *dharma* as the universal morality which protects the weak from the strong,” means that the “... defense of human rights takes ethical precedence over national sovereignty” (As cited by Claude, 1996, p. 110).

Supporting the argument of a mutual complementarity between human rights and cultural practices, Amartya Sen asserts that the notion of “freedom” within human rights as a quintessentially ‘Western’ value is not only open to dispute, it is chauvinistic (Sen, 1999, p. 234). According to Sen:

> There is clearly a tendency in America and Europe to assume, if only implicitly, the primacy of political freedom and democracy as a fundamental and ancient feature of Western culture – one not easily found in Asia ... the world is invited to join the club of ‘Western democracy’ and to admire and endorse traditional ‘Western values’ ... In all this, there is a substantial tendency to extrapolate *backward* from the present. (Sen, 1999, p. 233)

Sen offers a provocative alternative view. He asserts that these values are also (and equally) inherent in the traditions of many Asian societies and that the writings of many Asian traditions support essential components of freedom such as political liberty, tolerance and personal liberty (Sen, 1999, pp. 233-234). He adds that “... in Buddhist tradition, great importance is attached to freedom” (Sen, 1999, p. 244).

The shift in perspective described above may help human rights escape from the rather anemic, polemical and binary no-man’s land of the universalism/cultural relativism debate. More importantly, the infusion of these perspectives into the hegemonically Western discourse of human rights is

... pluralizing human rights ... [and offers the promise of] according equal dignity to all traditions of the world ... cognizant ... of the potential of divergent religious, cultural, and interfaith traditions for the promotion of fraternity [sic], solidarity, dignity, justice, and rights. (Baxi, 1997, p. 152)
D. TRANSFORMING HUMAN RIGHTS

1. "Discoursing" Human Rights

At this point the reader may be wondering about the value of a human rights paradigm that is anchored in a Western liberal tradition of democracy and individualism, dominated by the ideological and political interests of the North, and whose original expansive vision has been narrowed to a focus on mostly civil and political rights. However, if one does not wish to contribute to the "legacy of the original sin" (to use Baxi's phrase) of the Western tradition of human rights, one is obligated to strike a more critically informed stance. This stance is quite different from the one which "buys into" the notion that human rights are naturally-derived, universal, fixed and ahistorical and affirms that "... human rights cannot be ossified, reduced or restricted to any pseudo-determinative idea, like for example, 'Liberty' (Devlin, 1993, p. 993). This stance is consistent with what Richard Devlin calls a "critical modernist" (rather than "essentialist") perspective of human rights (Devlin, 1993, p. 993). Devlin argues that a critical modernist perspective on rights:

... conceives of human rights as an ideological discursive practice as a way of thinking, talking and knowing that facilitates, structures and underpins the ways and means of social interaction. The key idea is that human rights are not distinct from politics, but an element of politics. Therefore, human rights are a contestable terrain of political struggle... by filtering discourse of human rights through the prism of politics, we then get particular, contextual and concrete angles on human rights debates. Because politics is about... power and powerlessness, the question can now be reformulated: 'Can human rights as a discoursive practice be utilized to break the hierarchy of domination and subordination?' (Devlin, 1993, p. 993)

Devlin shared these thoughts in his role as rapporteur of an international human rights conference attended by three hundred participants from thirty countries. The
purpose of the conference was to stimulate "dialogue and debate among members of the 'human rights community'" (Mahoney and Mahoney, 1993, p. xi). The significance of Devlin's challenge to human rights (and to the international rights community) should not be underestimated. For instance, viewing human rights as a discourse can help to shift fundamentally one's understanding of human rights. This includes the realization that, like all discourses, human rights exhibits both hegemonic, homogenizing and differentiating tendencies (Blackmore, 2000, p.133). Devlin believes (and the authors of this paper agree) that human rights should be considered as "open-ended and revisable" and that they must "... be developed to respond to and facilitate the achievement of the needs of people ... [focusing] on subordination and powerlessness in their diverse, specific and particularized forms" (Devlin, 1993, p. 993). This then, is the "realpolitik" of human rights - a fluid and evolving social construct, "continually being reinterpreted and amplified in response to circumstances and understanding" (Flowers, 2000, p. 6).

2. Globalizing Human Rights

Globalization (preceded by several decades of structural adjustment policies) refers to the globalization of capital, the international division of labor, new technological innovations that allow for unprecedented communication and information sharing around the globe, the diminishing power of the nation-state, and the attendant shifting relations between and among nation-states, capital and individuals (Blackmore, 2000, p.151). Importantly, the ascendancy of transnational corporations and international

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13 Including "Women and representatives of disadvantaged and dispossessed groups ... in equal numbers with institutionalists, reformers and 'movers and shakers' within the human rights community" (Mahoney and Mahoney, 1993, p. xi).

14 This view is at the heart of the human rights educational practice of the authors of this paper.
financial institutions under globalization has given new impetus to ‘supranational’ organizations such as the World Bank, the World Trade Organization and the International Monetary Fund, whose role in part is to attempt to respond to and to meet the needs of capitalism. These organizations have also contributed to a profound alteration of the state’s traditional role as intermediary between capital and citizens. State legitimacy is less dependent upon meeting social democratic claims, as new transnational institutions take advantage of the state’s weakened position to undermine (and in some instances replace) its primacy (and by extension, national sovereignty and participatory democracy) (Blackmore, 2000, p. 139). Under globalization, the state can be perceived as just another actor in the market.

Driven by neo-liberalism, globalization has also caused the heightened subordination of poor nations by richer ones, an increased gap between the rich and poor within and across nations, environmental destruction, attacks on organized labor, structural unemployment, drastic cutbacks on social spending, urban insecurity and violence, and the growth of nationalistic and fundamentalist movements (Burbules & Torres, 2000, pp. 7-8). Nationalist and fundamentalist movements are the “downside” of a multitude of efforts around the globe to resist globalization, which includes the struggle to resist the homogenization of specific cultural forms (Kellner, 2000, p. 308).

Some view globalization as a continuation of modernity, while others see it as ushering in a kind of post-modernism which is quickly rendering traditional notions of world politics, sovereignty, national borders, culture [and human rights] outmoded

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15 Others argue that the position of the nation-state hasn’t been so much weakened as much as its functions and power have been “reinvented” in relation to global capital and transnational institutions.
Wilson, 1993). Post-modern perspectives on globalization emphasize “the local” — diversity, difference, heterogeneity and hybridization. Rather than being totalizing or hegemonic, globalization is understood as that which can be transformed and reinterpreted at the local level. However, this is not to suggest a kind of nihilism, indifferent to the abuse of power and to the persistence of widespread inequity. This view of globalization, which is more “critical” than that which facilely deems globalization to be the root of all contemporary evil, corresponds with the notion that human rights as a global discourse can be interrogated, utilized, and refashioned at the local level. It is in keeping with the perspective that “[e]very local context involves its own appropriation and reworking of global products and signifiers, thus producing more variety and diversity” (Kellner, 2000 p. 303). Moreover, this approach to human rights is akin to a perspective on globalization (as another “discourse”) that recognizes the:

... multidimensional, complex and contradictory reality of globalization, while seeking and promoting conceptions and practices of resistance and struggle that attempt to counter the most destructive aspects of global forces, or that inflect globalization for democratic and locally-empowering ends ... a critical theory of globalization reproaches those aspects that are oppressive, while seizing upon opportunities to fight domination and exploitation and to promote democratization, justice and a progressive reconstruction of education and society. (Kellner, 2000, p. 308)

The intersection of globalization and human rights thus holds great potential for “... oppositional individuals and social movements to resist globalization and use its institutions and instruments to further democratization and social justice” (Kellner, 2000, p.301). At the same time, the challenge has become how to work strategically in new, multiple and complex arrangements of power (Blackmore, 2000, p.151) created in part
by a reconfiguration of the state. Human rights offers an important strategy that is both local and global for those who wish to challenge globalization as it is manifested both locally and globally.

The process of globalization (along with the ending of the Cold War), has ushered in an explosion of interest in human rights around the world, as people have sought new means by which to resist its more egregious effects. Globalization has thus given a new impetus to human rights, as people around the world turn to its power as an international weapon to “... condition the power of both capital and the state and to condition this power on popular accountability” (Mutua, 1994, p. 87). In many respects, as an international discursive (and legal) practice, human rights conditions power by holding power accountable to a vision of human life that is free from exploitation and oppression.

As Upendra Baxi observes:

[Even as the alleged end of ideology is being proclaimed worldwide, a human rights sociodialect emerges as the only universalistic ideology-in-the-making, enabling both legitimation and delegitimation of power and anticipatory critiques of human futures (Baxi, 1997, p. 142).]

Ironically perhaps, globalization has also contributed significantly to the refurbishment of human rights. As the remainder of this Section details, globalization has created new ideological spaces within human rights for the infusion of multiple perspectives and realities, particularly from women and people from the global South,

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16 Women’s human rights advocate Charlotte Bunch makes an important point that, despite the somewhat “insider/outsider” tone of this Section, helps its author (and may help the reader) to guard against oversimplifying the complicated “cast of characters” currently involved in (and challenging) human rights. Bunch cogently observes that the terms “... traditional human rights advocates and ‘new actors’ ... reveals bias. She argues that many of the “new actors” in human rights have been active for decades in racial and civil rights, women’s rights and other social justice issues, but have not perceived their work as ‘human rights’ work. Bunch cautions against the ways in which these two terms create a division from the start (Bunch, 1993, p. 967).
whom the North-dominated human rights community has traditionally marginalized, silenced, or ignored altogether. In essence, these groups have utilized the discourse of international human rights in the spaces that globalization has created to resist both globalization and the traditional Northern ideological domination of human rights.

Globalization also poses specific challenges to the traditional focus of human rights on controlling and limiting the power of the nation-state. The rise, under globalization, of supranational financial and (private) corporate entities is forcing a re-conceptualization of the concentration on the state as the sole, or primary agent of domination. In addition, the influence (and impact) of private, non-state actors on both international relations and human rights poses profound challenges to the traditional construction of the public/private dichotomy. As Richard Devlin observes:

Power over, power as domination, is not just centralized and statist. It is also pervasive, systemic, localized, individualized, privatized and technified... Therefore, the public/private dichotomy...is best understood as an ideological construct and social practice that simultaneously obscures and legitimizes private domination. (Devlin, 1993, p. 999)

Globalization then, is playing a significant role in ushering in pivotal challenges to human rights, including an expansion of the traditional domain of human rights, as new (and newly identified) sites of power and domination reveal new kinds of abuses by

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17 There have been several attempts by major human rights organizations (for example, Human Rights Watch) to document human rights violations by private (corporate) sector actors whose rights-abusing behavior is facilitated [or at least not discouraged] by the weakened position of the nation-state. One of the authors of this project participated in one such effort – a Human Rights Watch report on sex discrimination in Mexico’s export-processing zone industry.

18 It is interesting to note that depending on the actors involved, the objectives of this challenge are different. For example, neo-liberal elites have challenged human rights as irrelevant (or at least as unnecessarily restrictive) to global market-oriented economic development.
non-state actors that are beyond the traditional purview of human rights. As Upendra Baxi notes:

[A] great discovery of the Age of Rights is that civil society, the ensemble of relatively state-free spaces (actors, agencies, and institutions), provides equally and, often enough, more pervasively fertile sites of violations. Thus a common realization is dawning in human rights movements. On the one hand, the need for limiting the overweening power of state operators remains imperative. On the other hand, state action and intervention seem to offer the most reassuring promise of providing chemotherapy to the cancerous growth of culturally rooted, and economically ‘derived,’ forms of violations of human rights . . . Thus arises the great dilemma of the Age of Rights: the rights discourse must both, and in a just and effective measure, simultaneously disempower as well as empower the state . . . (Baxi, 1997, p. 143)

Globalization is thus creating experiential and conceptual spaces for alternative conceptions of human rights that are simultaneously expanding and destabilizing the traditional “mainstream” international human rights agenda and those who control it. As the rest of this Section reveals, grassroots groups, women and Southern NGOs are at the forefront of these alternative conceptualizations of rights. Importantly, they have begun to define human rights according to their own experiences and perspectives. Moreover, through their insistence that human rights recognize their difference, they have simultaneously embraced globalization and human rights and used new ideological, discursive and physical spaces (international UN fora) to challenge the homogenizing (Western) tendencies of both globalization and human rights. These efforts are helping to expand the inherent potential of human rights toward heterogeneity. In effect, human rights are being used to resist globalization and globalization is “globalizing” human rights.
E. CONFERENCING ON HUMAN RIGHTS

1. Overview

One important forum for the emergence of the human rights "sociodialect" referred to above was the 1993 UN World Conference on Human Rights in Vienna (Vienna Conference). The increasing awareness by a growing number of grassroots groups and NGOs of the negative effects of globalization on "the weaker, the poorer, the more vulnerable" (Terra Femina, 1993, p. 78) led to the presence at the conference of an unprecedented number of NGOs from the North and the South. In fact, the Vienna Conference was the largest and most globally representative human rights meeting of the twentieth century, attended by government delegations from all over the world and representatives of 2,000 NGOs (Claude, 1996, p. 193). The presence of so many NGOs was also evidence of the fascinating dynamics within globalization of the increasing mix of actors in international relations, including the increasing role of NGOs, who are playing "... a central role as initiators of fresh thinking and new developments" (Eide and Rosa, 1995, p. 18). According to Richard Pierre Claude (1996), we are moving toward a new model of international relations and world affairs that involve networks of interconnected and interconnecting state and non-state actors who see politics as an increasingly integrated process operating in a single community. Claude observes that:

In this process, states constitute an important subsystem in the global social community, but by no means the only, or even principal, actors. Non-state actors, such as human rights NGOs, have become significant actors on the international scene, particularly as they rely on improved capabilities in rapid international communication. ... In the new 'global society model,' non-state actors have an increasingly significant role in all global transactions ... [and] the formation of regime legitimacy is no longer the preserve of diplomats and other state actors. (Claude, 1996, pp. 196-197)
The Vienna Conference, which took place just three years after the fall of the Berlin Wall, also served as a forum to air political grievances and to debate a multitude of rights-related issues. It is important to underscore that many of the debates in Vienna were connected to economic, social and cultural rights, and, at the same time, to the traditional domination of the discourse of rights by the North, the hierarchy of rights and the question of universalism versus cultural relativism. Among the broad range of ESC rights that were discussed in Vienna, specific issues involved women’s and indigenous peoples’ rights, the right to development and the right to self-determination. Perhaps most importantly, NGO participants began to move human rights out of the exclusive purview of diplomats and government leaders. This was accomplished through the re-framing and re-formulation of human rights through multiple “local” perspectives. As such, the tendency of the language of human rights to “decontextualize concrete struggles through universalization” (Mutua, 1994, p.97) was challenged.

Although the Vienna Conference was neither the endpoint nor the starting point for challenges to human rights, it represented an important historical moment – and served as an important international forum – in which to begin to refurbish human rights to better reflect contemporary global realities. This included the renewed affirmation of the indivisibility of ESC and CP rights, the recognition of women’s human rights, and forward movement on “third generation” solidarity rights, such as the right to development the right to a healthy environment and the right to peace (Rosas, 1995a, p. 243) and efforts to strike a balance between universalism and cultural self-determination.
2. Gendering Human Rights

The General Assembly’s resolution to hold the first World Conference on human rights in 25 years did not mention women or recognize gendered aspects of human rights. However, by the time the conference concluded, a coalition of well-organized women from NGOs in both the North and the South had put gender on the human rights map. Gender-based violence and women’s human rights had emerged as among the most talked-about subjects, and women were perceived as well-organized and powerful global actors. The Vienna Conference served as an important international forum for the emergence of a new kind of global collaboration that included many women from the South, crossed historic divisions of North/South and East/West and involved women working in government, NGOs and UN agencies.

The coalition’s purpose was to challenge human rights for ignoring the ways in which gender matters in violations (and affirmations) of human rights. Their goal was the formal recognition of human rights and violations of rights as “gendered. This included the inclusion of women into the formerly “gender neutral” (male) rights discourse which, for decades, had concealed women’s existence “behind abstract universal principles” (Terra Femina, 1994, p. 78). As a result of their efforts, the final Vienna Declaration and Program of Action (in contrast to the conference’s originating resolution) devotes several pages to the “equal status and human rights of women” as a government and UN priority and calls for the elimination of “violence against women in public and private life” as a fundamental human rights obligation (Vienna Declaration).

The success of the women’s human rights movement in Vienna can be attributed to several factors, including the growth of women’s movements, the UN Decade of
Women, 1985-1995) and a global campaign of women’s rights launched two years prior to Vienna. This success\textsuperscript{19} is in many ways precedent-setting, and has important implications for the other efforts to expand both the discursive and legal rights domain.\textsuperscript{20} Crucially, the women’s human rights movement began with grassroots women and allowed women who were not human rights experts to define human rights in their own terms. The campaign created a global process in which women could think about their own gender-specific experiences (rape, domestic violence, dowry burning) on their own terms before turning to the question of how to use an international framework to address them. Concretely, this meant that the process began with women’s experiences and worked conceptually from that point toward a common frame of reference in which women could claim that these experiences were indeed a violation of their human rights. Facilitating local meaning-making in this way enabled the inherent ability of human rights to serve as a broad referential framework with enormous cultural specificity. In this way, cultural particularities were not thought of as something to be overcome, but as strengths that indicated the many different ways to talk about human rights.

This is in marked contrast to traditional human rights law, which begins from universal principles and works its way “down” to specific cases as examples, forcing specific rights issues to fit into the pre-determined norms and values of the international human rights framework. Yet all too often, these specific cases present problems for the

\textsuperscript{19} The comments in this section are based on professional experience working in (and around) the field of women's human rights and on personal conversations with key figures in the women's human rights movement.

\textsuperscript{20} This includes the disabled, senior citizens, and gays, lesbians, bi-sexuals and transgendered people, issues relating to the persistence and pervasiveness of racism and in the view of this paper’s authors, the insights and experiences of all the people to whom human rights belong, and that may come out in the course of human rights education.
“universal” norms, or fall outside of them altogether. The strategic brilliance of the women’s human rights movement was that it reversed directions. This required a delicate balance between ensuring that a particular experience fit sufficiently within the international human rights framework to make sense, and ensuring that it challenged the human rights framework by representing an experience that was common to many women, but that was unrecognized by human rights “gatekeepers” as a human rights issue.

The women’s human rights movement has played a central role in opening up new conceptual, discursive and legal space within contemporary human rights and in challenging the traditional “gatekeepers” of rights who have ruled over the international human rights agenda. For example, the global women’s rights campaign resulted in an informed critique of the limitations of civil and political rights, as women interrogated the extent to which existing rights law encompassed their gender-based experiences. The new focus on gender in human rights helps to shed light on other processes and human experiences that are intertwined with economic, social and cultural rights, such as poverty and capitalist development, racism, colonialism and post-colonialism.

It can thus be argued that the integration of women’s human rights into the rights discourse is helping to cut across the dichotomy (and hierarchy) between civil and political and economic, social and cultural rights. Women’s human rights encompass the full range of rights across the spectrum of these two sets of rights, including rights related to physical security and integrity, health, family, work, education and political participation and representation. Strategically (and perhaps ironically), ESC rights, more
than CP rights, provide important openings for the idea of women’s human rights, since ESC norms and standards are broader and less constrained by the kind of specific legal casework that has been done with regard to civil and political rights.

The women’s rights campaign has also helped to challenge the public/private split in international rights law as well as the (legally-derived) notion that only the state perpetrates rights abuses. For example, domestic violence is a violation that women across cultures experience. The women’s human rights campaign forced the international rights community to recognize that much of the violence in women’s lives is caused by non-state, private actors. Abuse that is perpetrated against women in the home (the private realm), by men (private actors), is now understood as a human rights violation. Although enormous political and legal challenges remain in designing effective enforcement mechanisms for the protection of women’s human rights, women’s human rights have begun to dissolve the firewall between the public and private realm in international (and domestic) law.

Finally, the global campaign represents a new model for human rights that is linked directly to, resonates with and is useful for grassroots issues and concerns. This represents a monumental step forward from the traditional approach to human rights that demands first, a commitment to a universal value, and then that everyone fit into it. This new approach carries within it the potential to build global alliances of solidarity where differences become strengths, not obstacles. It also holds the potential for the creation of ever-new insights into the meaning and source of human rights. Moreover, it comports with legal scholar Upendra Baxi’s view that the UN and its constellation of human rights
players are not the “producers of human rights truth” (Baxi, 1997, p. 143). Rather, the
source of human rights is the rights praxis of everyday people:

The single most critical source of human rights is the consciousness of peoples of the world, who have waged persistent struggles for decolonization and self-determination, against racial discrimination, gender-based aggression and discrimination, denial of access to basic minimum needs, environmental degradation and destruction, and systematic ‘benign neglect’ of the disarticulated, disadvantaged, and dispossessed (including the indigenous peoples of the earth) . . . asserting the most basic of all basic rights: the right to be human and to remain human. (Baxi, 1997, p. 142)

3. Developing Human Rights

At the Vienna Conference, the debate over development at the government level focused on Northern governments’ long-standing practice of “conditionality” — tying development money for the South to assessments of human rights (civil and political) conditions. This practice reflects the hegemonically Northern view of development as inextricably linked to economic growth, which brings a materially richer and institutionally more modern and better life, and thus the realization of human rights (Goulet, 1993, pp. 689-690).

Some governments (Malaysia, China and Singapore) argued that strict measures curbing political freedoms were necessary for economic development (including relief from external debt). However, well-organized Asian NGOs (and others) had prepared during conference “Prepcoms”21 for the possible manipulation by governments of human rights for rights-abusing purposes. As a result, they were able to effectively challenge the political manipulation of the conference by Asian government officials.

21 The series of official regional preparatory conferences that take place in the months before any UN-sponsored global conference.
Coalitions of NGO’s (in particular those from the South and those representing indigenous peoples (many of whom had attended the UN’s Environmental Conference in Rio in 1992) utilized the Vienna Conference as an international space to 1) contest the North-driven neo-liberal models of economic “development,” so vigorously advocated by the World Bank and the IMF; and 2) raise concerns about the relationship among human rights, globalization and neo-liberal economic development policies.

These NGOs focused on the fact that neo-liberal economic and development policies actually undermine human rights and claimed that their imperatives subsume “human rights and democracy to the imperatives of development” (Tiruchelvam, 1994, p. 140). They advocated for a model of “sustainable development” which locates human rights as not only the primary ends of development, but its principal means (Sen, 1999, p. 10; Panyarachun, 1994, p. 135). Although a Declaration on the right to Development had been adopted by the UN General Assembly in 1986,22 this right gained important political and rhetorical momentum at the Vienna Conference. NGO and like-minded government efforts made explicit the relationship between human rights and social and economic development that resulted in the formal re-affirmation of the need for a new people-centered model of sustainable development that prevents the destruction of indigenous people23 and the environment.24 People-centered development frames development as a human rights issue and links development to concerns about

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23 The activities of indigenous peoples (and NGOs representing them) during the previous year – the 1982 International Year of the World’s Indigenous Peoples – and during the UNCED Conference in Rio, contributed to their well-organized and prepared presence in Vienna.

24 It also includes the recognition that development strategies will no longer be allowed to disregard women’s needs, values and inputs (Terra Femina, 1994, p. 78).
environmental destruction and renegade corporate behavior, also framed as human rights issues.

Admittedly, there are those who will (and have) argued the neo-liberal economic policies are the best means to achieve the "eradication of poverty." There are many powerful actors, including the U.S. government, who will argue that 'the needs' of people around the world can best be met by neo-liberal economic development policies. Indeed, as legal scholar Allan Rosas explains, the U.S. and its allies (predictably) have since expressed reservations about the right to development:

With the consensus solution of Vienna, it can be said that all States, including the United States, have accepted that the right to development is mentioned as a concept in official UN texts. This does not, however, necessarily imply a consensus on the content and meaning of this concept. (Rosas, 1995b, p. 250). 25

Nonetheless, the Vienna Declaration explicitly calls for the alleviation of the debt burden of 'developing' countries (a hard-won rhetorical victory) and argues that development can only be carried out on the basis of global cooperation that meets the needs of both present and future generations. In addition, the language in the Declaration (and other UN pronouncements on development) create an alternative rhetorical, political and conceptual (if not yet legal) space to argue (drawing on other 'basic needs' as articulated in the UDHR) that the 'needs' of both 'present and future generations' cannot ever be met by neo-liberal economic policies that cause egregious violations of human rights in the name of development. What is of key importance here is that there is for the

25 This lack of consensus was evidenced earlier, during the struggle to develop a UN Declaration on the Right to Development. It was only after lengthy and difficult preparations that the Declaration on the Right to Development (1986) was adopted by the UN General Assembly. The vote was 146 to 1 (the United States) with 8 abstentions. Those abstaining were Germany, the Nordic countries, Japan, Israel and the United Kingdom – all key U.S. allies (Rosas, 1995b, p. 248).
first time an explicit reference, within the human rights framework, to the right to development. This provides a new, powerful and humanizing discoursive space within which to contest the meaning and goals of “development.”

Finally, the right to development represents a major step forward in the realization of the idea of the indivisible and interdependent nature of human rights. The Vienna Declaration and Program of Action affirms the right to development as ‘a universal and inalienable human rights and an integral part of fundamental human rights’ (UN doc.E/CN.4/1994/21. Para. I/10). It recognizes that “[h]uman rights are integral to development;” that “. . . the human person is the central subject of development;” and that a “. . . pivotal difference . . . is made by pursuing a view of development as an integrated process of expansion of substantive freedoms that connect with one another” (UN doc.E/CN.4/1994/21. Para. I/10). Because of the success in Vienna, the international community now has an explicit obligation to conduct international economic relations in such a way as to promote the realization of these human rights in other countries, as well as in their own. This opens the door for human rights principles to serve, not as a cloak for disguised protectionism, but as a means by which countries in the global South can promote and protect their social standards and defend against the impacts of a brutally competitive international market place. They introduce into international relations an ethic of solidarity, in counterpoint to the dominant ethic of competition (PDHRE website).

The recognition by governments in Vienna of the right to development, that structurally “. . . links human rights to global issues such as economic and social
development and the root causes of human rights violations” (T. van Boven. As cited in Rosas, 1995b, p. 248) is, on the one hand, one of the more extraordinary achievements to date in shifting the human rights discourse to more accurately reflect contemporary global challenges and realities. On the other hand, as Rosas explains:

This approach has mainly been advanced by Third World countries, while Western states have expressed reservations, arguably based on the fear not only that the concept of human rights will be diluted but also that they would be faced with claims on the part of the developing countries for entitlements to resources. (Rosas, 1995b, p. 248)

4. “Re-Culturing” Human Rights

In Vienna, many groups from the South protested the continuing domination of and politically expedient use of civil and political rights over economic, cultural and social rights. Some government representatives from the South argued that:

[H]uman rights and the Universal Declaration itself consist of nothing more than ‘bourgeois rights,’ or ‘Western rights’ [and that] the idea of human rights conflicts with the very specific characteristics of local or regional cultures and customs. (Reoch, 1994, p.13)

Other participants in Vienna argued that “...[u]nder the banner of protecting universal rights, Northern governments would continue to focus on civil and political rights in their dealings with Southern nations while refusing to change financial and other practices that deny the economic, social and cultural rights of people in such nations” (Reoch, 1994, p. 13). In a related vein, NGOs from the African Continent pointed out that the limited definition in the traditional human rights discourse that only some rights (CP) are “core,” is inherently political and creates a hierarchy of human rights norms.26

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26 The African Charter on Human and Peoples’ Rights articulates communal/community rights, and emphasizes ESC rights (although it also includes CP rights).
They emphasized that:

> [t]he hierarchy of rights . . . legitimates and delegitimates causes and struggles [and that] it is politically suspect because it freezes history. . . . While it is politically convenient to locate the beginning of rights discourses in a pre-determined set of rights, it obscures the basic fact that any discourse over rights is a struggle over conflicting political claims to power and economic resources. (Mutua, 1994, p. 98)\(^\text{27}\)

Southern governments and NGOs also successfully called for the explicit recognition of religious and cultural traditions (Tiruchelvam, 1994, p. 141) and of the economic, cultural and social rights that support them. These include indigenous, cultural and religious traditions that emphasize non-Western communitarian conceptions of justice, and conciliatory and consensual approaches to the resolution of conflict. Their arguments were based on the critique that:

> [t]he rhetoric of human rights is based on statist and individualistic conceptions, and that the base of support for fundamental human rights can be expanded if it is linked to belief systems which have been given content and meaning to the social and religious experiences of the people from the South. (Tiruchelvam, 1994, p. 141)

Other governments (Malaysia, China and Singapore) invoked national and cultural autonomy to denounce human rights. However, here it must be emphasized that there is a generally recognized difference between principled arguments that support different degrees of cultural relativism and specious arguments by government officials claiming cultural relativism to defend against criticism of their own egregious behavior.

\(^{27}\) Although it is beyond the scope of this paper, there is no doubt that the articulation of the value of culture and religion creates a dynamic tension in relation to other rights and in many cases exacerbates the perennial problem within the human rights paradigm of conflicting rights. *A propos* of the Vienna Conference, this is particularly true with respect to women’s human rights.
Nobel Peace Prize winner Amartya Sen argues that:

[...]he nature of Asian values has often been invoked in recent years to provide justification for authoritarian political arrangements in Asia. These justifications of authoritarianism have typically come not from independent historians but from the authorities themselves (such as governmental officers or their spokesmen) or those close to people in power. (Sen, 1999, p. 231)

Sen also contends that in a “freedom-oriented” perspective of rights, the conflict between the “preservation of tradition and the advantages of modernity” must be decided by all people in a society, not just by national or local guardians (including political rulers and religious authorities) and that attempts to choke off participatory freedom on grounds of traditional values (such as religious fundamentalism, or political custom, or the so-called Asian values) simply misses the issue of legitimacy and the need for the people affected to participate in deciding what they want and what they have reason to accept (Sen, 1999, p. 32).

F. CONCLUSION

As an historical synthesis, human rights are, in their essence, in constant movement. (Opening remarks, former UN Secretary-General Boutros-Ghali, Vienna World Conference on Human Rights, 1993)

This Section has revealed how the concepts human rights is actually a hotly contested, ever-evolving and fluid discourse by examining several specific issues within the ongoing evolution of human rights. It has explored the impact of the traditional ideological and political domination of the rights discourse, as well as the impact of major world developments, including the ending of the Cold War and globalization, on the discourse of human rights. In addition, this Section has discussed how new, previously “marginalized” constituencies – particularly people from the global South –
are embracing, critiquing, challenging and expanding the discourse of human rights. Specifically, it has examined these challenges as they were manifested at the Vienna World Conference on Human Rights. Finally, it has provided evidence of the ways that the international women’s human rights movement, indigenous people, NGOs and grassroots people from around the world are helping to chart a new meaning and course for human rights in the twenty-first century. Recently, this has included: 1) demands regarding women’s human rights and the right to development and self-determination; 2) a strong challenge to the traditional Western domination of human rights in both theory and practice; and 3) the renewed recognition within a globalized reality, of the indivisibility of rights and the equal importance of the entire spectrum of CP and ESC rights.

In highlighting the impact of globalization on human rights, this Section has revealed that globalization is actually “globalizing” human rights. At the same time, it has emphasized that the promise of human rights – as a powerful and viable tool to contest exploitation, oppression and destruction (including the negative impacts of globalization) – cannot be fully realized (or gain full strength) unless the discoursive and legal practice of rights continues to shift in acknowledgment of the “radical diversity” of “local” realities, perspectives, interests and rights meaning-making. This has direct relevance for the ability of new perspectives concerning the perennial universalism/cultural relativism issue to take root and to thrive.

The Vienna Conference, as well as other ongoing efforts around the world, represents the promise of a transformative move away from “rights weariness” and
“rights wariness” (Baxi, 1997). For within these contemporary challenges to human rights

\[\ldots\] lies an impulse for rethinking human rights. They acknowledge, indeed, that some human rights and fundamental freedoms are universal and indivisible but interrogate, for example, preferred hierarchies of rights, extolling civil and political rights over economic, social and cultural rights. (Baxi, 1997, p. 152).

Within these impulses lie key challenges to the mainstream international human rights community to relinquish some of its most cherished myths. Filipino ESC advocate Clarence Dias argues that these include the myths:

- of the true possibility of increasingly realizing the rights of all without there being any loser...[when] the rights of the have-nots can only be successfully realized by restricting the rights of the have-nots;
- of universality as the belief that there is a universal consensus about what it means to live up to human rights values and the continued use of human rights by the West to justify cultural imperialism and the political agenda of the U.S. State Department;
- of equality in the conceptualization and application of rights to all people regardless of their socio-economic position and social group membership; and
- of governments as essentially law-abiding and willing (or able) to fulfill basic human needs and the conflict within human rights between rights associated with ‘freedom’ and those associated with ‘bread’ (Dias, 1993, pp. 703-704).

Despite recent victories, the battle over power, control and meaning-making within human rights is far from over. Important questions remain that relate directly to the immense degree of continuing resistance to the evolution, “democratization” and reconfiguration of the human rights discourse by people outside of the North. It remains
to be seen who will control the goals, direction and pace of change in human rights in the future. Will it continue to be Northern governmental elites and lawyers, or will it be NGOs, grassroots activists and new social movements from around the world? Will the discourse of rights continue to be infused and inflected with new perspectives and local meaning-making, and thereby acquire new power and possibility? Or will the mainstream human rights community continue to focus primarily on legal proceduralism, violations of human rights conventions and the bureaucratic decision-making of national, regional and international institutions? Will the discourse and practice of human rights embrace the explicitly political challenges of the near disastrous consequence of the split (and hierarchy) between ESC and CP rights and North-driven global economic policies? Or will it remain shrouded in its own privilege, perceiving itself as either above or neutral in relation to international politics? Can the mainstream human rights community come fully to terms with the indivisibility of rights, collective rights and the rights of women? Will the current 'gatekeepers' of human rights decide to be part of the solution, or remain part of the problem (Devlin, 1993, p. 999)?

These, of course, are rhetorical (and fundamentally political) questions. However, as Section II explores, these questions, as well as the other human rights issues that Section I has explored, are directly relevant to both the challenges within human rights education (HRE) and the challenges of HRE as a source of new subaltern, 'grassroots' perspectives on human rights – to the broader discourse of human rights. The following Section will pursue the question of the power of HRE to help ground human rights in the concrete, lived experiences of the world’s people. For now however, it remains to be seen whether the human rights discourse will ground itself in the
contextual experience of multiple realities around the globe or continue to pursue a vision of rights that is based on “... having rather than being ... self-centered, individualistic and petulant” (Conley and Ettinger, 1998, p. 35). If this is the case, human rights will “... undoubtedly flounder in the sea of irrelevance, mired in its own inapplicability and lack of diversity” (Conley and Ettinger, 1998, p. 35).
SECTION II

HUMAN RIGHTS EDUCATION

INTRODUCTION

As the previous section detailed, the meaning and scope of human rights is subject to ongoing debate and interpretation. Coursing through these debates are power struggles over civil and political rights versus economic, social and cultural rights, and the traditional hegemony of the North over rights. These struggles also concern who “creates” and “owns” human rights – elites in the international human rights community or the “people.” In many ways, the short history of human rights education (HRE) mirrors these dynamics and debates, as well as recent shifts in the larger rights discourse.

This section begins with a description of the various mandates for human rights education. Next, it explores two main approaches to HRE: “learning about and learning for human rights.” It details how learning about human rights reflects the “legal discovery” of rights (Conley and Ettinger, 1998, p. 31), which is closely aligned with traditional practice in the mainstream international human rights community. Then it examines the UN Decade for Human Rights Education and explores how the conceptualization of rights within the Decade paves the way for the more transformative “educational discovery” of rights (Conley and Ettinger, 1998, p. 31). This transformative approach views human rights not simply as a “a code or set of laws”, but as a “discourse in transformation and often in contest...”(HREA website, 2001). The Section then

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1 Throughout this Section, the phrases “learning about human rights” and “teaching about human rights” as well as “learning for human rights” and “teaching for human rights,” are used interchangeably.

2 Critiques of this approach are informed largely by the authors’ own experiences as participants in HRE courses and workshops as well as professional experience in the arena of international human rights.
discusses the threat that this transformative vision of HRE may pose to professional human rights "gatekeepers" (Bunch, 1993, p. 968), who believe they "...own the right then to say what is and is not a human rights issue – legitimating or denying legitimacy to other concerns" (Charlotte Bunch, p. 968). Finally, this Section details the authors’ own approach to HRE in both vision and in practice.

A. HUMAN RIGHTS EDUCATION

1. A Brief Overview of Global HRE Activity

Since governmental and non-governmental organizations and individuals have important roles to play in ensuring that human rights are respected, national human rights education strategies and plans of action should be developed and implemented by a creative mixture of all such entities. (Decade for Human Rights Education, Plan of Action, Appendix 2, Preface, 5.)

Simply put, human rights education is teaching people about their human rights, since human rights can only acquire meaning in people’s lives if they are aware that such rights exist. In recent years, many NGOs have become increasingly involved in the human rights education endeavor. The increasing involvement of NGOs in HRE reflects the wide impact of globalization and the need for effective international tools to challenge global exploitation and oppression. The heightened role of NGOs in HRE also reflects the shifting nature of the state. As HRE advocate Richard Pierre Claude points out, it reflects a "...global society perspective on international affairs in which states are no longer the only actors on the stage of international relations" (Claude, 1996, p. 140). Finally, it may also represent a response to the momentum for HRE generated by the UN.

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3 Section III. of this paper discusses the state’s role in HRE as expressed through the formal school system.
Decade for Human Rights Education and other mandates that urge the participation of all segments of society in HRE.

Whatever the reason, it is impossible to keep track of the number of local, national, regional and international NGOs involved in the rapidly expanding field of HRE. Many NGOs “...both on their own and as catalytic prompters of governmental actions, have begun to undertake primary tasks in human rights education” (Claude, 1996, p. 121). In some instances, this involvement has taken the form of government-NGO cooperative partnerships, where NGOs have provided governments with “funding, expertise and experience” (Claude, 1996, p. 123). 4

Whether taking place as partnerships with governments or self-initiated endeavors, the range of NGO activity includes developing HRE training manuals, materials and curricula conducting human rights education programs in formal and non-formal settings in a number of different countries and regions. These include (but are not limited to) the Philippines, Israel, Uruguay, India, Nigeria, Nepal, Bangladesh, Taiwan, Australia, Senegal, Tunisia, Brazil, Chile, Mexico, Cambodia, Thailand, Japan, and throughout other parts of the Asian-Pacific region. They also include the Americas, countries in the Middle East and in Eastern Europe. (Claude, 1996, p.126, pp.147-175)

2. HRE Mandates: Declarations and Conventions

The mandate for human rights education dates back to the founding of the United Nations (1945). From the outset, the Charter of the United Nations called for

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4 This is especially true where HRE is legally mandated in domestic law. Examples of NGO/government partnerships include the Philippines, Cambodia and Uruguay.
cooperation "in promoting and encouraging respect for human rights and fundamental freedoms" (UN Charter, 1945). The Charter’s references to the promotion and encouragement of human rights were clarified in 1948 when the General Assembly adopted the Universal Declaration of Human Rights (UDHR). The UDHR assigns a critical and central role to education, calling on everyone – “all peoples and all nations” – to “...strive by teaching and education to promote respect for these rights and freedoms...” (Preamble, UDHR). This language instrumentally connects education to the obligation to promote human rights, and indicates the scope of the human rights educational enterprise. From the very beginning, the role of both state and non-state actors in education (and thus in HRE) was not only acknowledged, but promoted. The Preamble of the UDHR states that teaching and education are the duty of “...every individual and every organ of society...” (Preamble, UDHR).

Article 26 of the UDHR declares that State Parties must assure every child access to education and stipulates that such education shall be directed to “the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms” (Section 2). The Convention on the Rights of the Child (CRC) further amplifies the right to education, making special reference to primary, secondary and tertiary education, and specifying that this right be achieved “progressively and on the basis of equal opportunity” (Article 28).

The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) also elaborate on both the right to education and the values such education should promote. The ICESCR locates education within a human rights framework so that education which promotes the
full development of the person also promotes human rights. For example, Article 13 of
the ICESCR states that education shall be directed to the “full development of the human
personality” and to the person’s own “sense of dignity” (Section 1). The Covenant also
says the State Parties:

...further agree that education shall enable all persons to participate effectively in
a free society, promote understanding, tolerance and friendship among all nations,
and all racial, ethnic or religious groups, and further the activities of the United
Nations for the maintenance of peace.” (Article 13, Section 1)

The ICCPR also links the goal of education to furthering respect for human rights.
For example, Article 19, Sections 1 and 2, declares the right to hold and express opinions
and to “seek, receive and impart information and ideas of all kinds.” Insofar as education
is a process involving the sharing and dissemination of ideas, the ICCPR also supports
education for human rights. It also issues a clear mandate regarding state interference
with human rights education. Once a state signs onto the international human rights
system, it cannot stand in the way of people’s efforts to learn about their rights

The right to education (and to know our rights through education) enshrined in
the International Bill of Rights, has been reaffirmed in subsequent UN documents. The
human right to education, the right of the people to know their rights, and the goal of
education in furthering respect for all human rights can be found in primary human rights
instruments such as the American (1948) and European (1953) Charters, the African
Charter on Human and Peoples’ Rights (1986), the International Convention on the

3. HRE Policy Mandates

A number of inter-governmental conferences, declarations, policy mandates and recommendations have in recent years significantly expanded the conception of human rights education from an approach that is strictly focused on learning about human rights through human rights documents and law toward new approaches that place greater emphasis on learning for human rights, which stresses attitudes and behaviors. Most recently, this expansion has led toward approaches that focus on the local meaning-making of human rights.

In 1974, the General Conference of UNESCO adopted the Recommendation Concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (Recommendation 74). Recommendation 74 links HRE to education ‘... about contemporary world problems such as the maintenance of peace, disarmament, respects for human rights, development, and an awareness of the increasing global interdependence between peoples and nations.” Conley and Barot note that Recommendation 74 was also significant because it promoted a culture of peace and tolerance at all levels of education, particularly in institutions of higher learning where future teachers are trained (1996, p. 218). In 1985,

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5 They are also included in the Convention Against Discrimination in Education (429 UNTS 93); the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding Between Peoples (UN General Assembly Resolution 2037 (XX), 7 December 1965; the Declaration on the Elimination of All Forms of Racial Discrimination (UN General Assembly Resolution 1904 (XVIII), 20 November 1963; the European Parliament’s Resolution on Freedom and Education in the European Community (OJ 1984, C 104, p. 69); and the General Conference of UNESCO’s Declaration on Race and Racial Prejudice (UNESCO 20th Session, 27 November 1978).
the Council of Europe Committee of Ministers issued a recommendation on teaching and learning about human rights in the formal school setting. Although not a UN document, it is considered important for its emphasis on incorporating into school curricula citizenship education that focuses on human rights.

The 1993 Montreal Declaration and Plan of Action of the International Congress on Education for Human Rights and Democracy declared that learning in HRE is

\[\text{... intended to encompass the concepts that knowledge must lead to action, that access to knowledge should be empowering, that learning is a participatory process and that the learner is a teacher and vice versa. In this respect, the methodology of education for human rights and democracy should be respectful of the rights of the learner and democratic in its organization and functioning. (Montreal Plan of Action, strategy #7)}\]

The Montreal Congress was significant for a number of reasons: first, it indicated that the educational process itself should be democratic and participatory (emphasis added); second, it recommended strategies relating to the development of curricula and HRE programs; third, it recognized the importance of HRE in both the formal and the nonformal sectors; and fourth, within the formal sector, it argued in favor of an interdisciplinary approach to HRE which integrated the theme of human rights and responsibilities into all or most areas of study as well as into the process of school socialization (Conley & Barot, 1996, p. 222). Taken together, these pronouncements represent a notable conceptual expansion of human rights education.

The World Conference on Human Rights, in the Declaration it adopted in Vienna (June 1993) recognized that “... the international community (emphasis added) should devise ways and means to remove the current obstacles and meet challenges to the full realization of all human rights ..." (Vienna Declaration and Program of Action, UN Doc.
A/Conf. 157/123, 12 July 1993). The 44th Session of the UNESCO International Conference (1994) also called for the “...cooperation of all partners, who would be able to help teachers to link the education process more closely to real social life” (As cited by Conley & Barot, 1996, p. 224).

The Vienna Conference was significant for HRE. For one, it extended the concept of human rights education into a “unique strategy for the building of a universal culture of human rights” and emphasized that

[h]uman rights education should involve more than the provision of information but should rather constitute a comprehensive, life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies (Vienna Declaration and Program of Action, UN Doc. A/Conf. 157/123, 12 July 1993).

It also stressed that “[h]uman rights education should include peace, democracy, development and social justice” (emphasis added) (The Vienna Declaration. As cited by CEDAL, 1996, p. 1).

B. LEARNING ABOUT AND LEARNING FOR HUMAN RIGHTS

1. Learning About Human Rights

There have been two main approaches to HRE: learning about human rights and learning for human rights. Learning about human rights, is the more traditional construction of HRE. It focuses human rights as legal knowledge – the “legal discovery” of HRE (Conley and Ettinger, 1998, p. 31). It stresses legalistic, content-based, cognitive learning about “specific data (documents, dates, events, personalities, themes and topics),

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6 For examples of actual HRE endeavors in both non-formal and formal settings, please refer to Appendix – and to the chart at the end of Section III.
the concepts associated with human rights” (Lister, 1984, p. 6) and international and national implementation mechanisms (Flowers, 2000, p.12). Ian Lister characterizes the two essential elements that make up this kind of HRE (basic documents and key subjects) as “dry and dusty and legalistic...abstract and unreal” and admonishes that, “[w]ithout care, both these elements of a course on Human Rights could appear to lack humanity....” (Lister, 1984, p. 14).

Overly reliant on the content of human rights documents, this approach often ignores the personal, individual or collective awareness and the pedagogical relations/climate required for effective human rights education. For the most part, it relies on the “banking approach” - top down lectures on the law, passive instruction (although possibly incorporating non-formal activities as a kind of pedagogical “bag of tricks”) and a pre-determined curriculum (rather than one that is co-constructed), with set materials (Henry, 1993, p. 241). Practitioners of this approach to HRE appear to be unaware of contemporary theories of education, and, in particular, the impact of the student-teacher relationship on learning. As Martin argues, “[t]eaching about justice and democracy ... requires a commensurate atmosphere in the classroom” (Martin, 1997, p. 605). In short, it appears that the legalistic learning approach to HRE overlooks the importance of providing a rights-affirming learning environment.

2. **Learning For Human Rights**

The second approach, learning for human rights, represents a more holistic approach to human rights. Rather than focusing on a legal vision of human rights,
learning for human rights focuses on human rights as a social vision – as the “educational discovery” of rights (Conley and Ettinger, 1998, p. 31). It moves teaching about human rights beyond a strictly cognitive and legalist approach to human rights toward one that is grounded in people’s lives. It emphasizes that human rights are not simply about documents and international rights law, but represent a way of being in the world. Learning for human rights does not focus exclusively, or even primarily, on the acquisition of legal “knowledge” about rights and rights mechanisms.

Although it includes learning about the primary human rights documents, conventions and legal instruments, it also promotes. For example, it promotes affective learning and the development of attitudes, skills and values consistent with human rights, including fundamental underlying rights principles such as dignity, equality and justice. U.S.-based human rights educator Nancy Flowers states that learning for human rights “…has little to do with what we know; the ‘test’ for this kind of learning is how we act” (Flowers, 2000, p. 12).

The learning for approach to HRE is informed by pedagogical principles which emphasize that learning must start from reality; promote dialogic processes and critical thinking; facilitate the development and expression of feelings; and the integration of feelings into the learning process and; promote active participation (Peruvian Institute for Education in Human Rights and Peace. As cited by Flowers, 2000, p. 12). This includes:

- Developing critical analysis of their life situations;

See Appendix 3 for a list of some of the HRE courses offered throughout this year. These provide a sense of the range of approaches to HRE, including what in our view is the continued preponderance of HRE courses oriented more toward “learning about” than “learning for” human rights.
• Changing attitudes and behaviors
• Clarifying values;
• Developing solidarity;
• Analyzing situations in human rights terms; and
• Strategizing and implementing appropriate responses to injustice

(Flowers, 2000, p. 13)

In contrast to the “learning about” approach to HRE, which is “devoid of any but the most elliptical reference to empowerment as a goal” (Claude, 1995, p. 199), the ultimate goal of this approach is empowerment, where human rights become a means by which people can “…take control of their own lives and the decisions that affect them” (Flowers, 2000, p. 12). Significantly, this approach emphasizes the creation of a culture of human rights through the process of learning -- and through the creation of a learning atmosphere -- that is itself rights-affirming (Conley and Ettinger, 1998, p. 31).

C. THE “LEGAL DISCOVERY” OF HUMAN RIGHTS

Lex non intendit aliquid impossible. (The law does not intend anything impossible. For otherwise the law should not be of any effect.)

The First thing we do, let’s kill all the lawyers! (Henry IV. Part 2, Act IV, Scene 2)

Many professional human rights advocates involved in HRE appear primarily or even exclusively oriented to the learning about approach, emphasizing the legal aspects of human rights documents and instruments. From an historical perspective, this is not surprising. To a large extent, the international field of rights has traditionally been the
domain of the law. Many of the “actors” in this field are human rights NGOs concerned with monitoring and reporting legal violations of human rights and developing human rights legal norms and instruments. Success in this arena, including open access to the “UN system and culture” (Baxi, 1997), requires “legal literacy.” As one lawyer puts it

> [t]he development of human rights has taken place within the framework of international law, and one needs to have an understanding of, for example, treaty law or international organizations in order to fully understand the functions of human rights *rules*” (italics added) (Akermark, 1998, p. 8).

This perspective is echoed in a description of an HRE training program:

> “[i]nternational human rights are not vague concepts of justice. They are precisely defined international laws, stemming from a series of treaties and overseen by a complex of the UN and other mechanisms” (Lewis, I., personal communication, April 27th, 2001).

Since the dominant practice of human rights has traditionally been oriented to the law, many human rights NGOs have been populated (and even dominated) by lawyers (Conley and Ettinger, 1998, p. 31). This means that often, human rights NGOs engage in HRE, lawyers suddenly turn into educators. According to Philippine human rights advocate Felice Yeban, this poses a serious problem to HRE: “Lawyers dominate the field... this is not healthy... Keep lawyers away from HRE... We need to depart from a legalistic approach to HRE” (Yeban, 1994, p. 16). Echoing this sentiment, Conley and

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9 Although it does focus on human rights advocacy directed toward governments and in the UN at the national, regional and international level.

10 And have fashioned rewarding careers, livelihoods and airline mileage points from this approach

11 This is not to suggest that these activities are not important. It is simply to suggest that the legal domain is not the only appropriate “home” for human rights.

12 Yeban has played a pivotal role in developing the Philippines HRE curriculum for both schools and teacher training programs.
Ettinger argue that the exclusionary" focus on the "study of legal and constitutional texts and norms" has effectively "... subverted a practical application of human rights education" (Conley and Ettinger, 1998, p. 31).

This subversion of the "practical application of HRE" includes maintaining the split between civil and political (CP) and economic, social and cultural rights (ESC) by over emphasizing CP rights and under-emphasizing ESC rights. A review of the literature found supporting evidence of the relatively greater emphasis on CP rights than ESC rights in HRE as far back as 1984, when European HRE proponent Ian Lister warned about "...the danger of dealing with civil and political rights to the exclusion of social and economic rights" (Lister, 1984, p. 12).

Operating within the traditional legal paradigm of rights, many rights advocates in the mainstream international human rights community have historically focused on the legal aspects of rights violations, which usually means civil and political rights. Many human rights professionals (particularly those from the North) may simply not be legally, practically or ideologically predisposed to conducting the kind of comprehensive promotion of the full spectrum of rights that ideally, HRE would require. Although it goes without saying that any effort to teach people about human rights has enormous value, in our view it is difficult (if not impossible) to access the transformative potential of human rights through the cognitive-based, legalist approach to learning about human rights.

13 One might hazard a guess that this is particularly true for Northern-based human rights advocates. Moreover, due to geographic proximity and access to resources, one might also venture that North-based rights advocates have had greater access to, and thus more influence within, the UN system and culture of rights.
Far too often, practitioners of the learning about approach seem to present human rights legal documents as naturally derived, extracted from the socio-historic context in which they were created. Moreover, they rarely present human rights as a fluid discourse. Transmitting fundamental human rights concepts as unproblematized (rather than as contested) “knowledge,” locks human rights within traditional normative values. It masks the Western legal and cultural ideology that has historically undergirded much of human rights, presenting as unproblematized the universal, cross-cultural validity of rights documents.14

By evading a dialogic process, this approach avoids a pedagogical confrontation with the legitimate (and increasingly widespread) challenges to the historically Western and individual bias of the human rights discourse. Crucially, this form of HRE also maintains disproportionate power and control over human rights meaning making at the level of lawyers, diplomats, nation-states and government leaders, rather than shifting it to the level of people. This effectively shields human rights from the kind of interrogation and invigoration it has received of late from the broader global community (as evidenced by Vienna) and from those “...whose multiple local realities and narratives could continue to powerfully reshape and give ever-new meaning to the human rights paradigm” (Baxi, 1997, p. 148). Like the essentialist perspective on rights discussed in Section I., this approach to HRE ignores the “lived reality” of human rights, which have always found both their source and meaning in their lives of the people who have suffered human rights violations because of colonialism, racism, distorted development policies and other forms of exploitation and oppression” (Baxi, 1997, p.140).

14 In fact, the “universalistic aspirations” of the UDHR have often been suggested as a legitimizing point of leverage for teachers who wish to engage in HRE (Lister, 1984, p. 6).
Moreover, through its emphasis on the “legal narrative” of human rights conventions and instruments, the learning *about* approach depends on a “pedagogy of social reproduction in which patterns of hierarchy, abuse and exclusion may be legitimized and preserved” (CEDAL, 1993, p. 4). This includes the preclusion of any critical analysis regarding the role of power or economic structural inequity in contributing to rights violations as well as critical reflection about the power relations and social forces that must be changed to attain the full realization of human rights.

As a consequence, participants in this form of HRE are afforded the opportunity to ‘buy into’ human rights, but, they are deprived of opportunities to:

- understand the deeply contested nature of human rights;
- understand or analyze the hierarchy of rights, competing political and cultural tensions surrounding the creation of the UDHR and subsequent rights documents and the impact of the hierarchy of rights over the general rights paradigm;
- critically reflect on legitimate claims concerning Northern hegemony over human rights and offer new critiques and insights on this extremely significant aspect of rights;
- reflect on the relationship between human rights and the changing role of the state under globalization;\(^{15}\)
- help reshape and re-infuse the rights paradigm with new meanings and narratives or to use the framework of human rights to reflect on and challenge structural inequity (CEDAL, 1993, p. 4).
Fundamentally, this requires far more than a content-based, approach to HRE that places undue emphasis on the legal aspects of international human rights.

D. THE "EDUCATIONAL DISCOVERY" OF HUMAN RIGHTS

1. The UN Decade for Human Rights Education

Over fifty years ago, international human rights began, not with the law, but with a vision. No HRE mandate to date has expressed a definition of human rights or of HRE as exclusively focused on the legal and juridical issues encompassed by the traditional teaching about approach to HRE. Yet the learning about approach to HRE retains its primacy. By contrast, the declaration by the United Nations of the years 1995-2004 as the Decade for Human Rights Education (The Decade) (United Nations Human Rights website) has given significant new impetus to learning for HRE. More than fifty years after the establishment of the UDHR, the Decade for Human Rights Education (the Decade) is helping to return human rights to its original transformative vision. It is our belief that the Decade, with its emphasis on human rights as belonging to all people, will help facilitate what HRE proponent Richard Pierre Claude characterizes as the process of "...moving beyond the gestation of the international law of human rights and toward a new global community more nearly consistent with the vision of...the UDHR" (Claude, 1996, p. 141).

At the level of international policy mandates, the Decade expresses the most comprehensive and expansive definition of HRE to date. In many respects, the vision of

15 Ironically, some have argued that the full realization of human rights actually requires a weakened state, e.g. a state that does not have the power to interfere with peoples' human rights.
human rights articulated by the language of the Decade opens up new possibilities for an
more radical and transformative approach to HRE than that currently offered by even the
most dedicated proponents of the teaching for approach to HRE.

The suggestion for the Decade came out of the Vienna conference (UN High
Commissioner on Human Rights website) and reflects the many shifts in human that both
culminated in and emerged from Vienna. Just as Vienna breathed new life into human
rights, the Plan of Action for the UN Decade on Human Rights Education infuses new
vigor, momentum and vision into HRE.

Concretely, the Decade defines HRE as “...the building of a universal culture of
human rights through the imparting of knowledge and skills and the molding of attitudes
(Plan of Action, Section 1). The Decade also states that HRE is to be directed to

- The strengthening of respect for human rights and fundamental freedoms;
- The full development of the human personality and the sense of its dignity;
- The promotion of understanding, tolerance, gender equality and friendship among
  all nations, indigenous peoples and racial, national, ethnic, religious and linguistic
  groups;
- The enabling of all persons to participate effectively in a free society; and
- The furtherance of the activities of the United Nations for the Maintenance of
  Peace (Plan of Action, section 1).
However, keys to the significance of the Decade’s approach can be found in the following two paragraphs. Paragraph 4 of the Decade’s Plan for Action states that:

In order to enhance their effectiveness, human rights education efforts for the Decade shall be shaped in such a way as to be relevant to the daily lives of learners, and shall seek to engage learners in a dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economic, cultural and political conditions. (Para. 4) (emphasis added)

Paragraph 5 proclaims that:

In recognition of the interdependence and mutually reinforcing nature of democracy, development and human rights, human rights education under the Decade shall seek to further effective democratic participation in the political, economic, social and cultural spheres, and shall be utilized as a means of promoting economic and social progress and people-centered sustainable development. (Para. 5) (emphasis added)

E. IMPLICATIONS OF THE DECADE

Lex apostata. (A thing contrary to law.)

1. Overview

Due to its promotion of communication between the North and South and its “...open-ended nature and its ability to build bridges among different groups” (Frost, 1996, p. 79), the Decade is a “...mobilizing idea more powerful than [previous HRE] resolutions...” (Frost, 1996, p. 79). This bridge-building advances HRE beyond its legalistic orientation, which Chilean human rights educators Vergara and Vergara Esteves argue reflects a value that human rights “...concern only specific groups and not the common citizen” (1994, p. 277) toward the radical notion that rights not only belong to everyone, they are relevant to everyone (not just to those in the UN rights system).
2. (Inter)Depending on Rights

Upendra Baxi describes the Decade’s vision of HRE as “remarkably imaginative” (Baxi, 1997, p. 150). This is due to its people-centered approach, its emphasis on local-rights meaning making and the application of human rights to “…the economic, social, cultural and political realities” of daily life. Integrating the full spectrum of rights into the lived realities of people’s lives also helps to reconcile the traditional split.

In addition, the Decade evokes Roberto Unger’s theory of “destabilization rights,” which “…function as claims that disrupt established institutions and forms of social practice that have achieved insulation and have encouraged the entrenchment of social hierarchy and division that the entire rights framework was to avoid” (Unger, 1986. As cited by Workman, 1994, p. 43).

An example of the “context smashing,” “destabilizing” (Unger, 1986) potential of HRE can be found in Decade’s echo of the recent recognition of the right to development, which insists on the integration of human rights framework into “economic progress.” Specifically, Paragraph 5 positions HRE to “…address the major problems of humankind, especially ‘the eradication of conditions which perpetuate’ attacks on human survival and well-being” (Baxi, 1997, p. 151). Moreover, Paragraph 4’s challenge to address the full range of people’s social, economic, cultural and political conditions “…summons HRE praxis to tasks of everyday relevance, in micropolitical, microsocial contexts…” (Baxi, 1997, p. 151). Noting its emphasis on economic and social realities as the focus of these “contextualized” conditions, we can begin to glean the

16 e.g., HRE for Philippine teachers has revealed that this training is most successful when it begins with social and economic rights and development issues about which teachers themselves are concerned (Claude, 1996, pp. 109-110).
transformative potential of the Decade’s approach to HRE and human rights. The language of the Decade suggests the fundamental need, within a globalized context, to position economic, cultural and social rights (such as education, health, food and housing) at the center of the human rights, rather than at its periphery.

This positioning points to the potential utility of employing HRE to confront contemporary global issues, particularly in relation to the right to “economic self-determination” (CEDAL, 1993, p. 3). For example, it could include the understanding of the processes of globalization and the “…importance of human rights accountability of all institutions and individuals responsible for globalization [as] an important part of human rights education” (CEDAL, 1993, p. 3). In concrete terms, at the grassroots level, this is already taking place. According to HRE proponent Nancy Flowers, HRE has helped grassroots people around the world to utilize human rights to oppose violence against women, battle toxic dumping, resist child labor and to advocate for housing and health care as rights issues” (Flowers, 2000, p. 7). Importantly, she adds that these initiatives have had an enormous effect on HRE, “…effectively redefin[ing] human rights education in the process (Flowers, 2000, p.7).

The emphasis in the Decade on transforming rights from abstract norms to peoples’ realities according to their “social, economic, cultural and political conditions” (Paragraph 4) suggests the need for an explicit commitment to the promotion of ESC rights and the indivisibility of CP and ESC human rights, as well as to “third generation” rights such as the right to development and the rights of women and indigenous peoples. Moreover, it appears to suggest the need for an explicit alliance between HRE
practitioners with the interests and perspectives of people from the global South (as well as the “South within the North”).

Clearly, HRE education (itself a social right) may be on its way to becoming a primary vehicle for focusing on many of the rights that have traditionally fallen outside of the almost strictly legal purview of the mainstream rights community. In many ways, a transformative practice of HRE may contribute (ever-so-slowly) to the establishment by people themselves of the rights-affirming “international social order” that the UDHR originally expressed.

3. Bridging the Great Divide: Universalism and Cultural Relativism

*Without a sincere and thorough effort to understand culture and morality in a global context, human rights will be a narrowly defined idea which resists the utopia it strives to create. With such a basis, human rights will continue to have limited application, educationally, legally and culturally.*

(Workman, 1994, p. 34).

The Decade’s Plan of Action represents a significant effort “...to understand culture and morality in a global context and many even suggests a way across the universalism/cultural relativism divide. By emphasizing local contexts and the process of rights meaning-making that originates and flows from people’s lives, this approach to human rights facilitates the fluid and paradigm-shifting intersection of the universal with the local. This meaning-making process allows for the rapid movement (at the level of the imagination and the real) of rights back and forth between the “...universal to the particular, from the abstract to the concrete, from the global to the local” (Baxi, 1997, p. 149), allowing human rights to be “...global, regional, national, and local *all at the same time* and at all levels of learning” (Baxi, 1997, p. 151).
This process, which emphasizes the creation of “the broadest possible awareness and understanding of all the norms, concepts and values” (Decade, Paragraph 1), allows people to utilize their own local socio-cultural contexts as their interpretive frames of reference for understanding these “norms, concepts and values.” This opens human rights up to “…unprecedented cross-cultural interrogation (Baxi, 1997, p. 149).\(^\text{18}\)

This process also encourages the dialogical interaction with human rights documents (and law) as discursive texts, which can then be analyzed not only in terms of culture, but also in terms of power, access and control. This suggests the possibility for a “critical literacy” approach to human documents, which can be engaged with not as representations of natural law, but of social reality. A critical literacy approach to HRE could include interrogating human rights documents in terms of “…[w]ho gets access to them…can manipulate and reconstruct them… critique, refute [and] second guess them” (Luke, 2000. As cited by Luna, Spring 2001, p. 1) as well as which version of reality they offer, according to whose perspective, and to whose benefit? (Luna, Spring 2001, p. 1). This would help participants in HRE to understand that “[t]he real meaning is deeply contextual; the instruments mean something in the historical context of events. In other words, the instruments are based on negotiation and do not reflect absolute truths” (Misgeld, as cited in Frost, 1996, p. 78).

4. Transforming HRE Pedagogy

The emphasis on learner-centered rights meaning-making in the Decade encourages the development of new HRE pedagogies that can also contribute to

\(^{18}\) The African Charter for Human Rights, with its emphasis on collective and solidarity rights, would be a good place to begin.
facilitating new understanding of the relationship between human rights and culture.

Human rights educator Charles Henry argues, for example, that:

A truly liberating human rights education must be seen as an instrument for empowering people and must arise from or at least involve their own cultural context. That is, many rights are 'universal ideals' in the sense that they are widely known by elites in the world community; however, they cannot be accepted and acted upon by non-elites unless they are adaptable to or rooted in the unique cultures and resources of different societies. Human rights education, then, must play the mediating role in transforming these universally recognized ideals into practical instruments of empowerment at the individual and local level (Henry, 1993, p. 234).

We agree with the view that HRE has “...the potential to create new conceptual (and praxis-oriented) space where human rights can be located within, not above, culture” (Workman, 1994, p. 33). Several HRE proponents have analyzed the possibility of locating human rights (and HRE) within a cultural frame of reference and have developed HRE pedagogies that allow for a vision of human rights that “...contains conflicting, cross-cultural definitions of rights” (Lindholm, 1992 and Rosemont, 1988. As cited by Workman, 1994, p. 1). Rosemont’s ‘concept cluster’ facilitates a process where the concept of human rights is viewed from within one’s own culture, and simultaneously decontextualized and recontextualized by contrasting it with concepts of rights in one’s own (or other) culture (Rosemont, 1988. As cited by Workman, 1994, p. 46).

Lindholm advances a “protheory” of rights suggests that cultural legitimacy for human rights grows from the cross-cultural philosophical origins of human rights found in Article 1 of the UDHR, which speaks about the inherent dignity of all persons “...and the universal human attribute of conscience and reason”(Lindholm, 1992. As cited by Workman, 1994, p. 47). Another possibility is to encourage the critical analysis of
multiple (cultural) meanings of the core human rights principles of dignity and respect, particularly in relation to their economic, political, cultural, race, gender, ethnic and class dimensions (Blackmore, 2000, p.135).

Finally, in her development of a dialogical pedagogy of human rights Alicia Ely-Yamin suggests that human rights as “critical consciousness” does not attempt to ascribe rights to a particular culture or ideology. Rather this approach focuses on revealing the power structures “...in societies and communities that inhibit the realization of justice, equality and dignity (Ely-Yamin, 1993, p. 661). She argues that this may be particularly useful “...in societies unfamiliar with the rhetoric of rights...[where learners can]...connect the ideal of human rights to the moral and religious forms that have shaped their personal worlds (Ely-Yamin, 1993, p. 661).

5. Empowerment and Democracy

a. Empowerment

Together, the shifts in the overall discourse of human rights and the new vision of HRE as articulated in the Decade of HRE create an important opening for the creation of a pedagogy of HRE that aligns itself both with a contemporary global reality and with the best insights of critical and post-structural pedagogy.

This helps move what has been a tendency by even the most progressive HRE practitioners to emphasize “tolerance,” and “sensitivity to difference,” as well as the “empowerment” of people to better participate in “democracy.”

Concretely, we believe that one must be cautious in uncritically urging “empowerment,” for, as critical feminist scholarship has led us to understand, static
notions of “empowerment” can exclude or ignore those who are presently empowered, particularly if they have contributed to the present system of empowerment/disempowerment. Moreover, the concept of “empowerment” may ascribe a commodity status to power as something that is possessed and can be given, and differentially and problematically positions the “empowerer” in relation to the “empowered” (Gore, 1992, p.59).

Critical feminist scholar Elizabeth Ellsworth adds that the key assumptions of critical pedagogy — empowerment, student voice, dialogue and “critical” are repressive myths that can perpetuate relations of domination and silence diversity (1992, p. 91). In contrast, she urges an understanding of identity, not as that which is essentialized and to be tolerated, but as “nonessentialized and emerging from a socio-historically contextualized experience — as a starting, not an end point (Ellsworth, 1992, p. 115) for social change.

Finally, the Decade facilitates the creation of an HRE pedagogy that enables both participants and educators to critically examine the effects of “positionality” (gender, race, class, ethnicity, sexual orientation, religion, etc.) and power structures on systems of oppression and on privilege, identity, and life experiences. Importantly, this helps move HRE beyond uncritical assertions of “empowerment” toward critical reflection on the ways that power and positionality limit or create potential for action.

b. Democracy

In our view, the Decade may also help HRE move beyond unproblematized exhortations about “democracy building” and the common assertion that HRE leads a priori to democratic participation and enhances the ability of learners to “know about and
value democracy” (Jacobsen, 1999, p. 1). This is instrumentalist approach to human rights values rights as promoting good government, economic progress, democracy and the transformation of civil societies, rather than viewing human rights as powerful ends in themselves (Baxi, 1997, p. 147).

As Section I. illustrated, these terms can be highly value-laden and ideologically (read North) driven. In our view, much of HRE practice fails to critically interrogate either the meaning or the means of attaining democracy. For example, in a U.S. context, the connection in many HRE curricular materials between democracy and human rights uncritically protects the concept of democracy from an interrogation of the ways that systemic institutional oppression affects how certain “social groups” have experienced “democracy. Moreover, the facile claim in these manuals that human rights leads directly to “democracy” reveals an unwillingness to acknowledge that certain groups of people have been over- or under-privileged as the result of differing access to power and resources.20 This view tends to regulate difference by viewing everyone as equally “the same,” irrespective of any differences that structural inequalities and history have produced (Fish, 1993, pp. 130-132).

Some HRE proponents do problematize what may be uncritical HRE exhortations concerning “democracy” (and by inference, how definitions of “democracy” shift according to different cultural interpretations in a specific historical time). For example, Chilean HRE advocates Vergara and Estevez warn that the concept of democracy can easily accommodate and in fact promote existing power structures (Vergara and Estevez,1994, p. 284). They argue that the struggle for “democracy” can actually
exclude the struggle for justice, when justice is perceived as a form of aggression and thus incompatible with democracy, which is associated with the common good and with co-existence, civility and peace. (Vergara and Estevez, 1994, p. 276).

6. It's OK to Argue: Conflicts Between Rights

Many HRE proponents argue that “...[e]ducation for human rights which includes respect for others, recognition and plurality, tolerance, non-discrimination and non-violence leads to the elimination of sources of conflict and strengthens peace” (Symonides, 1998, p. 11). While these are laudable (and important) goals, in it is our belief that they advance a consensus-oriented view of rights that fails to address the potential of HRE to cause real conflict (especially in terms of advocating for economic self-determination and cultural autonomy). Moreover, they fail to acknowledge that “...knowledge of human rights is a contradictory knowledge because rights are always in conflict” (Magendzo, As cited in Frost, 1996, p. 92)

It is our hope that the new vision for HRE, with its particular emphasis on local meaning-making in relations to the full scope of interdependent rights, carries within it the real potential of HRE to “destabilize” dominant political and economic systems (Baxi, 1997, p. 148). It is also our view that this new vision may help HRE to integrate, rather than ignore, the conflict-inducing potential of human rights. Chilean HRE advocate Magendzo offers us hope. In contrast to the all-too familiar, uncritical and almost platitudinous “peace-building” perspectives on HRE, he argues that “...education for peace must be education for insubordination. To teach human rights, educators must look for conflicting values” (Magendzo, As cited in Frost, 1996, p. 92). This perspective

20 Perhaps this is because so many U.S.-based HRE curriculum developers are middle-class and white.
recognizes rather than avoids the magnitude (and potential danger) of the struggle to which HRE can contribute – fundamental social change, with human rights as both its means and end (Sen, 1997).

F. CHALLENGES IN HRE

1. Potholes

One may narrate histories of the Age of Rights from two perspectives... First... from the point of view of myriad people's struggles... Second, we can take the other vantage point, which appropriates the narrative voices to national actors; parties, leaders, constitution makers, judicial actors, and the semi-autonomous field of rights enunciation within the UN system and culture. (Baxi, 1997, p. 142)

Just as there is no universal consensus about human rights, so too is there no universal consensus about human rights education. Human rights educators and advocates stem from different backgrounds and contexts. Some are human rights professionals new to education. Some are educators, new to human rights (Reina. As cited in Frost, 1996, p. 48). Some are grassroots activists. Many are lawyers and legal scholars. Of these, many remain largely within the conceptual and pedagogical confines of the learning about approach to HRE. Others however, are HRE "border crossers" – lawyers and legal scholars who play a prominent role in HRE,21 but who advocate for the

21 For example, of the sixty-three contributors to a recent 636 page “state of the art” HRE book (“Human Rights Education for the Twenty-First Century, published in 1997), only nine (less than 15%) are directly from the field of HRE as educators (outside of tertiary academic departments) Forty-six are lawyers or are from legal departments in universities, human rights law NGOs, or academic and legal policy centers and think tanks. The rest are primarily from NGO advocacy groups. On the other hand, in a recent telephone conversation, the director of Amnesty’s Northeastern Chapter bemoaned the lack of HRE practitioners from the education field and commented that this was affecting Amnesty’s success with promoting HRE (particularly in formal schools).
transformative approach to HRE promoted by the Decade. Many of these “players” (perhaps not coincidentally) come from the global South.

While this diverse cast of characters is indeed exciting, it is not entirely unproblematic. We believe that the new understanding of HRE articulated by UN Decade for Human Rights Education hints at an ongoing but unspoken struggle among the various actors in HRE. This struggle appears to be about what may be fundamentally different understandings of human rights themselves: a “legal vision” or a “social vision.” This struggle is not overt. It is masked by more accessible surface debates about how to teach HRE (often only in relation to changes needed to “build the atmosphere”) and includes profound differences over HRE content and pedagogy. It is expressed more through HRE practice than through any kind of vigorous or noisy exchange of ideas between those in who are strictly in the human rights advocacy field, those who are strictly in the HRE field, and those who straddle “in-between.”

These differences are linked to and play out as educational echoes of the traditional split between CP and ESC rights, universality vs. cultural relativism, the inherent (and accelerating) contradictions between global processes of market-oriented development and human rights and the burning question over who in the future will be the “gatekeepers” of human rights (Bunch, 1993).

In our view, this question of “gatekeeping” is fundamental to HRE. There seems to be a “fear” on the part of many human rights legal professionals, mainstream rights advocates and even some progressive women’s human rights advocates,\(^{22}\) that a vision of

\(^{22}\) In a recent conversation between one of this paper’s authors and a UN staffer involved in conducting CEDAW training for women around the world, the UN staffer expressed concern over efforts of one HRE organization to conduct trainings for grassroots women on CEDAW. Her concern was based on a fear that,
human rights as that which is located in people, not the law, will somehow “water down” (Bossuyt, 1993) the legal purity of international human rights and diminish its strength. Women’s human rights advocate Charlotte Bunch observes that members of the international rights community resent the growing identification with human rights by people around the world, because they worry that the increasing tendency of people to frame their struggles in terms of human rights may “dilute” their meaning (Bunch, 1993, p. 967). In many ways, their concerns are eerily evocative of the specious racist arguments that have traditionally, and almost universally, been advanced against “miscegenation.”

Typically, concerns about “dilution” usually substitute for other fears. In the case of HRE, it is our belief that the unspoken antagonism among various HRE proponents and practitioners stems from the potential of a more radical, transformative approach to HRE to facilitate the continuation of the evolution and expansion of the human rights discourse beyond its traditionally normative orientation. As detailed above, this includes the potential of HRE (and especially Paragraph 4 of the Decade) to:

- “destabilize” and “de-center” human rights through the appropriation by “people’s struggles” of the rights discourse (Baxi, 1997, p. 143);
- contribute to the meaningful (rather than rhetorical) reconciliation of the traditional split between CP and ESC rights;

Although the trainings were about women’s human rights, since they lacked extensive legal content (including significant rulings by the CEDAW committee) they weren’t necessarily CEDAW trainings. While in this case the concern was legitimate (based as it was on a desire for CEDAW training to equip women activists with the legal literacy necessary for effective advocacy vis-à-vis national governments who have ratified CEDAW), it nonetheless reveals the ongoing tension in human rights between human rights and HRE advocates.
• facilitate the reconciliation of the universalism/cultural relativism debate by encouraging the local meaning-making of human rights;

• foreground the “narrative voices” (Baxi, 1997, p. 143) of people from the global South

• encourage the serious engagement with the hypocritical discrepancy between the North’s domination of human rights and its simultaneous promotion (through globalization) of the “ideology of possessive market individualism” (Baxi, 1997, p. 152), where the primary right is the right to consume.

It seems as if there may be something to worry about after all. If allowed to flourish, the transformative approach to HRE may become extremely threatening to the status quo of mainstream human rights practitioners, since the understandings of human rights (as well as the causes of violations) that people arrive at through these processes may stand in marked contrast to the legal vision of human rights they promote.

On the other hand, the Vienna Conference, as well as the explosion of HRE activity around the world, reveals that, like multiculturalism (or better, polyculturalism), new perspectives bring new insight and vitality. With regard to HRE, this could help human rights follow its best “counter-hegemonic tendencies” as a “…dynamic vision that continually brings allies to the human rights struggle since, as new actors define their own human rights, they bring new energy and insights to that movement…” (Bunch, 1993, p. 968).

Our concern remains that the “natural” affinity between many in the mainstream human rights arena and the legalistic emphasis in the “learning about” approach to HRE undermines both the spirit of the original vision of human rights expressed in the UDHR
and the transformative vision of human rights that HRE can promote. In the end, it is not yet certain how HRE will proceed in the future, or what it will look like. Although the next section discusses the effect that the new vision appears to be having on HRE more generally, there is still the possibility of a “backlash” by those in the mainstream rights community who may be more interested in possessing human rights as legal chattel than in entertaining the possibility of human rights for all, fluid, transformative and responsive to local realities.

2. Possibilities

Despite the challenges in HRE that this Section has discussed, there are indications that the vision of the Decade is beginning to take root in HRE in concrete forms. Appendix C. lists HRE courses offered throughout the year 2001 (HREA website). A close read of these courses reveals the many ways in which the HRE struggle is playing out. These courses are full of the tensions that are currently pulsing through both HRE and human rights in general (Section I.). At the same time, a significant percentage display evidence of the increasing integration of the Decade’s approach to HRE with its holistic social vision of human rights. Many of the courses are “hybridized” versions of both the learning about and learning for approaches to HRE. We can see for example, an increase in the use of participatory pedagogies that build upon the prior knowledge of participants and involve an action component. We can also discern a growing emphasis on economic, cultural and social rights which, in some cases appears to problematize local socio-economic conditions. Apparently, the power of visionary ideas is having an effect on HRE.
G. CONCLUSION: IMAGINING HRE

1. The Vision

The analysis of 'what is' has led to a neglect of 'what might be.' (Apple, 1999, p. 13)

As we envision it, a transformed/transformative HRE practice would embrace and make explicit both the “hegemonic” and “counter-hegemonic” tendencies in human rights that discussed in Section I. This could include the explicit recognition and analysis of the ideological, political and cultural nature of international human rights and the critical analysis and interrogation of human rights documents as “texts.” It could also bring to the fore issues of power, domination, oppression and exploitation, through, for example, and examination of the causes and effects of structural inequity between the global North and South, and the challenges (and opportunities) of the effects of globalization on “…the changing social, political and cultural landscape” (Blackmore, 2000, p. 107). It could help develop and advance principled, rights-based critiques of the current neo-liberal global economic system and traditional models of development. Finally, it could assist in the creation of new local (and perhaps global) strategies for resistance and fundamental social change.

Pedagogically, this approach to HRE could avail itself of the best insights and practices of, for example, critical literacy, as well as critical, post-structural and post-structural feminist pedagogies. It could also draw on the best insights of global education, peace education and conflict resolution, multicultural education, social justice education, and anti-racist education.
Our vision of a transformative approach might help to counteract the tendency of even the most progressive HRE practitioners to teach/preach "tolerance" (which normalizes rather than embraces difference) and "empowerment" rather than fostering critical reflection about how "difference" is affected by and in fact constructed within, different socio-cultural contexts, as well as how structural oppression and domination relate to "power." At the same time, HRE could be used to interrogate (using a critical human rights lens) the perpetuation of current understandings of "difference" as they are constructed within culturally, economically and politically diverse contexts. It could help people to imagine a world in which human "difference" (e.g. race, gender, ethnicity, sexual orientation, etc.), if allowed to flourish to its "full potential" (via a consistent affirmation and promotion of human rights and denunciation of human rights violations), could bring about the radical transformation of self, community and world.

At the same time, it would explicitly acknowledge that the traditional challenges of multiculturalism – "learning to live with others within a compact of mutual tolerance and respect" – have become even more difficult as the "...[s]ense of independence and common interest [becomes] more attenuated, and the grounding of affiliation more abstract and indirect" (Burbules and Torres, 2000, p.21). In addition, it could provide people with the tools for effective interventions "in the dynamics of social conflict emerging between global transformations and local responses" (Burbules and Torres, p.21), including local, regional and transnational conflict.

2. The Practice

Lest the reader think all of this is just so much "nonsense on stilts" (Bentham, as cited by Cotler, 1995, p. 9), the subsection above reflects much of the approach that we
have actually taken in our own HRE practice. Addressing some of the main critiques of traditionally constructed human rights education, we have placed connections and local realities at the heart of our human rights project. This approach not only affirms the indivisibility of all rights but also enhances the capacity of people to reframe, reconceptualize and thus strengthen human rights by drawing on their own experiences occurring in their daily lives – within their own “localized” contexts.

The original inspiration for our conceptualization of HRE came from nonformal education. Our project is grounded in Freire’s philosophy and informed by his critical pedagogy and amplified by contemporary critical educational scholarship. Through problem-posing education and the process of critical action and reflection (praxis), Freire envisions human beings living in dignity and attaining conscientизацио. These are also the goals of human rights. At its core, human rights is about living in dignity and developing a critical understanding of life situations. Our decision to incorporate the practice of “problematizing” issues such as discrimination, into our pedagogy comports with this view of HRE.

According to Freire, we are all capable of breaking free from the “culture of silence” and looking critically at the world through dialogical encounters with others. Equipped with the proper tools, Freire believed that we can gradually come to perceive our reality (and its contradictions), examine our perceptions of that reality, and then deal critically with it (Freire, 1970, emphasis added). In a similar vein, educating from a human rights perspective can provide participants with the skills necessary to recognize and name, then critically analyze and respond to problems and situations that are of concern to them, in local, national and global contexts.
With respect to HRE in a U.S. context, making connections between our lives and human rights and engaging in dialogue about “bringing human rights home” is particularly important. It is one tangible way to counter the tendency of people in the U.S. (and particularly white people) to conceive of human rights violations as something that happen “over there” with “those people” – a tendency which only promotes the practice of “othering” – and to replace it, in the first instance, with a critical investigation of human rights at home, here in the US, at school and in the community.

We have focused on teacher educators in order to reach, ultimately, a greater number of people. However, we also take it one step further by encouraging the participants to look into and consider challenging the “humdrum” – those daily practices and incidental moments which are, in reality, linked to the perpetuation and reproduction of oppression and inequality.

For us, HRE is an educational lens that utilizes concepts such as justice and equality to detect and expose hatred, injustice, inequality, indignity, indifference and differential/discriminatory treatment within local contexts. As such, we believe that human rights education can help students to develop the knowledge, skills, attitudes and values necessary to create a school and society based on the principles of dignity, equality and respect for difference. Finally, we work in groups to prioritize problems and to begin to develop concrete strategies for addressing these problems.

Human rights education has the potential to affect every student, subject, classroom and school. By incorporating HRE and human rights values into classrooms and schools, educators can offer students opportunities to envision the kind of world we could create, and the experiences and skills to begin to make it a reality. Despite the
serious challenges to implementing HRE in formal schools explored in the next Section, we remain inspired by the vision of Paulo Freire, whose words at times resonates of human rights:

I can’t respect the teacher who doesn’t dream of a certain kind of society that he (sic) would like to live in, and would like the new generation to live in. [Educators should pursue] a dream of a society less ugly than those we have today. (Freire, 1970)
SECTION III

TENSIONS & CHALLENGES RELATED TO THE IMPLEMENTATION OF SCHOOL-BASED HUMAN RIGHTS EDUCATION

INTRODUCTION

... [N]o analysis of education can be fully serious without placing at its very core a sensitivity to the ongoing struggles that constantly shape the terrain on which education operates. (Apple, 1999, p. 1)

Analysis of the underlying issues in human rights education (which are rarely, if ever, made explicit) is essential if we really want to free HRE from the constraints which impede its introduction. (Tschoumy, 1989, p. 113)

Nowhere is an analysis of ongoing struggles and underlying issues more essential than when it comes to the myriad challenges and tensions inherent in implementing human rights education (HRE) in formal schools. However, in most cases, these tensions and challenges remain below the surface.¹ Many HR educators and commentators seem content to ignore the tensions and challenges, steering away from the conflict they engender. Others readily identify significant obstacles to implementing HRE in the schools, only to disappoint the reader with the by-now familiar (and oft-stated) platitude: “Achieving the thorough reforms needed to address these issues throughout the whole

¹ For example, two recent texts, widely lauded for their comprehensive treatment of Human Rights Education, pay scant, if any attention to the challenges of implementing HRE in the formal schools. The Finnish National Commission for UNESCO’s Human Rights Education: Achievements and Challenges (1998), which summarizes UNESCO’s 1997 Regional Conference on Human Rights Education in Europe, contains no reference whatsoever to this issue. In Andreopoulos and Claude’s edited volume of over 600 pages and 34 chapters, Human Rights Education for the Twenty-First Century, only two of the chapters address the issue of implementation challenges - one as its exclusive focus and the other as an integral part of its coverage.
educational system, will, however, take a long time" (Jacobsen, 1999, p. 1). One wonders what is to become of HRE in the schools in the meantime.

The apparent unwillingness to engage seriously with the tensions and challenges of implementing HRE in the formal schools is intricately (if obviously) related to the controversial nature of human rights (discussed in Section I and again in Section III.E.2.). However, it may also reflect an orientation to HRE that favors implementation in non-formal community settings over formal school settings and consequently, a certain distance from and unfamiliarity with trends and innovations within the field of formal education. Finally, the failure of proponents of HRE to critically engage with the real challenges in implementing school-based HRE may also signal their deep ambivalence about the role of schools in civil society and the possibility of “... reorient[ing] formal education systems to make respect for human rights a primary goal” (Reina, 1991. As cited in Frost, 1996, p. 48).

Some human rights educators and scholars have turned their attention to these issues, asserting that it is only by acknowledging and critically engaging with these tensions and challenges that HRE will have any chance of being successfully implemented in the schools. In underscoring the need to engage with these issues, French human rights educator, Francois Audigier, has said that “... by bringing them to light, we can avoid unnecessary controversies and forestall certain setbacks (1989, p. 130). However, his caution becomes a warning when he goes on to say that “... not to

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2 As discussed in greater detail in Section III.E.3., this apparent preference for community-based HRE is related to the history of HRE.
acknowledge them is to court disappointment or even failure” (1989, p. 135, emphasis added).

In this part of our project, we will heed Audiger’s call and explicitly bring to light several tensions and challenges related to the implementation of school-based HRE. By synthesizing and critically engaging with what we regard as some of the most compelling tensions and challenges, we hope to draw out the more nuanced currents lying beneath these tensions, offering critique where appropriate, and pointing out “omissions” as they occur. While our inquiry focuses on the challenges of implementing HRE in formal schools in general, it also reflects our recent experience working with US-based educators and studying at a US institution of higher education.

An overview of the societal challenges related to the implementation of HRE in the formal schools follows this introduction. We then review key tensions and challenges related to HRE as an educational initiative, before considering a few of the central tensions and challenges related to the institutional environment of the school. Next, we turn to an exploration of some of the tensions and challenges related to curriculum in general, as well as to the content and pedagogy of HRE in particular. The final sections discuss some of the challenges of implementing school-based HRE as they relate to teachers, and teacher training, before closing with a summary and brief analysis of several HRE teacher training initiatives.
A. SOCIETAL CHALLENGES & UNDERLYING TENSIONS

1. Overview

*Failure to address the relationship between HRE and the importance a society attaches to international human rights may compromise opportunities for implementing school-based HRE* (Lugton & McKinney, 2001).

It seems almost axiomatic to say that policy makers and HRE advocates should consider the human rights climate of society (including both state and non-state actors) as part of their inquiry into the feasibility of implementing school-based HRE. Most of the UN mandates have emphasized the role and encouraged the participation of both state and non-state actors in the promotion and delivery of HRE programs. Nonetheless, in many cases, the HRE literature overlooks the impact of a society’s human rights climate on the implementation of school-based HRE. Indeed, it fails to articulate the intimate relationship between the school and society, thus ignoring the fact that “... the school system itself has little meaning apart from the society as a whole” (Hilliard, 1984, p. 262).

2. Assessing Commitment to Human Rights

Some HRE proponents believe that the issue is relatively straightforward. Susanne Shafer, for example, comments that:

When there is a *genuine* commitment or sense of urgency, an effort is made to include them (human rights) in the curriculum ... where human rights are repeatedly curtailed ... human rights education has been absent from the curriculum. (Shafer, 1987, p. 203, emphasis added)

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3 It should be noted that this is more prevalent in the “Northern” HRE literature. The literature from the Marxist-Leninist States of Europe as well as from some of the Latin American and Asian Pacific countries pays more attention to this relationship.
While not without merit, Shafer's "either-or" generalization cannot serve as the sole indicator of a society's commitment to HRE. In the first place, it diminishes the possibility of viewing the human rights environment as a continuum on which various states may sit at various stages of human rights development (and HRE implementation). In so doing, it denies the existence and dismisses the potential of those "in-between spaces" where human rights education is going on, despite the government's lack of "genuine" commitment. Moreover, by presenting an almost circular argument – the commitment is genuine if human rights are included in the curriculum – Shafer's observation overlooks the underlying tension in confronting what on the surface may appear to be a pro-human rights climate, but which under the surface may reveal itself as something else entirely. In turn, this alerts the reader to the need to evaluate more critically a government's commitment to human rights and to probe more deeply into the disconnects between what a government says and what it actually does (going beyond Shafer's causal connection between human rights and human rights education).

A few hypotheticals may prove illustrative. In some cases, governments may believe there is no need for HRE in schools since the country (by its own assessment) is already pro-human rights. In other cases, governments may "sign on" to HR and HRE but lack the political will (or financial wherewithal) to fully implement programs. In yet other cases, governments may implement HRE as a means to indicate their "progress toward democracy" in an effort to receive international legitimacy (including financial investment and support).

Some HRE proponents remain skeptical about HRE initiatives that are sponsored and prepared by government (see, for example, Henry, 1993, p. 243), viewing as an
oxymoron, the idea of government-sponsored HRE programs that could teach citizens to criticize government behavior or defend against governmental rights violations! As Martin Ennals observes, “... not many governments are enthusiastic about teaching their citizens, their children and their professionals about measures which may be used to harass governmental authority” (Ennals, 1984. As cited in Lister, 1984, p. 6). In many cases, this reluctance appears related to an underlying belief that HRE (and human rights in general) undermines state sovereignty and self-determination.

The many HRE policy mandates referred to in Section II provide evidence of the high level of governmental legitimacy for HRE. This is however, what Hugh Starkey refers to as the “educational paradox” of human rights education. He argues that human rights education, unlike many (if not most) new educational initiatives that struggle to achieve recognition and legitimization, already has both recognition and legitimization at the highest levels of government in a variety of international fora (Starkey, 1984. As cited in Bernstein Tarrow, 1989). However, in most places, this high level of legitimacy co-exists with a relatively low level of implementation, thereby exposing this legitimacy as only rhetorical (or “apparent”).

Assessing the human rights climate of any society requires an understanding of the difference between “genuine commitment” and “apparent legitimacy,” and calls for a critical interrogation of the position of that society vis-a-vis human rights, placed in historical context. For example, it demands an examination of that society’s ideological and political positions regarding human rights in general and human rights education in particular. It requires an investigation into the multiple dimensions of the human rights climate. This investigation might include questions such as: What is the government’s
human rights record? Which conventions has it ratified and why? If ratification has occurred, with what reservations? If ratification has not occurred, why not? What is the public’s commitment to human rights? How “human rights literate” is the general public? Are local NGOs active in promoting human rights or HRE? Another way to gauge the human rights climate, and therefore the climate for HRE, is to ask whether there is an official domestic mandate for HRE – is it written into the constitution; are there state mandates for HRE in the schools? In short, it is a far more complicated issue than Shafer would have us believe.

3. A Few Examples

The example of the United States may help to clarify this point. The US government claims a national tradition of concern about human rights (Bernstein Tarrow, 1989, p. 191); in fact, human rights may even have invented America (Farewell address, former president Jimmy Carter. As cited in Flowers, 2000, p. 99). However, as detailed in Section I, all too often this concern manifests itself as denunciations of human rights violations in other countries by “unfriendly” governments, rather than as a concern about the human rights of its own citizens (and other residents). If one begins to interrogate this position, one can see that all is not rosy in the land of milk and honey. In short, the US is not particularly “rights-friendly.” Although a signatory to the Universal Declaration of Human Rights (UDHR), the US only signed the International Covenant on Civil and Political Rights in 1992 (some 26 years after its adoption); it adamantly refuses to acknowledge most social and economic rights, such as healthcare or housing; and it has not ratified the International Covenant on Economic, Social and Cultural Rights. Furthermore, it is one of only two states (Somalia being the other) which has consistently
refused to sign the Convention on the Rights of the Child (1989). Of equal importance for purposes of this project is that the US government was vehemently opposed to the UN Decade for HRE (Segura, 1994. As cited in Andreopoulos & Claude, 1997, p. 5).

When it comes to the HR literacy of the general public, the picture is not much brighter. A recent survey by Human Rights, USA, showed that 93% of people in the USA had never even heard of the Universal Declaration of Human Rights, much less its Article 25, which guarantees an adequate standard of living (including food, clothing, housing and medical care and necessary social services) (As cited by Flowers, 2000, p. 40).

In contrast, in other regions of the world, NGO's and human rights activists have been able to use their government's ratification of international covenants and conventions as leverage to open up spaces for human rights education and thus help to transform the apparent legitimacy into a more genuine commitment to human rights and human rights education. The examples of three former Marxist-Leninist states of Europe – Slovakia, Albania and Romania – are illustrative. Since the fall of the Berlin Wall and the end of the Cold War, each of these countries has grappled with the transition from totalitarianism to democracy. Slovakia has witnessed the re-emergence of nationalism and sounded the call for pluralistic education with respect for minorities. Albania is attempting to move out of its very particularized form of "insular communism" and is calling for education "conducive to an open society." Romania, while still coming to terms with the legacy of Ceausescu, has started implementing HRE in formal schools.

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4 Given this limited perspective, Nancy Flowers has noted that it is "... not surprising that few people living in the US perceive of hunger or homelessness as human rights issues" (2000, p. 40).
All three states are now, "... by their own rhetoric and international commitments openly committed to pluralism, HR and democracy" (Neascu-Hendry et al., 1997, p. 484). As a result, by using these public legal commitments as leverage, human rights activists and local NGO's, have attained small, yet significant, measures of success in creating "... an educational environment that encourages the skills and talents necessary for developing a social and political culture consistent with human rights" (Neascu-Hendry, 1997, p. 485). It might behoove the larger HRE community to heed the lessons and pragmatic approaches of these states, particularly with respect to the tensions and challenges surrounding the implementation of school-based HRE. Specifically:

- In Romania, the local human rights NGO, SIR.DO (the Romanian Independent Society for Human Rights) has been active in creating a large scale HRE program that encourages teachers to begin with informal efforts to teach human rights across the curriculum (Neascu-Hendry et al., 1997, pp. 490-492). SIR.DO has secured the support and endorsement of teachers unions, prepared human rights resource materials, and conducted extensive school visits and teacher training courses.

- In Slovakia, the local section of Amnesty International has formed an alliance with the Milan Simecka Foundation and initiated a project in primary and secondary schools. As part of their strategy to motivate teachers and change their attitudes to human rights, they have also organized a series of workshops for teachers (Neascu-Hendry, 1997, p. 500-1; see discussion in Section III.F.4.).
• In Albania, the efforts of the Ministry of Education and the Institute of Pedagogical Research, Tirana to provide in-service HRE training for teachers have been supported by PHARE (Democracy Programme of the European Union), UNESCO, the Dutch Norwegian and Finnish Helsinki Committees, as well as other NGOs and international organizations. The Albanian project has prepared and piloted a basic human rights teachers’ manual which incorporates pedagogical methods and practical classroom exercises, as well as the major human rights texts. The project first trained teacher trainers in pedagogical techniques before initiating the training program with Albanian teachers (Neascu-Hendry, 1997, pp. 508-510).

Despite these advances, considerable obstacles still remain. Neascu-Hendry and others note that “... a large number of the educational bureaucracy ... continues to be resistant to change ...” and the shift from a “... command market system to a free market imposes considerable burdens on resources” (1997, p. 485). Moreover, the general public remains wary, and for the most part, uninformed about human rights. In Romania for example, the human rights message “... rarely reaches the masses” and even when it does, it may be perceived as “... just another form of unrealistic political propaganda” (Neascu-Hendry et al, 1997, pp. 488, 490). In short, the realities of day-to-day life and the declining social and economic conditions often seem at odds with the promise of human rights.

4. How is the Concept of Human Rights Understood?

Issues concerning the relationship between a country’s human rights climate and implementing school-based HRE are further complicated by how the very concept of
human rights is understood. Shafer’s assumption of a causal connection between a
government’s “buy-in” to human rights and the implementation of human rights
education presents human rights as an unproblematic and universally agreed upon
“given.” It disregards how differing socio-political and cultural contexts influence
interpretations and applications of human rights, including the localized construction and
understanding of “rights” in general and human rights in particular. In the US for
example, civil and political rights are often viewed as the only “human rights” (since
these are the rights with which people are familiar from the US Constitution and the Bill
of Rights). By contrast, some countries emphasize economic, social and cultural rights.⁵
In other countries, human rights may involve only so-called “fundamental (basic) rights”
– the rights to survival and the necessities of life⁶ – or emphasize collective over
individual rights, as evidenced in the African (Banjul) Charter on Human and People’s
Rights (1986). As discussed in Section I, socio-cultural, historical and political
considerations, as well as the recognition of differing interpretations of human rights,
such as the relative emphasis placed on the individual versus the community, are integral
features of the societal challenges that must be considered when implementing HRE in
formal schools.

⁵ Historically, this related to the ideological split between the Western and Eastern bloc countries.

⁶ According to some proponents of this position, until such basic requirements are met, other rights are
irrelevant.
B. TENSIONS AND CHALLENGES RELATED TO HUMAN RIGHTS EDUCATION AS AN EDUCATIONAL INITIATIVE

1. Overview

If implementing HRE in the formal schools is to be given serious consideration, HRE proponents must become more oriented than they appear to be to the policy culture of public education systems. Few HRE proponents seem to realize that by advocating for HRE in formal schools, they are advocating not just “for human rights,” but also for a new educational initiative. Failure to understand the implementation of school-based HRE in this way and not just as a “good idea whose time has come” indicates the vast distance between the fields of human rights and education. It also reveals a certain naivety about the politics of formal education. Moreover, failing to critically understand HRE as an educational initiative allows HRE proponents to overlook the uncanny resemblance of their top-down pronouncements to other top-down (and thereby destined to failure) educational initiatives. Ultimately it undermines the possibility of implementing school-based HRE.

Attempting to influence the process of educational change in formal education systems requires engaging with, and in many cases challenging, the complex myriad of economic, social, and political forces that impact educational policy and the policy-making process. Sadly, few human rights educators, commentators or scholars seem to have engaged critically with the tensions and challenges related to HRE as an educational initiative. Even fewer have considered the impact of globalization on education in general and on HRE in particular. The importance of such engagement cannot be
overstated: if efforts to infuse the formal education system with HRE are to be meaningful, this engagement is a *sine qua non*.

2. **Top-Down Tendencies**

If one views HRE as an educational initiative, one can see how it exhibits many of the same “top-down” tendencies often seen in other educational initiatives conceived and conceptualized at a distance by the “experts.” All too often there is far too little support and involvement from those “on the ground.” In human rights education, even the rhetoric is lacking in this regard. Of the various documents reviewed, only the European Implementation Strategy (1997) explicitly recommends that HRE strategies should be developed with (rather than on behalf of) target groups. However, as noted in the Latin American Statement on the occasion of the World Education Forum (April 2000, Dakar, Senegal):

> Education is a public issue and should, therefore, involve all its actors and elicit their responsible participation. This is particularly critical in the case of teachers who are the key actors in education and educational change. To proclaim the need for participation is not enough; times and spaces must be defined and procured, and criteria and concrete mechanisms put in place for participation to occur as a regular process in education: from the local to the global level, from the school to the ministries and inter-governmental instances where education is defined and educational decisions are made (Para. 5(b)).

In 1991, Norma Bernstein Tarrow suggested that proponents of HRE need to organize and mobilize at both national and regional levels rather than solely at the international level. She noted that new educational initiatives coming from the top down have more chance of being effectively implemented when there is support at the grassroots level, from those who are actively involved in the development of HRE and genuinely committed to its implementation. In other words, success is more likely when
the people on the ground have a sense of ownership of the program (Bernstein Tarrow, 1989, p. 197; see also discussion in Section III.D.4.).

In addition to their more general “top-down” weaknesses, HRE policy mandates suffer from their own special brand of “top-down-itis.” They contain inherent contradictions that undermine their credibility and ultimately threaten the implementation of HRE programs. On the one hand, HRE policy mandates say, in short order, “do it” and direct the HRE process towards already agreed upon ends (e.g., the enabling of all persons to participate effectively in a free society). On the other hand, the newer policy mandates also say “be part of making it” (e.g., the UN Decade’s call for broad-based membership of National Committees for HRE and input into National Plans of Action). However, the relative lack of involvement of HRE target groups (e.g., teachers, teacher educators) in “making it” doesn’t appear to be of serious concern to HRE policy makers. For example, while acknowledging as problematic “the absence of target group involvement in the development and use of material, processes and policies,” the Montreal Plan of Action contains no reference whatsoever to requiring or even encouraging such target group involvement. Moreover, top-down HRE mandates also undermine the potential (that the mandates explicitly recognize) of HRE pedagogy to facilitate, through “... dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economic, cultural and political conditions” (Plan of Action of the UN Decade for Human Rights Education, Para. 4). Crucially, this includes new meaning-making of rights at the local level, an idea which holds great promise for re-invigorating and re-democratizing the discourse of HR itself (see discussion in Section III.E.3.).
3. **Impact of Globalization**

Very few human rights educators or advocates appear to have engaged with the impact of globalization on educational policy in general or on HRE frameworks in particular. However, Abraham Magendzo, is one human rights educator who does engage explicitly with the tension inherent in introducing human rights into the school curriculum in a political and economic context which is increasingly regulated by “the neo-liberal and technocratic model of the ‘market’” (Magendzo, 1994, p. 252). Under this model, education is linked to efficient production; the goals of schooling are directly related to the world’s economic needs; and the common call is to educate students “to meet the needs of the global economy” (Spring, 1998; Magendzo, 1994).

Joel Spring, in his concluding chapter on education and the global economy, laments the fact that human value has come to be defined by “an individual’s worth in the labor market” (1998, pp. 224-225). Magendzo comments on the unavoidable tension in introducing human rights (basic values which centre around an ethics of solidarity and responsibility) into a system that is dominated by the “logic of efficient production.” He admonishes that to ignore this tension is “to set oneself apart from history and [even] to act against human rights” (1994, p. 253). While fully and pragmatically cognizant of the tensions and difficulties involved, both Magendzo and Spring remain committed to the potential of human rights education for rethinking neo-liberal notions of schooling. Other HRE proponents dismiss altogether the possibility of implementing HRE into market-oriented schools systems, viewing the disconnect between progressive education rhetoric and neo-liberal economic policies as too vast to bridge.
This view may reflect the more general argument that radical approaches to education cannot flourish or survive in a globalized world (see, for example, Nekheweeya, 1999). Proponents of this argument fail to recognize that globalization is neither simple nor uni-directional. For although international education frameworks (such as Education for All and HRE policy initiatives) are located within part of the larger global phenomenon of education reform, "... the way [they] ... shape up in both policy and practice will differ according to particular local/national contexts" (Elliott, 1999, p. 134).

Steiner-Khamsi posits that this more nuanced view does not consider "educational transfer" as merely a passive process in which the receivers "gratefully implement in their own contexts" (1999, p. 2). Instead, it attributes greater agency to those who are "receiving" these educational reform policies and acknowledges that once imported, shifts, resistance, adaptations and indigenization may occur (Steiner-Khamsi, 1999). There are many parallels between the processes of resistance, adaptation and indigenization, as articulated by Steiner-Khamsi (and others) and the idea of local meaning-making of human rights, as articulated in the Plan of Action of the UN Decade of Human Rights Education. However, references to the possible dynamic interplay between HRE (understood as an educational initiative), contemporary research in educational transfer, and the implications of local processes of human rights meaning-

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7 Steiner-Khamsi's [comparative education] view of educational transfer is in keeping with Michael Apple's view of education policy and practice within the U.S. Apple argues that much of the "critical" literature fails to recognize teachers as more than just "passive recipients of top-down strategies" (2000, p. 122).
making (including, but not limited to resistance, adaptation and indigenization of HRE), were noticeably absent from most of the literature.

4. **A Tension for the US – Competing Social Educational Movements**

Where progressive educational initiatives do exist, a third policy tension may arise (particularly within the U.S.). While some US-based human rights educators (e.g., Flowers & Bernstein Tarrow) advocate for cooperation and unification between progressive educational frameworks and initiatives (e.g., human rights education, multicultural education, peace education, social justice education, global education and conflict resolution), in reality, they often struggle for recognition and/or survival in conservative economic and educational times. Instead of seeking out areas of overlap and commonality and fostering interdisciplinary dialogue, the proponents of these critical education programs more often find themselves pitted against each other for funding and legitimacy in formal schools. This atmosphere of competition, located within the context of the less-than-friendly human rights climate of the US makes it almost impossible to foreground the fact that human rights is the unexplored but common thread running through these progressive education movements. Thus, despite the best intentions of a small number of US-based HRE advocates, the potential for coalition building is all too often compromised in the competition for economic resources and curricular recognition.

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8 Significantly, for example, there was no mention of the ways in which teachers might “adapt” and locally interpret the idealistic exhortations of HRE mandates in a manner that is more in accord with, and informed by, their own particular school contexts.
C. TENSIONS AND CHALLENGES RELATED TO THE SCHOOL AS AN INSTITUTION

1. Overview

Our review of the literature revealed the by-now-familiar tendency in human rights education to focus on the more obvious, surface issues in formal education rather than on the more complex and tension-ridden contexts in which these issues exist and to which they are intricately related. Examining the tensions and challenges related to the school as an institution requires more than the “human rights temperature check” so often advocated by HRE proponents. Rather, it requires a thorough and critical inquiry into the institutional and cultural aspects of schooling.

2. Are Formal Schools Appropriate Sites for HRE?

The United Nations, as part of its Decade for Human Rights Education, is urging and supporting all its Member States to make information about human rights available to everyone through the formal school system (General Assembly Resolution 49/184, 23 December 1994). Many HRE proponents also support integrating HRE into the formal schools. However, there are those who question whether this can be done. Chilean HRE proponents, Vargara and Estevez, for example, strongly question whether formal education systems can effectively engage in human rights education. Their doubt relates directly to the challenges of working within the framework of what they perceive as a “... hierarchised, authoritarian and very unequal educational system” (1994, p. 276). Without denying that in many places schools are still “hierarchised, authoritarian and unequal” and that these organizational structures (as well as the resource limitations that often accompany them) present particular difficulties when attempting educational
rights occur, instead of places where these rights violations co-exist along with multiple, daily rights affirmations.

Notwithstanding these shortcomings, Vargara and Estevez actually engage more deeply with the challenge of implementing HRE in formal schools than do many other HRE proponents. For example, by consciously locating the school within society, rather than as an "... objective institution removed from the dynamics of politics and power..." (Giroux, 1988, p. 126), they at least display a willingness to engage with the "... emerging situational as well as historical and cultural contexts in which the school is located," so often missing from much of the literature on implementing school-based human rights education (Carlson and Apple, 1998, p. 25).

Vargara and Estevez' argument is based in large part on the structuralist reproduction theory of schooling which emphasizes (inter alia) the role of schools in perpetuating unequal social, cultural, political, and economic realities, and the role of teachers as "... unwitting participants in reproducing cultural inequalities of class, gender and race" (Carlson & Apple, 1998, p. 24). Without downplaying the extent to which schools, as societal institutions do actually embody and reproduce societal inequalities, we would like to suggest that this overly deterministic theory essentializes not only schools, but also the people who are working within them. As Carlson and Apple have suggested, this view of teachers (as only agents of cultural domination) may actually "... have discouraged efforts to develop more democratic and empowering approaches to teaching or to look to teachers as leaders in transforming existing education practice (1998, pp. 24-5). Moreover, it ignores the possibilities and spaces within schools for resistance, adaptation and change (referred to in Section III.B.3.) as
well as the ways in which schools may even be able to help to mitigate some of these inequalities (Beyer & Apple, 1998, pp. 4-5; see also Apple, 2000, p. 11).

In sharp contrast to Vargara and Estevez, Carlson and Apple (who, importantly, are not HRE proponents but rather educational theorists) argue that schools are not “totally determined sites of action” (1998, p. 25). Their viewpoint is in keeping with that of Henry Giroux who believes that “... schools actually are contested spheres that embody and express a struggle over what forms of authority, types of knowledge, forms of moral regulation and versions of the past and future should be legitimated and transmitted to students” (Giroux, 1988, p. 126; see also Apple, 2000, p. 63). Within these “contested spheres” there is room to negotiate, and to resist. (In some cases, there may even be room for HRE!) The following examples of resistance may serve as illustrations.

One example of resistance involves challenging gender inequity in schools. Even in 2001, sexism is still alive and well in schools, as in society. In nearly all societies, educators and administrators perpetuate and legitimate unequal gender relations in the areas of curriculum (what information is included/excluded), instruction, (who does the teacher call on, discipline and praise) and administration (e.g., Sadker, Sadker & Long, 1993, p. 111). However, other educators and administrators have problematized gender relations, developed anti-sexist curriculum (e.g., Tetreault, 1993) and evaluated materials for gender equity (Sadker et al, 1993). Still others, as critical literacy educators, are working with students to examine the social construction of gender through (text-based) language practices (e.g., Gilbert, 2001).

Similarly, while many educators have condoned the policy of tracking in the U.S., or argued against it but offered “... only the vaguest hints of what an effective
untracked class could look like" (Bigelow, 1994, p. 58), others have been pro-active in challenging tracking. Oregon-based educator, Bill Bigelow, for example, has developed and implemented an anti-tracking pedagogy and curriculum that “explicitly critiques the premises of tracking” and which examines the “deeper social inequities and hierarchies that were [its] original stimulus” (1994, p. 58).

However, the creation of these spaces as sustained sites of resistance requires a strategic engagement with the institutional dynamics of the school in situational, historical and cultural context. Absent this kind of contextualized inquiry, HRE may never have the chance to realize its potential as a “radical” (or even progressive) challenge to the school as an institution.

3. The “Radical” Challenge of HRE: Reaction and Response

Many advocates of school-based human rights education believe that it poses a “radical” challenge to the school as an institution. French HRE scholar, Francois Audigier, has suggested that to promote and implement HRE in the formal schools is to promote and introduce “… the questioning of authorities, their legitimacy … and the way in which they are exercised” (Audigier, 1989, p.136). Abraham Magendzo explores this challenge in more depth by suggesting that HRE requires a “… profound rethinking of the school as an institution,” and by delineating the tension between the old paradigm of education and the new paradigm of HRE (1994, pp. 252, 259). He asserts that HRE introduces a new educational paradigm which lies in diametric opposition to the “instrumental rationality of the positive sciences” upon which much traditional education is based (1994, p. 252). With human rights (as basic values) providing its “articulating focus,” this new paradigm takes a more holistic view of education, a political and ethical
perspective that critiques traditional social, legal, economic and educational practices (1994, p. 252). Magendzo’s line of reasoning with respect to HRE harmonizes with the work of education scholars, Landon Beyer and Michael Apple. They argue that we need to conceive of education relationally, i.e., as “... integrally connected to the cultural, political and economic institutions and inequalities of the larger society” (Beyer & Apple, 1998, p. 7). By positing a relational view of education, Beyer and Apple are, in effect, attempting to re-infuse education with a new vision that has as its central purpose the re-dignifying of human life (1998, p. 7). Interestingly enough, by speaking of vision, human dignity and a relational/integrated approach, Beyer and Apple also appear to align themselves with human rights education!

Magendzo also identifies the closely related tension between the conservative forces that favor stability and those countervailing forces that advocate change. In discussing this tension, he notes that because the change envisioned with the introduction of HRE into the formal schools is perceived as so radical, “... all sorts of resistance may [and do] surface.” This resistance is not confined to Chile. Speaking from a U.S. perspective, human rights educator Nancy Flowers points out the conservative nature of schools in general, and concludes that schools may be resistant to change (2000, p. 11). However, inadvertently, Magendzo and Flowers risk falling into the previously mentioned conceptual trap of assuming that formal schools, by their very nature, are especially conservative and particularly resistant to change.9 Embedded within this assumption is another, equally flawed assumption, namely, that there exists a

9 Juxtaposing the assumed conservatism of formal schools with the assumed progressivism and openness of other government-related institutions that HRE targets, such as the judicial system, the police and the military, may prove illuminating in this regard.
fundamental separation between schools and the rest of society, as if schools create their own conservatism rather than reflect the conservatism (and resistance to HRE?) of the broader society.

Writing about HRE in the early 1990's, David Shiman confirmed the multi-facted relationship between school and society when he attributed to the American public, the same quality of conservatism that many proponents of HRE attribute to schools. Shiman stated that the American public “... is wary of schools and teachers actively promoting certain values and declaring themselves for certain causes” (Shiman, 1991, p. 191). In his opinion, this same public has traditionally favored a vision for schooling which “... quietly reinforces traditional value systems and plays a fairly conservative role of promoting controlled gradual change in the social, political and economic order” (Shiman, 1991, p. 191). However, in this world of ever-shifting demographics, diasporic movements, diversity and difference, we can no longer uncritically assume a uniformity of “traditional values.” Nor can we assume that the generic “American public” provides an adequate accounting of the variety of possible visions for schooling, held by the “pluriverse” of people living in the United States. The transformative educational visions of (and increasing community support for) social justice education, critical pedagogy and critical literacy as well as the social reconstructionist forms of multicultural education provide contemporary evidence of these rich alternative visions (and practices).

The tension between stability and change reaches new heights when one starts entertaining the possibility of “negotiating” for human rights education -- negotiating
fundamental separation between schools and the rest of society, as if schools create their own conservatism rather than reflect the conservatism (and resistance to HRE?) of the broader society.

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The tension between stability and change reaches new heights when one starts entertaining the possibility of "negotiating" for human rights education -- negotiating
between "... conservation and change, between tradition and innovation, [and] between intense and gradual change" (Magendzo, 1994, p. 253). While the human rights idealists might question the point of a conservative education in human rights (teaching about human rights), the idealistic human rights pragmatist might say, "let's get a foot in the door first and see where we can go from there." (Magendzo, 1997, p. 474; 1994, p. 253). While this tension remains unresolved, Magendzo seems to be urging human rights educators not to shirk their responsibility; to engage with this tension as an explicitly political process; and to work in a pro-active yet pragmatic fashion with schools and educators on the issue of change.

In our own practice, we have encountered both conservatism and resistance from local Western Massachusetts educators. However, by openly discussing the obstacles and challenges involved in implementing school-based HRE, we have also encountered a willingness to "engage," on the part of educators. Through this process, we have found that teacher resistance is far from immutable. One particularly effective way of working with and through resistance has been to look for and articulate with teachers a series of HRE "entry points" -- progressive steps that can be taken in implementing school-based HRE. These "entry points" are tailored to different educational environments, correspond to different educational "agendas" and start with the concerns and realities of individual teachers (see Section III.F.). An approach such as this opens up possibilities

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10 We have also struggled with the tension between our own idealistic and pragmatic tendencies.

11 In some ways, these steps may be compared (albeit loosely) to James Banks' four approaches to multicultural curriculum reform: the contributions approach, the ethnic additive approach, the transformative approach and the decision-making and social action approach (Banks, 1998, pp. 74-75). In some cases approaches may be mixed, or a more "additive" approach may be used as a vehicle to move to other, more challenging approaches.
for using schools as sites for facilitating the creation of more flexible and responsive "hybrid" versions of HRE.

4. Questions and Visions

Engaging with the discovery of HRE entry points in particular, and with the political process of negotiating for change in general, also forces us to engage with our own vision for schooling – is it to reproduce the status quo or is it to question and to challenge, to search for new visions? How should schools be? These are deceptively simply questions. Nonetheless, they help to re-contextualize the surface issues related to implementing HRE in the school (situationally, historically and culturally contextualized as an institution), that dominate the literature. For while it is important to ask how sensitive the school culture is to human rights and how open the school community is to human rights education, forestalling the inquiry here overlooks the need to engage more deeply with several key issues: Are formal schools appropriate sites for HRE? What are the institutional dynamics of the school? What are the tensions between maintaining and altering the status quo? Even, what is the purpose of schooling? This inquiry also demands more than passing references to the perceived conflict between human rights education and community values, as manifested in the school. Limiting the inquiry to passing references curtails any serious examination of the relationship between culture and human rights (discussed in Section I). It also fails to recognize that the values in the school may not necessarily represent the pluralism of values in the community, but may rather reflect other values, such as the market-oriented values of the "dominant" forces.

12 Ideally, as reflected in the mandates, HRE needs to occur in multiple sectors of society. However, the school remains one of the key sectors.
(discussed in Section III.B.). Finally, limiting the inquiry in this way, perpetuates the myth that education, as it is currently constituted, is neutral, vis-a-vis both politics and values.

These are political questions, just as schools are political sites. The answers will always reflect particular values and world views, which is what schools will always do too. However, in the ongoing (though not "universal")\textsuperscript{13} debate about implementing school-based HRE, some human rights educators seem to have confused values with indoctrination and appear to have forgotten that no education is ever neutral (Freire, 1970). This unwillingness of HRE advocates to engage with the deeper issues results in an artificial decontextualization that may ultimately compromise the opportunities for implementing HRE programs in the formal schools.

\textsuperscript{13} The parenthetical comment serves to remind the reader that there are those who continue to question the possibility of school-based HRE. So, while the debate is ongoing, some of the usual debaters choose not to participate.
D. TENSIONS AND CHALLENGES RELATED TO THE CURRICULUM\textsuperscript{14}

1. Overview

To date, most of the curriculum debate among proponents of HRE has focused on the question of where HRE fits in the existing school curriculum. While not an insignificant matter, an exclusive focus on "fitting HRE in" to the existing curriculum may indicate a certain unwillingness to engage with some of the broader issues related to the politics and the meaning of curriculum.\textsuperscript{15} Moreover, limiting the focus to HRE's "fit" in the existing curriculum appears to rely on a strict definition of curriculum (as static entity) that is at odds with some of the more expansive definitional impulses within the curriculum literature. It may also undermine some of the more expansive understandings of curriculum implicit in recent HRE mandates.\textsuperscript{16} Finally, avoiding these issues may decontextualize and render less meaningful discussion about the loci of curriculum decision-making.

One of the central challenges for proponents of human rights education is to become much more familiar (than they currently appear to be) with innovations in the field of curriculum studies.\textsuperscript{17} For, just as HRE requires a profound rethinking of the

\textsuperscript{14} For purposes of organization only, the more specific issues of content and pedagogy have been separated out from the larger issues pertaining to the curriculum. They are addressed in the next section. However, it is our belief that in practice, they are integral parts of the curriculum.

\textsuperscript{15} While a complete review of the meaning of curriculum is beyond the scope of this paper, we have attempted to provide the reader with a brief account of some of the key issues, as they relate to HRE.

\textsuperscript{16} For example, the Plan of Action of the UN Decade for Human Rights Education.

\textsuperscript{17} Again, much of this unfamiliarity stems from the fact that many human rights educators come, not from education, but from the field of human rights or law.
school as an institution, so too it requires a profound rethinking of and engagement with the curriculum.

2. The Politics of Curriculum

As outlined in the foregoing sections, politics is intricately related to schooling, particularly when contemplating school-based HRE. In Section III.A., we stressed the importance of considering the society’s “ideological and political position” vis-a-vis human rights. In Section III.B., we highlighted some of the political challenges of HRE as an educational initiative. Then, in Section III.C., drawing on the work of Henry Giroux and others, we noted that the school as an institution is not “. . . removed from the dynamics of politics and power” (Giroux, 1988, p. 126). So too it is with curriculum.

Choosing among curricular possibilities is a “political act” (Wood, 1998, p. 177) where questions and issues regarding pedagogy and curriculum “. . . intersect with the political, moral, economic and cultural domains of society” (Beyer, 1998, p. 245).

Despite the controversial nature of human rights education (discussed in Section I and again in Section III.E.2.), few HRE advocates have explicitly connected this issue to the national, local and regional politics of the curriculum – the “. . . enabling [or disabling] historical conditions that generate change in educational ideologies and practices” (Luke & Freebody, 1997, p. 15). For instance, although US-based human rights educator, Nancy Flowers has noted that “. . . human rights is easily marginalized in a curriculum increasingly driven by standardized testing and a “back-to-basics” approach that excludes many kinds of integral learning . . .”, she fails to engage with the expressly political logic behind conservative moves such as these that are currently saturating much of the U.S. education system (2000, p. 35). Advocates of school-based
HRE seem to have confined their inquiry to the more technical aspects of curriculum development, instead of actively engaging their "curriculum conscience" to identify the assumptions underlying HRE curriculum discussions (Posner, 1998, p. 96).

Chilean human rights educator and scholar, Abraham Magendzo is an exception. He observes that the critical and questioning perspective of HRE creates the need for change in both the "explicit" and "hidden" school curricula (1994, p. 253, emphasis added). Magendzo's perspective however, presupposes an understanding of curriculum as both explicit and hidden. By contrast, just as many HRE advocates seem to have stayed within the technical aspects of curriculum development, they also seem to have stayed (in practice at least) within the narrow parameters of a very strict definition of curriculum, as evidenced by the ongoing quest to "fit" HRE in to the existing curriculum. In so doing they are inadvertently (and erroneously) attributing to curriculum an uneasy and unnatural immutability which has far-reaching implications for both school-based HRE in particular and student learning in general. Ironically, this mirrors the tendency within human rights education (previously discussed in Section I and again in Section III.E.3.) to present human rights documents as static and human rights themselves as immutable.

3. The Meaning of Curriculum

The notion of curriculum as a static entity which lends itself to narrow definition or easy classification is quickly dispelled by even the briefest of forays into the literature on curriculum. Almost immediately, curriculum exposes itself as a dynamic process which involves the complex interaction of many different factors, in which terms, definitions and understandings vary tremendously. For example, while some curriculum
theorists speak of different curricular "domains," others refer to different "dimensions" of curriculum. Some still appear to favor a curriculum that isolates the school (and the learners) from any relevant cultural context, while others lobby rigorously for a curriculum which foregrounds the diversity of learners' backgrounds. Moreover, the (curriculum) literature contains a vast, and often contradictory array of definitions of curriculum. These definitions range from a syllabus-driven course of study to multidimensional environments for learning; from a set of intended learnings to the connective medium linking student and teacher; from a highly structured, externally determined conceptualization of curriculum, to a much looser, internally perceived conceptualization of curriculum. Some curriculum theorists conceive of these definitions as discrete and independent of each other, while others, acknowledging the merit in each definition, argue in favor of curriculum as "both externally determined and internally perceived" (see, e.g., Sinclair & Ghory, 1987, p. 88, emphasis added).

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18 According to Goodlad and his colleagues, there are five domains of curriculum: ideological; formal; perceived, operational and experiential. The ideological domain relates to the politics of curriculum discussed infra. The formal domain is that which is written down in state and local curriculum documents. The perceived domain of curriculum is that which is thought to be curriculum by interested persons (e.g., teachers); the operational domain of curriculum is that which is observed to happen in classrooms; and the experiential domain is that which is experienced by students (Goodlad, Klein, & Tye, 1979). It is noteworthy that while Goodlad and his colleagues do not acknowledge explicitly the "hidden" curriculum, elements of this other domain may be inferred from their references to the perceived and experiential domains.

19 Sinclair and Ghory characterize curriculum by three separate yet interrelated dimensions – the expressed, the implied, and the emergent. The expressed dimension refers to the written statement that expresses the course of study including objectives, learning opportunities and evaluation. The implied dimension (the hidden curriculum) refers to the unplanned or hidden messages received by learners from the physical, social and intellectual environment of the school. The emergent dimension includes the ongoing adjustments and additions that are made in the expressed and implied curriculum in order to ensure harmony between the individual learner and the curriculum (1987, pp. 88-93).

20 In their 1987 book, Reaching Marginal Students, Sinclair and Ghory review five definitions of curriculum and argue that all are possible definitions that exist on a continuum, running from externally decided curriculum to internally perceived curriculum (Sinclair & Ghory, 1987, p. 87). Sinclair and Ghory
The advantages of conceiving of curriculum in a more expansive manner cannot be overstated. Such a conception takes into account both the open and the hidden curriculum, it acknowledges the importance of culture and community in the curriculum, and it enhances opportunities for local adaptations of curriculum conditions. In short, it aligns itself with a more expansive understanding of human rights as a set of rights-affirming values and attitudes that express the full range of civil, political, economic, social and cultural rights instead of the narrower interpretation of human rights as a legal construct that concerns only civil and political rights.

Despite the benefits of a more expansive understanding of curriculum, school practice and curriculum reform have traditionally emphasized the formal domain (or expressed dimension) of curriculum (Sinclair & Ghory, 1987, p. 93). In many cases this means only that which is written down in state and local curriculum documents. (Since very few states have mandated HRE officially, that is, by law, one can immediately discern the limits of this understanding of curriculum for school-based human rights education.) Even today, the traditional notion of curriculum as an official course of study still seems to enjoy great favor with educators generally, and human rights educators in particular. Under this strict construction, the curriculum has as its function,

believe that curriculum decisions can be more meaningful if the entire continuum is taken into account (1987, p. 88).

21 Chile and the Philippines are examples of countries which have mandated HRE in the formal schools. In the US, a recent draft of the national Survey of Human Rights Education (April 27, 2001) indicates that human rights education is “within the state mandated curriculum” of 20 states – AZ, CA, CT, FL, GA, IN, KS, KY, LA, MA, MD, MN, MT, NJ, NM, NY, OH, SD, TX and VT (Banks, 2001, p. 4). However, the terms of these mandates vary tremendously. Only five states (CT, IN, MA, NJ & NY) have legislative resolutions that include aspects of human rights within the education law of the state and nine states consider their mandate “... to be only a guideline or suggestion, leaving it up to the individual districts to choose whether to implement” (Banks, 2001, p. 6). The states with the most comprehensive HRE within state curricula include GA, KS, MD, NM, OH and VT (Banks, 2001, p. 4).
"... the quickest, simplest, most organized and efficient means for presenting and receiving knowledge" (Sinclair & Ghory, 1987, p. 85). 22

One of the most striking points about this definition is that it contains no reference whatsoever to learners or teachers (other than indirectly, through the use of the present participles, "receiving" and "presenting"). It appears to have been developed with neither thought for the needs of particular learners nor care for its fit with specific learning environments. It ignores the covert messages of the hidden curriculum and the multiple ways in which learners perceive, internalize and act upon these messages. In terms of human rights, it ignores the violations of human rights in the "humdrum" of the school environment that form part of the hidden curriculum. At the same time, it also ignores the affirmations of rights that can and do occur throughout the school and within the broader school-related community.

Another drawback of this definition is that it is structured solely around presenting and receiving "knowledge," where "knowledge" is presumed to "be" -- the canon, as opposed to the social construct. The issue of "whose" knowledge is disregarded, as is the unintended learning that results from the kinds of "knowledge" that are [purposefully] included or omitted from the curriculum. This "knowledge-based" (and driven) curriculum fails to take into account the considerable success that the multicultural education movement has had in challenging the established (white, male, Anglo-Saxon and heterosexual) canon. It also overlooks the influence that multicultural education has had in reforming curricula, revising textbooks and revamping instruction to

22 One can immediately see the origins of curriculum at work in this definition. The term "curriculum" dates back to Roman times when "curriculum" denoted a race or a running course. Under this strict construction, curriculum can still be considered as a race!
substantively "... reflect the experiences, histories, cultures and perspectives" of the "diversity of peoples in the U.S." (Banks, 1993, p. 5).

Finally, this narrow definition of curriculum makes no reference to conditions for learning, creative approaches to learning, possible applications of learning, or desired behavioral changes. Yet in many cases, it is to these very aspects of teaching and learning that HRE claims to address itself. Curriculum here is the archetype of a predetermined plan, created by someone else, in order to channel and reproduce predetermined material.

This understanding of curriculum is at odds with the exhortations of many of the HRE mandates which seem to be calling for a more expansive understanding of curriculum, one that seeks to break down the divisions between school life and everyday life. It is, for example, not aligned with the language of the Plan of Action for the UN Decade of Human Rights Education which states that HRE "... shall be shaped in such a way as to be relevant to the daily lives of learners..." and shall "... seek to engage learners in a dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economic, cultural and political conditions" (Para. 4). It also runs counter to the definition of human rights education developed for use in the Asia-Pacific region, where human rights education is "... a participative process of developing knowledge, values and skills that will enable people to develop their potentials and emancipate themselves from oppressive social realities" (Plantilla, 1994, p. 33). In short, it is at odds with a potentially emancipatory curriculum that is "... organized around knowledge that relates to the communities, cultures and
traditions of students, which in turn provides them opportunities to negotiate a critical sense of history, identity and place . . ." and whose pedagogy seeks to bridge the gap between school culture and popular/oppositional culture (Giroux, 1998, p. 49).

A restrictive understanding of curriculum is in keeping with the kind of human rights education that emphasizes cognitive aspects of learning, i.e., knowledge about human rights (see discussion in Section II). This kind of HRE falls back, all too often and all too readily, on the "established canon" of HR law, and, in turn, on an essentialized understanding of human rights. A narrowly construed understanding of curriculum as merely a predetermined course of study, is the perfect vehicle for this approach to HRE.23

4. The Locus of Curriculum Decision Making

Under this narrow and pre-determined definition, the curriculum is, of course, created by someone else, usually at great distance from the classrooms (the operational domain of the curriculum). In human rights education, this can be evidenced by the growing number of "pre-packaged HRE curricula" created by intergovernmental organizations, and international NGO's, both regionally and internationally, and then disseminated around the globe as part of the UN Decade for HRE.24

The production of these "texts" alerts us to another possible challenge for implementing HRE in the schools -- who is making the decisions about what to include

23 Staying within the confines of this restrictive definition also exposes the more regulatory tendencies within human rights in general and human rights education in particular.

24 In fact, the "Follow-Up to the Decade" section of the Plan of Action indicates that success will be measured, in part by "the number and types of human rights education manuals, handbooks and teaching materials developed by international and regional organizations and programmes . . ." (X.87. Emphasis added). No mention is made of involving teachers in developing these curricular materials.
or omit from these texts, which shape and reflect a particular reality? Are they being prepared in collaboration with “local people” with an eye to creating more effective conditions for learning through “meaning-making in local contexts,” (or at the very least developed as open frameworks that allow for local adaptation) or are they brought in from outside, thereby perpetuating the “strict constructionist” and top-down version of HRE? Are HRE curriculum designers (inadvertently or otherwise) producing “teacher-proof” materials that assume the teacher is merely a delivery technician? While these questions are of particular importance for this discussion on the locus of curriculum decision making, they also pertain to questions in the large human rights discourse about who gets to be the “gatekeepers” of human rights – the human rights “elites” or “the people.”

Sinclair and Ghory suggest that a curriculum that creates more effective conditions for learning cannot simply be imported “... in neat packages from the outside...” but must be “... built and rebuilt from within a classroom and a school...” (1987, p. 93). Similarly, when HRE curriculum are developed in conjunction with local educators and community members, “... the likelihood of acceptance of change favoring the realization of human rights...” is enhanced (Claude, 1996, p. 126). By involving people who are knowledgeable about local conditions, resources and needs can be matched more appropriately, thereby increasing efficiency and effectiveness. Similarly, when the curriculum dialogue occurs locally, with local participants, scrutiny and accountability are also improved.

One example of “bottom-up,” grassroots curriculum development is the “Rules of the Game” project in Israel. This project, designed for Arab and Jewish children, brought
together an equal number of Arab and Jewish teachers, who participated collaboratively in developing a curriculum to foster the "... understanding of democratic principles including both majority rules and minority rights ..." (Claude, 1996, p. 125). The teacher-planners of the project expressed the hope that:

a grassroots curriculum, introduced by the very same teachers by whom it was developed, might secure good will and cooperation that are so direly needed in order to overcome negative attitudes and resistance to change. (Felsenthal & Rubinstein, 1991, p. 95. As cited in Claude, 1996, p. 126).

All too often however, the voices of the students, the teachers, the community members and school administrators are absent from the curriculum, and from the debates on the curriculum for school-based HRE. This “silence of the local” reflects the current trend in the U.S. (and elsewhere) for curriculum to become increasingly “planned, systematized and standardized at a central level” where decisions about “teaching methods, texts, tests, and outcomes are being taken out of the hands of the people who must put them into practice “ (Apple, pp. 116-8). It also reflects the traditional marginalization and “silencing of the local” perspectives evident within the broader human rights discourse. Finally, it runs counter to the notion that meaningful curriculum reform must occur within those institutions, and by those people, most intimately connected to the lives of students – teachers, administrators students and community members (Beyer, & Apple, 1998, p. 6; Sinclair & Ghory, 1997). In HRE, just as in education in general, this remains a challenge of Olympian proportions.

5. Where Does It Fit?

Having provided some context for curriculum, we can now return to the burning question of “where HRE fits” with a more critical (and located) eye. From this
standpoint, it is possible to detect a number of additional tensions and challenges underlying this issue.

Human rights educators disagree as to whether human rights should be taught as part of an existing subject, as a separate (new) subject in the curriculum, as a set of themes integrated into all subject areas, or through the less formal avenues of extracurricular activities. While these approaches are by no means mutually exclusive (Tibbetts, 1995), each does offer particular challenges.

The first option, incorporating human rights into existing courses, is perhaps the most practical. US-based human rights educator, Nancy Flowers notes that human rights knowledge, skills and attitudes are usually linked to other subject areas, including social studies, history, government, civics, economics or current events (2000, pp. 35-6). In the United States, for instance, all the states whose state-mandated curriculum contains some reference to human rights education "... see this mandate being met through the social studies curriculum" (Banks, 2001, p. 6).

According to Tibbetts, the advantage of this option is that it will receive maximum exposure with students. However, she cautions that if the subject is taught as teacher-centered "banking" education (teaching about human rights), then there is a risk that human rights principles will also be presented in a similar fashion (Tibbetts, 1995). In raising the issue of pedagogy, Tibbetts begins to touch on a central tension in integrating HRE into the school curriculum – a curriculum that may be inherently flawed.

At the 1994 Asia Pacific workshops on HRE, Filipina human rights educator, Felice

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25 As noted in Section II and Section III.B., human rights education also has connections with peace education, global education, multicultural education, social justice education, and conflict resolution.
Yeban, openly expressed her reservations about integrating human rights concepts, values and skills into the school curriculum, without critically examining the existing curricular programs for relevance and amenability to HRE (1994, p. 15). She argued that integrating human rights into a “faulty” curriculum runs the risk of “diluting” HRE and reducing it to a list of “facts” to be learned mechanically (1994, p. 15). Taking her example one step further, she remarked that in test-oriented school systems, HRE could be reduced to learning for and teaching to the test, as opposed to the more “liberatory” purposes HRE claims (1994, p. 15).

Advocates of this approach to integrating human rights into the school curriculum have also overlooked some of the implications of incorporating HR into existing courses. The example of Social Studies and Civics/Citizenship Education may be illustrative. In suggesting that human rights be incorporated into U.S. social studies classes, for example, few HRE advocates appear to have considered the loss in curricular status that many social studies classes are currently experiencing, as they fast becomes the “dumping ground” for non-core (non-tested) subjects. This situation is mirrored elsewhere. The report of the 1998 Asian Workshops on HRE in Schools also notes that, with the focus on more “competitive” subjects such as science and economics, other areas, such as social science are fast becoming “neglected area[s] of study” (HURIGHTS OSAKA, 1998, p. 3).

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26 The irony in this comment is immediately apparent for some human rights lawyers also harbor a “diluting” fear, albeit in reverse. They fear that a learner-centered form of HRE, that is grounded in the lived social, economic, cultural and political conditions of learners’ lives and focused on “local meaning-making” could serve to “dilute” human rights.
Another, particularly telling, example is the failure to look at how courses on civics and civic education have yet to respond adequately to changing global dynamics, including the construction of citizenship. In spite of more recent “global” impulses, many of these courses may still focus primarily on a national (and even nationalistic) interpretation of rights, responsibilities and citizenship. As seen in Section III.A., this runs counter to human rights. By contrast, in places where citizenship education has been more responsive to “New Times,” the potential for incorporating human rights into existing civics classes may be enhanced. In Australia, for instance, educators have called for new approaches to “. . . negotiating identities and loyalties . . .,” due to “. . . increased proximity to and intensified experience of diversity” (Kalantzis, 1992/1993. As cited in Lankshear and Knobel, 1997, pp. 102-3). As a result, they are developing an approach to citizenship education “. . . based on rights and responsibilities located in geographic space rather than on a sense of national loyalty” (Kalantzis, 1992/1993. As cited in Lankshear and Knobel, 1997, p. 102).27 These shifts in thinking about citizenship have far-reaching implications for the introduction of human rights education into existing classes on civics and citizenship.

Although human rights is seldom taught as a separate course, Felicia Tibbetts points out that this option offers the advantage of highlighting the importance of human rights principles in the school curriculum. However, she also notes that it carries with it a potential disadvantage -- if the course were optional, human rights would not “reach”

27 Some scholars have gone even further in deterritorializing identities and loyalties. Appadurai, for example, argues that we have gone beyond not only national but also international and multinational social formations and are moving into the realm of “post-national social formations” that are “de-localized” and driven by “shifting loyalties” (1998, pp. 167-168; 176).
the entire student body (1995). Magendzo takes the argument further by suggesting that creating a separate subject of human rights lends legitimacy to it, giving it the "curricular power and status" accorded to other school subjects such as mathematics (1994, p. 256). He also raises the crucial question of how subjects are legitimized in order to exist in the curriculum and, more importantly, where this legitimacy comes from – the government or the people? In posing this question, Magendzo is reiterating the issues discussed in Section I and again in Sections III.A. and III.E., by relating the issue of legitimacy to the perceptions, representations and expressions of human rights in society, not just of and by state actors, but also of and by non-state actors. He is recognizing that the legitimization of human rights as a subject in the school curriculum is a "... process of valuation, persuasion, [and] dialogue, of understanding the role education should play in the task of forming generations that are respectful of human rights" (Magendzo, 1994, p. 255). At the same time, Magendzo is also alluding to one of the "great debates" of the human rights discourse itself, keenly articulated by Indian human rights scholar Upendra Baxi, and worthy of extensive quotation:

One may narrate histories of the Age of Rights from two perspectives. First, we see human rights from the point of view of myriad people's struggles, attending closely to a large number of narrative voices and to micropolitics ultimately shaping the larger stories of politics of rights and liberation. Second, we can take the other vantage point, which appropriates the narrative voice to national actors: parties, leaders, constitution makers, judicial actors, and the semi-autonomous fields of rights enunciation within the UN system and culture. (Baxi, 1997, p. 143).

While favoring the "people's perspective," both Magendzo and Baxi acknowledge the wide variety of paths that lie between these two perspectives and which
offer "distinctive starting points" for human rights movements, and for human rights education (Baxi, 1997, p. 143).

The third option, thematic integration (infusing human rights across the curriculum), is one approach that many HRE advocates endorse. Their support derives from the belief that respect for human rights should be a way of life and evidenced in the values and discussions that take place in different subject areas. Nonetheless, a number of challenges may be raised about this "preferred" modus operandi. First, while this approach may be laudable, it may not be immediately realistic, especially in transitional educational systems, such as those of the former Marxist-Leninist States of Europe (Tibbetts, 1995, p. 2). Furthermore, the call to infuse human rights throughout the curriculum also assumes a certain degree of interdisciplinary cooperation that may not exist in a school system traditionally fragmented by subject areas. A third challenge comes from human rights scholars such as Marc Bossuyt (1993), who express reservations about human rights becoming "diluted" through this approach to human rights education.

The questions raised by options two and three, i.e., a separate course and thematic integration (or infusion) of human rights throughout the curriculum, highlights the tension between HRE as a content-based subject (body of knowledge) and HRE as a form of moral education (attitudes, values and beliefs), which by its nature can be infused across the curriculum. The challenge is to strike a delicate balance between content-based and more behaviorally-based HRE. One possible solution, as we see it, is to present the content as "negotiable," or under construction (see discussion in Section II of this project).
Several intergovernmental recommendations and many HRE proponents attempt to resolve this tension through an approach to school-based HRE that establishes human rights as a separate subject and integrates human rights through the curriculum. Both the 1985 Council of Europe Recommendation and the Montreal Plan of Action (1993) call for:

... [A]n integral and broad-based curriculum that [was] both pervasive across subject disciplines and taught as a separate subject” in which the “. . . theme of rights, responsibilities and democratic processes [were] . . . woven into all or most topics of study and included in the values aimed at in school life and in the process of socialization. (Montreal Plan of Action, 1993).

The justification advanced for this approach is that human rights and democracy education should be dealt with repeatedly and in all aspects of a person’s basic education. Many human rights educators have also called for the “two-pronged” or “bi-frontal” approach (e.g., Flowers, 2000; Magendzo, 1994). They believe it to be more in keeping with the idea of education for and about human rights (discussed in Section II) – a content based subject and a set of values, attitudes and beliefs. Ideally, these different “prongs” would be dealt with as an integrated whole, complemented by some form of action-based project work.

As a fourth option, human rights themes can also be introduced through less formal options such as after-school clubs, school-wide events such as human rights forums and art exhibitions, and weekly open-hour sessions. However, Tibbetts cautions that these less formal options should not preclude other direct outreach to teachers in the school, and stress that “[i]t is essential that school communities understand the significance of the[se] efforts, so that human rights activities are not taken as primarily symbolic (1995, p. 3). In some places however, these extracurricular activities provide a
strategic entry point for introducing HRE into the formal schools. In Romania for example, the Romania Independent Society for Human Rights (SIRDO), as part of its multi-faceted human rights education program, organized human rights clubs and other extra curricular activities to "... encourage change in social attitudes to facilitate the growth of a human rights culture" (Neascu-Hendry, 1997, p. 493). SIRDO appears to regard this attitudinal change as an important first step in the effective implementation of its program.

As can be seen from the foregoing discussion, the curriculum issues for school-based HRE are far more complex than the question of 'where it fits.' Even within this question, there are subtle undercurrents that need to be taken into consideration. Some of these undercurrents relate directly to the controversial nature of the content and the action-based pedagogy, both discussed in the next section.

E. THE CONTENT AND PEDAGOGY OF HRE: TWO KEY CHALLENGES

1. Overview

Human rights education presents an ambitious agenda. It not only brings new content into the schools; in many cases it also purports to introduce new pedagogies that call for participatory, learner-centered and action-oriented education. Each of these innovations is rife with tensions and challenges. With respect to content, a significant portion of the HRE literature emphasizes the inherently conflictive nature of human rights in general and human rights education in particular. This cannot be avoided since so much of the larger human rights narrative (and therefore human rights education) is rooted in struggle of one form or another – to ignore this runs the risk of minimizing the
impact of ideology and international relations on the development of human rights. It is also tantamount to devaluing peoples’ struggles, thereby contributing once again to the normalization and decontextualization of human rights. Nonetheless, the HRE literature still reveals a certain ambivalence about bringing such conflict into the schools. Nowhere did we find explicit acknowledgment of the positive influence on [human rights] learning that can come out of engaging with these tensions, conflicts and contradictions.

The debates about human rights pedagogy reveal similar tendencies. While the literature explicitly acknowledges the potential of a participatory, action-oriented pedagogy, there remains a certain skepticism about whether this can be done in the schools. We found very little evidence of HR educators reaching out to other educators and scholars to uncover possible inroads through existing pedagogical innovations ongoing in the formal schools. Once again, the distance of many HRE proponents from current trends in education was apparent.

2. The Content: Conflict, Controversy & Confrontation

Any attempt to introduce school-based HRE runs into the obstacles and challenges inherent in the controversial nature of the subject (Flowers, 2000; Magendzo, 1994; Audigier, 1989; Bernstein Tarrow, 1989).

In Ideology and Curriculum (1990), Michael Apple remarks that instead of regarding conflict and contradiction as the basic “driving forces” of society, many education authorities (and educators) continue to assume that conflict between groups of people is fundamentally wrong, and that we should do everything in our power to eliminate it from the “institutional framework of schooling” (As cited by Magendzo,
Even though conflicts, controversies and the "clash of ideas" can be powerful motivating factors for learning, they are shunted to the sidelines in an effort to present a more palatable (and sanitized) version of society and education (Meier, 1995, p. 11).

Instead of discovering that developments in science, politics and other areas came out of "... divergent and dissonant viewpoints that exist in every process of social change," students are led to believe that these developments (and therefore knowledge) occurred as part of a continual and consensual linear process (Magendzo, 1994, p. 254). Attempts to neutralize the education process can be seen in both the social sciences and the natural sciences. For example, James Loewen (1995)\(^2^9\) has indicated that many US high school history books perpetuate the myth of this flawed assumption by omitting virtually all references to conflict or ambiguity, by avoiding events of the recent past like the plague and by offering "reasoned judgments" on controversies.\(^3^0\) Similarly, in the natural sciences, students are still presented with the empirical-objective world of science as a set of fixed facts, instead of being encouraged to examine the conflicts over methodologies, ethics, and objectives that have allowed science to progress (Apple, 1990).

\(^{28}\) Apple’s opinion, is of course, the opposite. According to him, conflict and contradiction should be taught, not ignored!

\(^{29}\) In \textit{Lies my teacher told me: Everything your American History textbook got wrong} (1995), Loewen offers a review and stinging critique of 12 US history text books.

\(^{30}\) The conflict and tension surrounding references to the recent past in the former Marxist-Leninist States of Europe, as well as in the emerging Latin American democracies such as Chile have posed considerable difficulties for school-based HRE programs.
The tension with school-based HRE is immediately apparent, for conflict and controversy are an integral part of human rights and [should] form the core curriculum of human rights education. First, HRE is based on "hot" knowledge, i.e., (human rights) knowledge, which is itself the object of rich ideological and political debates (see discussion in Section 1). Second, human rights education is not just about rights, it also concerns a number of complex underlying concepts and principles such as freedom, democracy and equality, none of which can be neatly encased in a conflict-free definitional box (Audigier, 1989). For the teachers and learners who do engage with these concepts, Audigier points out that this complexity has another dimension, since individual "representations" of these concepts may differ, thereby engendering even more controversy (Audigier, 1989, pp. 138-9).

Beyond the conceptual and definitional realms of human rights, conflict and controversy continue. For human rights education also considers the tensions that exist between conflicting rights and explores the tensions that arise between rights and responsibilities. Furthermore, it engages learners with the tensions between underlying principles, such as the tension between freedom and equality, as well as the tension between individual and collective rights.

Above all, human rights education is controversial because, if one heeds the calls to start with the realities of people's lives, it also involves looking beyond the "static purity" of the official UN proclamations on rights and towards the "messy battles" of human rights in context (in the making), by peoples and through their struggles. According to Upendra Baxi, this process will engage us with "[t]he single most critical
source of human rights . . . the consciousness of the peoples of the world . . . “ (1997, p. 142). In his opinion, the context for this engagement is to be found in the:

. . . persistent struggles for decolonization and self-determination, against racial discrimination, gender-based aggression and discrimination, denial of access to basic minimum needs, environmental degradation and destruction, and systematic ‘benign neglect’ of the disarticulated, disadvantaged, and dispossessed. . . . 

(Baxi, 1997, p. 142).

At the level of the school, this involves looking not only at the struggles of “others” but also at the conflicts that are generated as a result of the contradictions between “. . . a discourse of respect for HRE and the school, family and social realities where they are violated” (Magendzo, 1994, p. 253). While Magendzo’s comment is of particular relevance for the transitional democracies of Latin America and the former Marxist-Leninist States of Europe, it also has wider appeal. For it speaks to the fact that learners and teachers face conflicts every day and bring these conflicts into the classroom. On occasion, these conflicts become part of the open curriculum; more often they find their expression through the hidden curriculum.

To continue with the myth of schooling as a conflict-free enterprise is to ignore these realities. In the case of human rights education, ignoring these realities effectively precludes the kind of HRE that foregrounds the daily lives of the learners. It runs counter to the call of the UN Decade which states that HRE “. . . shall be shaped in such a way as to be relevant to the daily lives of learners . . . ” and shall “. . . seek to engage learners in a dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economical cultural and political conditions” (Para. 4). Moreover, it ignores the fact that the dialogical HRE strategies which the Decade calls for will necessarily entail “. . . confrontation between
the pre-given (social economic, cultural and political conditions) and the future histories in the making” (Baxi, 1997, p. 149). Instead, this approach continues to promote a normalized, highly structured and content-, i.e., document-, driven form of education about human rights that has little if any relevance for learners or teachers.

5. The Pedagogy: People and Participation

a. Overview

As early as 1984, UK-based HR educator Ian Lister emphasized the importance of a more open and participatory pedagogy for effective human rights education in schools (Lister, 1984, pp. 14-15). At the level of HRE policy, it can be said that several of the recommendations appearing in the early to mid-1990’s address Lister’s concern.31 The Montreal Congress called for a form of HRE that was not only participatory and democratic (with the learner viewed as a teacher too) but also creative, innovative and empowering (World Plan of Action on Education for Human Rights and Democracy, 1993); the Vienna Conference emphasized that HRE should be an ongoing process of learning (Vienna Declaration and Program of Action, UN Doc. A/Conf. 157/123, 12 July 1993); and the 44th UNESCO International Conference recognized the need to tie human rights education to real social life (1994).

Similarly, much of the current HRE literature lends support to calls for interactive methods that limit teacher-centered pedagogy (Bernath et al., 2000). Brochmann and Midttun suggest that participatory methodologies are crucial, as they may help learners

31 The developments in human rights education are discussed in greater detail in Section II of this project.
develop a positive attitude about the concept of human rights (1999, p. 5).\footnote{Participants at the Southeast Asia Pilot Teacher Training Workshop indicated that a participatory approach also "... inherently promotes child rights ..." and is based on the belief in "human potentials, capacities and indigenous talents" (HURIGHTS OSAKA, 1999, p. 123).} Focusing on the learners and the learning process, Tschoumy emphasizes the role of the affect in learning and advocates teaching methods that position the learner as an "active member" of the community. He also underscores the need to integrate theory and practice so that learners will be able to connect with the realities and experiences that give human rights meaning (1989, pp. 114-115). In addition, many HRE proponents stress that an essential part of human rights learning is action -- opportunities to affirm personal beliefs and to put new lessons and skills into practice, thereby enhancing learning (Tolman, 2000, p. 51; Flowers, 2000, p. 7; Shiman, 1991, p. 191).\footnote{It is noteworthy that the Guidelines for National Plans of Action for Human Rights Education, adopted by the UN in 1997, also call specifically for an action component for HRE (UN Doc. A/52/469/Add.1, 20 October 1997).}

Most recently, and perhaps most significantly, the "pedagogical policies" for HRE have shifted in response to the new understandings of human rights articulated at the Vienna Conference, in particular those expressed by NGOs from the global South. This shift is clearly evident in the language of the Plan of Action for the UN Decade of Human Rights Education which grounds HRE in the particular, the concrete and the local (Baxi, 1997, p. 149). Specifically, the Plan of Action states that, in order to enhance effectiveness, HRE "... shall be shaped in such a way as to be relevant to the daily lives of learners ..." and shall "... seek to engage learners in a dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economic, cultural and political conditions" (Para. 4).
b. The Roots of the Problem

This kind of learner-centered, dialogic, problem-posing, praxis-based and ultimately transformative pedagogy draws much of its inspiration from the work of Paulo Freire, and is consonant with the kinds of popular education that have traditionally taken place in non-formal education in the South. More recently, variations of this form of critical pedagogy have been making inroads into formal schools around the globe. As practitioners, we believe that critical pedagogy holds great promise as a vehicle for school-based human rights education that “brings human rights home.” At the same time, as students in the field of education, we are fully aware of the unique challenges that this kind of pedagogy poses for formal education. However, a review of the HRE literature left us disappointed and somewhat perplexed. We found few references to the enabling or disabling conditions that could, respectively, help or hinder the implementation of such a pedagogy, little effort to build on existing pedagogical innovations in the schools, and nominal consideration of the far-reaching implications of such a pedagogy for HRE, were it to be implemented in the formal schools.

In examining the roots of this particular “silence,” we were confronted with two closely related but equally plausible explanations. First, while recent policy mandates have consistently and explicitly issued calls for school-based HRE, they have not distinguished any further between HRE for the formal school sector and HRE for the non-formal sector. To a large extent, the same holds true for much of the HRE literature, particularly with respect to pedagogy. HRE teaching methodologies are presented as an eclectic bag of participatory tricks for all to partake of, rather than as a set of principled pedagogical practices that harmonize with clearly enunciated beliefs about teaching and
learning in particular (formal or non-formal) settings. This tendency to approach HRE as a generic entity where “one size [of HRE] fits all” and where a particular form of pedagogy is deemed to be universally applicable exposes the distance between the rhetoric of HRE and the reality of schools. It also foregrounds, once again, the need for human rights educators to become more engaged with recent developments in educational theory and practice.

A second possible explanation relates to the history of school-based HRE. As discussed in Section II, during the 1950’s and 1960’s the human rights education that did exist was confined to cognitive learning for students in formal school settings. However, the growth of human rights activism in the 1960’s and 1970’s gave rise to a shift in thinking about human rights education. Ultimately this shift transported HRE out of the schools and into the communities, transforming it into a tool for social change at the grassroots level (Flowers, 2000, p. 7). While this move opened up new spaces for redefining human rights education, it also resulted in the neglect of school-based HRE.34 In many ways, schools came to be considered as unsuitable sites for the revamped and transformative kind of HRE that advocated social change. However, with the policy mandates of the last decade (that explicitly call for both school-based HRE and critical HRE pedagogy), many human rights educators have been thrust back into the domain of formal education, without (perhaps) the benefit of a thorough prior analysis of the possibilities for implementing a critical and participatory form of school-based HRE.

34 It should be noted that in some places school-based HRE continued unabated. Many European countries, for example, operating under specific Council of Europe recommendations regarding school-based HRE, incorporated human rights into citizenship education and experimented more modestly with participatory pedagogy as opportunities arose.
Most of the human rights educators who have addressed the particular challenges of an empowerment-oriented pedagogy for school-based HRE have done so in relatively short order. Nancy Flowers, for example, disposes of the problems facing school-based “HRE for empowerment” in two sentences, noting that while some educators view this as too political for schools and appropriate only to non-formal education, others regard it as a pre-requisite for developing responsible and engaged citizens and building civil society (Flowers, 2000, p. 12). Abraham Magendzo goes a little further, but focuses more on content than pedagogy, commenting on the difficulties of introducing problem-posing education into a school system more oriented towards consensus than conflict (see discussion in Section III.E.2.). Others focus on specific elements of the pedagogy, such as the “action” component of empowerment-oriented HRE. Even here, however, the discussions tend to gloss over underlying complexities. For example, David Shiman and Nancy Flowers both acknowledge the difficulty of incorporating an action component into school-based HRE -- Shiman notes that this kind of learning has been marginalized in the recent quest for academic excellence and Flowers mentions resistance from administrators and communities, who view this kind of learning as too “political.” However, their discussions fail to recognize that in some places it may not be feasible or even culturally appropriate for students to engage in “action.” Moreover, they neglect to mention that directing human rights “action” to the “helping of others” is inherently problematic. It underplays the important element of critical self-reflection, overlooks the internal shifts in individual attitudes and acts of behavior (which also constitute action, albeit in a less visible manner), and runs the risk of perpetuating a “charity” approach to human rights.
Only Richard Pierre Claude begins to analyze some of the underlying issues after explicitly recognizing that empowerment pedagogy for school-based HRE does in fact represent a significant challenge. He discusses the risks to teachers more accustomed to classroom control and refers to their lack of familiarity and comfort with a "human rights classroom" in which "... direct instruction by the teacher is minimized and in which respect for student views is symbolized by the absence of a clear hierarchy of knowledge" (Claude, 1996, p. 204). At the same time, Claude is explicit about the importance of striving towards a more empowering pedagogy for school-based HRE, even when faced with risks such as these.

Claude's insights afford an opportunity to consider more closely some of the "disabling" conditions that may impede implementation of an empowerment-oriented pedagogy for school-based HRE. Particularly in countries which have experienced colonization, the teacher-centered "banking" approach to education still prevails, and the educational institutions remain highly structured and formalistic, driven by lectures and "top-down" educational practices (Yebo, 1994). In settings such as these, even more modest forms of student participation, such as questioning, may be discouraged and teachers may actively resist what they perceive as attempts to "diminish their control."35 This [illusion of] control is also threatened by the "absence of a clear hierarchy of knowledge" (Claude, 1996, p. 204). By using this phrase, Claude seems to be alluding to two other potentially problematic components of an empowerment-oriented pedagogy for HRE. As noted by Indian human rights scholar Upendra Baxi, "... dialogical HRE strategies creatively confute the distinction between the 'learner' and the 'learned'"
In so doing, they create openings for a more horizontal teacher-student relationship. Furthermore, such strategies also envision teachers and learners co-constructing human rights “knowledge” in the classroom.

In many formal schools, these shifts may not be in accord with local [cultural] understandings of the role of the teacher, the relationship between teacher and learners, or the nature of knowledge. In some places it may not, for example, be deemed appropriate for children to question or challenge their elders, including teachers. This being so, it then becomes difficult to implement a pedagogy for HRE that is predicated upon active learner participation because “... it is seen to be in direct conflict with the traditional cultural beliefs of both the teachers and the learners” (Mayumbelo & Nyambe, 1999, p. 74). Similarly, deeply ingrained beliefs about knowledge and authority, whether they stem from traditional cultural constructions or from the legacy of colonial constructions, may lie in diametric opposition to the UN Decade’s call for “transforming” and effectively re-constructing human rights.

c. Changes on the Horizon

Without downplaying the challenges presented by these realities, there is increasing evidence from around the globe that pedagogical change is afoot. As noted in Section III.C.3., the transformative educational visions of critical pedagogy, multicultural education and social justice education provide contemporary evidence of alternative practices, particularly in U.S. settings. Since the early 1980s, critical pedagogy has slowly carved out a niche for itself within undergraduate teacher education programs, particularly in courses that foreground a multicultural, anti-racist or social justice

35 See also, discussion in Section III.F.3. and III.F.4.
perspective (Carlson & Apple, 1998, p. 25). Further, through the continued efforts of educators such as James Banks, Christine Sleeter and Sonia Nieto, multicultural education has progressed beyond the tokenist “heroes and holidays” approach towards a more critical and transformative classroom practice that is grounded in respect for difference and centered around the provision of opportunities for all students to learn well. Educators are forging bridges between the school culture and the home and community cultures of students of color through “culturally relevant pedagogy” that problematizes teaching, encourages teachers to inquire into the nature of the student-teacher relationship, and supports the development of a sociopolitical or critical consciousness (Ladson-Billings, 1998, p. 220). Finally, through the work of scholar/practitioners such as Landon Beyer and Michael Apple,36 as well as Ira Shor and Caroline Pari,37 Freire’s “empowerment pedagogy” has been successfully adapted for use in U.S. classrooms.

Outside the US, significant changes in classroom pedagogy have also been taking place. As part of the post-independence transformation of Namibia’s educational system, the Ministry of Basic Education has embraced a learner-centered and social reconstructionist approach to teaching and learning that promotes democratic participation. Despite some “growing pains,” there is evidence that learner-centered pedagogy is beginning to take root in many of Namibia’s classrooms (see, for example,

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36 Beyer and Apple’s work attempts to “... restore to the collective memory more democratic visions of education” by building on Freire’s concept of praxis (understood as the conscious understanding of and action in schools on solving daily problems) (1998, p. 4).

Zeichner & Dahlstrom, 1999). Similarly, Mexico's comprehensive program to improve the quality of education (Programa para Abatir el Rezago Educativo) is based on a constructivist philosophy that encourages participatory pedagogy and more equitable classroom relations (Tatto, 1999). Increasingly, teachers in some of Mexico's poorest states are developing classroom practices that offer greater opportunities for students and teachers to construct knowledge together. The past decade has also borne witness to the institutionalization of critical literacy practices in many of Australia's classrooms. Recent reports provide examples of joint teacher-student projects that seek to analyze and understand the myriad ways in which language contributes to injustice, as well as the ways in which language and literacy can be used to change unjust and discriminatory practices (Comber, 2000). These [and other] international examples provide a rich counterpoint to claims that critical pedagogy has no relevance or applicability in formal education systems outside of Northern industrialized contexts.  

The foregoing examples offer a mere sampling of the ways in which the pedagogical practices of many formal classrooms have been changing. However, most human rights educators, operating at a distance from current educational theory and practice, have failed to acknowledge these shifts, or the potential within them for school-based HRE. As a result, they have effectively pre-empted any attempt to build on these existing inroads. Just as little has been done in the way of seeking out areas of mutuality

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38 The example of Australia may present itself as an anomaly. To clarify, the explanation of John Elliott may prove useful:

Although geographically situated in "the south" and "the east" Australia is no longer categorised as a developing country. However, there is perhaps a persisting tendency for "western educators" to presume that Australia simply borrows educational ideas from either the "old home country" or the USA. Certainly many Australian educators remain sensitive to this presumption (1999, p. 1).
or overlap between HRE and existing social educational movements, little appears to have been done in the way of reviewing teaching and learning processes to evaluate "... how facilitative these existing practices are of human rights principles and ideals" (Yeban, 1994, p. 15).

d. Implications

In addition to these oversights, many human rights educators and policy makers have failed to examine the implications of their own demands for a dialogic, problem-posing pedagogy of HRE that begins with the lived social, economic, cultural and political realities of the learners, emphasizes local meaning-making, and involves critical reflection and transformation in the classroom, the school and the community. In the rush towards a culture of human rights in formal schools via the empowering pedagogy of HRE, they have inadvertently set a pedagogical trap for themselves. The requirement that a rights-affirming pedagogy or at the very least a "human rights ethos" be in place as a pre-condition for school-based HRE assumes a priori the affirmation of human rights that HRE itself is supposed to create — in other words, the very thing they want to produce is that which they are demanding be in place as a necessary precondition. In many ways, this trap, and the unrealistic expectations embedded within it, overlooks the fact that this kind of HRE pedagogy might be a vision for the future — a goal to strive
towards through progressive measures,\textsuperscript{39} as opposed to an immediate, viable, and easily operationalized option.\textsuperscript{40}

Similarly, while emphasizing the need for a pedagogy of HRE that respects different cultural, socio-economic and political contexts and that grounds human rights and human rights education in the lived realities of learners, many proponents of HRE (including Amnesty International) still speak emphatically about using this approach to "\ldots transmit the human rights message successfully," without pausing to consider the inherent contradiction in their statement (Sganga, 1998, p. 106, emphasis added).

This pedagogical contradiction also plays out with respect to the treatment of human rights "texts." Nowhere in the literature did we find a human rights education program that applied critical pedagogy to human rights documents themselves, through a critical human rights literacy lens.\textsuperscript{c} Instead, human rights documents and instruments (statements of rights) are presented as static, discrete and pre-determined texts. Little thought appears to have been given to how, as texts, they were produced in a particular historical context, for a particular purpose (Lyseight-Jones, 1992, p. 139). This omission is particularly striking given that human rights documents themselves resulted from long and protacted debate, negotiation and compromise (see discussion in Section I); and, as legal texts, they are subject, as in all law, to deliberation and interpretation. Similarly, little thought has been given to how differently positioned readers, engaging with these texts from different socio-cultural contexts, will interpret these texts in different ways. In

\textsuperscript{39} It is noteworthy that the Universal Declaration of Human Rights includes the following language: "\ldots strive by teaching and education to promote respect for these rights \ldots by progressive measures \ldots ."

\textsuperscript{40} This "trap" also sets up a double standard by establishing for human rights education a behavioral litmus test that is all too often absent in the broader human rights community.
short, there is no evidence that human rights educators have engaged with any of the scholarship on critical literacy.41

Human rights educators and advocates also seem to assume that after engaging in this pedagogical process, human rights themselves will emerge intact. They do not address the fact that dialogical HRE strategies involve a "... confrontation between the pre-given (social economic, cultural and political conditions) and the future histories in the making" (Baxi, 1997, p. 149); they overlook the power of local meaning-making; and they fail to consider the ways in which local constructions of human rights may create conflict as they intersect with the broader, more regulating human rights discourse.

The implications of the dialogical HRE strategies enunciated by the UN Decade of Human Rights Education cannot be overstated. The Plan of Action requirement that HRE "... be relevant to the daily lives of learners ..." and "... engage learners in a dialogue about the ways and means of transforming human rights from the expression of abstract norms to the reality of their social, economic, cultural and political conditions" (Para. 4) represents a significant conceptual shift within HRE. However, it omits what could have been a new "Paragraph 5," written along the following lines:

It is acknowledged that one result of this transformation of human rights (from the abstract to the concrete, according to locally contextualized meaning-making) is the fundamental reinterpretation of the nature, purpose, goals and objectives of HRE and, possibly, the radical transformation of the human rights paradigm itself.

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41 Concerned that this approach to human rights education not only deprives learners of the opportunity to critically engage with human rights texts, but also offends the new "spirit" of human rights articulated in the Plan of Action for the UN Decade for HRE, the authors of this project are in the process of developing a Critical Human Rights Literacy Workbook.
HRE policy needs to begin to incorporate and address some of these tensions and more explicitly recognize how human rights and human rights education will continue to be reinvented according to local purposes, perspectives, definitions and concerns. In short, many proponents of human rights education appear to want people to travel on this human rights education road, as if the road were already topped and tarred, and the outcome pre-determined. They continue to deny that in many cases, people still “make the road by walking.”

F. TENSIONS AND CHALLENGES FOR THE TEACHERS

1. Overview

_The lack of well-qualified teachers is the most frequently noted shortcoming in efforts to advance human rights education (Sebaly, 1987, p. 209)._  

Last, but by no means least, we turn to the teachers, the foot soldiers in the battles over school-based human rights education, and the people upon whom its implementation depends. In order to facilitate teacher implementation of HRE, it could be argued that a number of pre-conditions ought to be met: teachers should have the knowledge, skills and attitudes (as well as the interest and commitment) to implement HRE; the working conditions of teachers should be readily conducive to operationalizing HRE; and teacher training, at both pre-service and in-service levels, and complemented by additional support mechanisms, is readily available and has already been undertaken.

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42 As evidenced by the HRE list-serve discussion, excerpted at the end of Section II, it is still debatable whether there is any consensus on exactly what these are!
Our review of the literature on the teacher’s role in implementing school-based HRE revealed that in most places, these pre-conditions remain unmet. Furthermore, while we regard these issues as intricately related to the other challenges discussed in this paper, much of the literature understates this connection. It also avoids altogether any inquiry that links the challenges teachers face in implementing HRE with the challenges teacher education faces in general. Finally, and perhaps most importantly, our review of the literature uncovered a disturbing undercurrent of public ambivalence towards teachers, their commitment to human rights, and their ability to implement school-based HRE. In many cases, this is compounded by the absence of teachers’ voices from much of the literature. Failing to adequately address these teacher-related challenges, removing them from the context of the other challenges facing school-based HRE, and de-linking them from the challenges of teacher education in general, seriously undermines the chances that HRE will ever be widely implemented in schools.

2. **Teacher Knowledge**

No one should be licensed to enter the teaching profession without a fundamental grounding in human rights, especially the Convention on the Rights of the Child (CRC). (Flowers, 2000, p. 18)

On some level, any educational initiative contains a built-in assumption that teachers have the knowledge (or at least a sufficient awareness of the issues to construct their own knowledge base) required to implement it. However, the academic preparation of future teachers rarely includes human rights topics. Moreover, very few

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43 Kim Sebaly has gone so far as to suggest that “... it may be unethical not to have HRE for teachers” (1987, p. 214).
teachers have had any training or education in human rights law (Osler & Starkey, 1996, p. 119).44

Most human rights educators strongly recommend that teacher training for HRE should include an element of education in the law (see, for example, Audigier, 1989; Best, 1991; Rendel, 1992; Osler & Starkey, 1996). In fact, Margherita Rendel (1992) has argued that “... without a good knowledge of both national and international law and politics relevant to issues of human rights, teachers cannot present the ‘specific dynamics of human rights’” (Rendel, 1992, p. 160).

On a practical level, Rendel’s (and others’) argument ignores the literature on teacher education, and thus ignores the realities of many teacher preparation programs. In the first instance, few teacher preparation programs offer courses in law (at least at the first degree level) and it seems unlikely that they will do so at any time in the near future.45 In many places, the teacher education curriculum is already overloaded and therefore unable to accommodate what may be perceived as yet another curricular “fad.” In addition, the priority placed on human rights by society in general and by educational policymakers in particular has an impact on the priority placed on human rights [law] in the curriculum of teacher education programs. Even in places where human rights is a priority, other, more pressing initiatives, or local exigencies such as the need to train large numbers of teachers in relatively short periods of time, may take precedence.

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44 As noted elsewhere in this paper, this has long been regarded as the exclusive (and vigilantly guarded) domain of the legal profession.

45 By the same token, it is also unlikely that law schools will throw open their doors to teachers any time soon!
Second, the ongoing erosion and perceived irrelevance of many foundations courses in the US (see, for example, Sirotnik, 1990) militates against the possibility of incorporating human rights (as a critical issue in education). Yet another counter-argument relates to the notorious atomization of teacher education curriculum in many countries. This phenomenon is at odds with the interdisciplinary nature of human rights and the inter-disciplinary approach to human rights education advocated by so many of its proponents. Furthermore, Rendel’s (and others’) exclusive focus on human rights theory [law] ignores contemporary trends in teacher education curriculum that emphasize pedagogical content knowledge and the “... construction of a dialectical relationship between theory and practice, [that places] ... theory in its concrete real-life context” (Ben-Peretz, 1995, p. 544). As noted in Section III.E.3., this integration of theory and practice is of particular importance in HRE since it allows teachers to connect with the personal experiences that give human rights meaning (Tschoumy, 19898, p. 114). Finally, Rendel seems to overlook the fact that human rights education is not just an academic subject. Human rights involve feelings, values and opinions, which “... must be given at least equal importance if transformative learning is to take place” (Flowers, 2000, p. 23, emphasis added).

Rendel’s argument also raises other, equally important issues. Her legalistic and exclusionary understanding of human rights controverts the new human rights vision, articulated at the Vienna Conference and reiterated in the Plan of Action of the UN Decade for Human Rights Education. As mentioned previously, this new vision places much greater emphasis on transforming human rights from “abstract [legal] norms” to locally constructed understandings that are based on the realities of people’s “social,
economic, cultural and political conditions” (Plan of Action, Para. 4). In addition, her argument may [erroneously] attribute to the study of human rights (for human rights education) a degree of mystical intellectualism that is simply unwarranted. For example, in looking at the Developmental and Conceptual Framework for Human Rights Education (adapted from the UN’s Guidelines for National Plans of Action for Human Rights Education, and attached as Appendix D), one can immediately discern that this is not “rocket science!” Moreover, it seems likely from looking at this framework that many teachers may already be working towards some of the goals, teaching about some of the key concepts, and engaging in some of the practices enunciated therein. However, this framework also underscores one of the central tensions that exists within the human rights discourse. For even as the new vision of human rights is widely proclaimed and beginning to find root in some community-based HRE programs, there is still (and probably will be for some time) an undeniable tendency to rely on traditional constructions of human rights, i.e., as framed within the normative values of the UN system.46

3. **Teacher Skills (Pedagogy)**

Just as some educational initiatives contain a built-in assumption that teachers have the knowledge required to implement them, an additional assumption may exist when an initiative incorporates a pedagogical component -- that teachers have the requisite teaching skills to implement it. However, the pedagogic preparation of teachers rarely provides practical experience with HRE’s recommended processes of dialogical,

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46 One can also see in this framework evidence of the perennial curriculum linkages with civics and citizenship education, discussed in Section III.D.5.
problem-posing and praxis-based teaching and learning. In fact, in many places, there may be little opportunity to experiment even with more modest alternatives to the teacher-centered model, such as active learning, cooperative group work, simulations and roleplays. Instead, the transmission model, where "[k]nowledge is seen as a collection of facts to be deposited in or stored by mostly passive learners" still dominates many teacher education institutions (Tatto, 1997, p. 221). This model violates another key principle of HRE pedagogy, that of the teacher as co-learner. As Flowers has noted, the human rights educator "... must have the humility to give up the old paradigm of school ..." and become "... a learner in community with other learners, all of whom serve as resources for each other" (2000, p. 23). Once again, this may be an alien concept for many teachers, representing a personal challenge of significant proportions.

Since the processes of their own education may not have been congruent with the participatory methods espoused by HRE, many teachers may be unskilled or ill-equipped to teach using participatory approaches. They may never have seen them in practice, let alone been able to practice them. This flaw in their own training is critical, and, in many places, hard to overcome. For, as Alley and others have noted, "[m]odeling desired teaching practices is essential in teacher education programs if the profession is to see significant change in practice" (1997, p. 134). All too often however, these exhortations, just like the exhortations of HRE, are ignored, the modeling doesn't occur, and it's back to banking once again! Needless to say, this has direction implications and potentially devastating consequences for teachers charged with implementing school-based HRE.
4. Teacher Attitudes, Interest and Commitment

To teach about and for HR requires more than knowledge about HR and experience in facilitating learning. The HR educator must have a deeply felt commitment to HR and a belief in their necessity for building a just and democratic society. (Flowers, 2000, p. 23).

The assumption that teachers have the attitudes required to implement the HRE initiative operates on at least two different levels. The first relates to teacher attitudes about the change required by HRE in general, while the second involves the personal attitudes of teachers to human rights in particular. On the first level, some teachers may express concern about preaching and teaching values and politics. Other may resent having been left out of the planning stages. For, although the UN Decade’s Plan of Action calls for teacher involvement in planning HRE, we found little evidence of teacher involvement in HRE program planning, curriculum design or materials development.

In addition, many of the arguments raised previously with respect to the pedagogy pertain here too, with respect to attitudes. Some teachers may remain suspicious of the HRE pedagogy and resist what they perceive as giving up control of the classroom. Others may be resistant to change because they fear straying from traditional teaching behaviors or using nontraditional activities that might expose their lack of subject matter "knowledge" or evoke the wrath of school administrators. Some teachers experience the innovation as a force that de-skills – preferring to remain with what is known (and what they feel good at) rather than experimenting with the unknown (Ratnavadivel, 1999, p. 208). Still others might like to try, but need additional support to do so. As we discuss later, this support is often lacking.
With respect to teacher attitudes about human rights in particular, much depends on prior exposure to and awareness of human rights issues and human rights education. Many teachers do have an active commitment to human rights principles such as justice and equality, yet may not be used to articulating this commitment in human rights terms. Others may not be aware of the importance of human rights or the usefulness of human rights education. Unfortunately the HRE literature offered little insight into the attitudes of teachers, from the viewpoints of teachers themselves. Instead, it presented a somewhat conflictive picture, informed by hearsay, replete with supposition and almost devoid of teacher voices.

Some HRE proponents seem to believe that teachers are automatically motivated and “on board” the HRE bus. However, this assumes a priori that the teacher her/himself is, from the outset, the perfectly self-actualized, rights-respecting and rights-affirming human being. This severely flawed assumption overlooks the fact that the process of critical self-reflection will form part of HRE, and the state of “rights-respecting” and rights-affirming may be a process of becoming, rather than being -- one of the goals that HRE sets out to achieve. In other words, it is through the process of HRE itself that one will not only strive towards greater awareness of one’s prejudices, but also work towards changing them.

By contrast, while there is little reason to assume that teachers are any more or less predisposed to human rights than anyone else, some HRE proponents seem to suspect teachers of being almost ontologically averse to human rights. For example,

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47 Shafer has suggested that the teacher’s attitude about human rights and human rights education may also depend on his/her own involvement with NGOs or CBOs that are deeply committed to human rights (Shafer, 1987, p. 204).
Norma Bernstein Tarrow reports that teachers have been "... unable and unwilling to find appropriate ways of introducing the subject in their classrooms on a regular basis" (1989, p. 197, emphasis added).

This representation of teacher attitudes to human rights as an essentialized, either-or binary ignores the rich "in-between" spaces where attitudes exist, not in preordained stasis but in reflexive movement, constantly being constructed and reinterpreted in response to shifting internal and external conditions. It ignores the fact that teachers, as human beings whose identities are socially constructed within particular historical, socio-cultural and ideological moments, present a much more complex and multifaceted picture of personal and professional attitudes than the image depicted in the literature. Nonetheless, this representation of teacher attitudes to human rights is useful insofar as it mirrors some of the tensions in the public perceptions of teachers.

At one and the same time, teachers are regarded as "agents of cultural domination" (Carlson & Apple, 1998, p. 25) and expected to be agents of social change. In addition, the public cedes to teachers (and the schools) the responsibility for educating and socializing its youth and yet is often the first to denounce the teachers and condemn the schools in times of economic crisis. Finally, although technically members of a profession, teachers suffer from a chronic lack of prestige, due in no small measure to the low esteem in which the public holds them. The human rights community is not

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48 As noted previously in Section III.C.2., Carlson and Apple suggest that viewing teachers only as agents of cultural domination "... may have discouraged efforts to develop more democratic and empowering approaches to teaching or to look to teachers as leaders in transforming existing education practice" (1998, pp. 24-5).

49 Claude reports that in the Philippines, teachers have been "... relegated to second class status with little control over their own affairs" (1996, p. 108).
much better. It expects teachers to be committed to human rights, while overlooking the fact that in some places teachers are "... marginalized members of society with their own human rights barely acknowledged" (Claude, 1996, p. 108). Similarly, advocates of HRE seem to expect teachers to "empower" their students but ignore the fact that in many places teachers themselves are disempowered (Claude, 1996, 108).50

Many of these perceptions have a direct bearing on teacher attitudes to human rights in general and to implementing school-based HRE in particular. However, most HRE commentators fail to articulate the interconnections between the two, due in part, to their failure to engage in meaningful discussion with teachers. Just as the teachers' voices were absent from the discussions on HRE policies and HRE curriculum and materials development, so too were they absent from the discussion about their own attitudes to human rights and human rights education. The ramifications of this omission are significant, for there is no doubt that:

Legislators may mandate human rights education, and departments of education may develop strategies to implement it, but unless teachers themselves feel interest and commitment, the subject will never become alive and important to students. (Flowers & Shiman, 1997, p. 166)

50 As noted in Section II, the idea of empowerment is itself not unproblematic.
5. **Working Conditions of Teachers**

Rather than moving in the direction of increased autonomy, in all too many instances, the daily lives of teachers in classrooms in many nations are becoming ever more controlled, every more subject to administrative logics that seek to tighten the reins on the processes of teaching and curriculum. (Apple, 2000, p. 114)

Many human rights educators and policy makers overlook the material constraints that affect the teacher’s ability to implement HRE in local school settings. In so doing, they may be guilty of assuming that the working conditions of teachers are readily conducive to the effective implementation of HRE. However, in many classrooms, practical barriers to classroom change are the order of the day. Teachers find themselves working in increasingly difficult circumstances, with insufficient time to innovate, inappropriate classroom facilities and lack of resources and organizational support (Guthrie, 1990, pp. 224-5).

In many ways, teachers are experiencing what Michael Apple considers as a “degradation of [their] labor” (2000, p. 115). Much of this degradation relates to the “separation of conception from execution,” as more and more of the research and planning, in, for example, the area of curriculum, is done at a great distance from the classrooms in which the curriculum will be implemented (Apple, 2000, p. 116). As discussed in Section III.D., this is less than optimal for the creation of effective conditions for learning. Its effect on the teachers is even more devastating for, as Apple points out, it leads to “... a loss of control over ... [one’s] own labor” (Apple, 2000, p

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51 It must be noted that Apple does not regard this loss of autonomy and control as absolute. Instead, as he states elsewhere, “[no] agenda finds its way into classrooms without being altered in significant ways ... [t]eachers and students are partly controlled and yet still partly transform the agenda to their own ends ...” (Apple, 2000, p. 11). As previously stated in this paper, the authors are inclined to a similar point of view.
116). In turn, this loss of control leads to an even more insidious form of de-skilling than that noted previously. As the skills that teachers once used regularly, in, for example, curriculum planning and development, become used less frequently (if at all), they start to erode and are eventually lost (Apple, 2000, pp. 116-118). But this is not the only loss. Since "... control of one's expertise and time ..." are "... the very things that make teaching a professional activity ..." the teacher's sense of professional worth is also affected (Apple, 2000, p. 118).

In addition to neglecting the impact of de-skilling on teachers, the HRE literature also pays scant attention to the other manifestation of the degradation of teachers' labor process -- "intensification" (Apple, 2000, p. 119). Intensification refers to those aspects of teachers' eroding working conditions in which more and more has to be accomplished and less and less time is available for accomplishing it (Apple, 2000, pp. 119-120). Teachers who attended our October 2000 Global Horizons HRE Workshop affirmed the existence of this phenomenon. As well as reporting a chronic sense of overwork and pressure to "teach to the test," they complained about the overloaded curriculum and extracurricular timetable. Teachers also said that they experienced increased feelings of isolation. For a more complete discussion of these teachers' concerns, we refer the reader to Mary Lugton's *The time is ripe! Evaluation of a human rights education workshop* (2000).
viewed as yet another, onerous curriculum “add-on,” as opposed to a means of unifying and integrating existing curriculum frameworks (Bernstein Tarrow, 1989, p. 198).  

Finally, as Apple argues so cogently, these processes of deskilling and intensification threaten “. . . the conception of teaching as an ‘integrated whole activity’” in which “connectedness” and “fostering growth” are paramount (2000, p. 120). Nowhere is this threat more dangerous than in the case of human rights and human rights education. Human rights are founded upon notions of indivisibility and inalienability. Human rights education, as noted elsewhere in this paper, is, by its very nature, interdisciplinary. Moreover, in order to become meaningful, HRE requires learners to make connections between human rights and the realities of their own life experiences. However, these facets become increasingly problematic in an atmosphere of atomization and dis-connectedness, requiring teachers to work doubly hard to meet the challenges of implementing school-based HRE.

53 Norma Bernstein Tarrow has suggested that teachers need guidance and opportunities to work as teams to find these “windows of opportunity”. Bernstein Tarrow goes on to say that “. . . a network of those involved in developing and implementing HR curriculum . . . could be an invaluable support system” (Bernstein Tarrow, 1989, p. 198).
G. THE CHALLENGE FOR TEACHER TRAINING

1. Overview

The in-service training of teachers and continuing, ongoing support for those working in the field are absolutely necessary to ensure successful implementation.

Attention must also be directed at the inadequate pre-service preparation of teachers in both the content and processes of HRE. (Bernstein Tarrow, 1989, p. 198)

Numerous proponents of human rights education have identified teacher training on the knowledge, skills and attitudes relevant to the teaching of human rights as “...indispensable for the effective implementation of HRE programs in schools” (HURIGHTS OSAKA, 1998, p. 5, emphasis added). In addition, virtually all the policy mandates call for some form of teacher training in human rights.54 As evidenced by the summary program descriptions that follow, significant inroads have been and continue to be made in many places. However, although HRE teacher training is expanding rapidly, it is still a fledgling field that has yet to become institutionalized in the teacher training institutions of most countries.

As noted in Section III.F.2, few attempts have been made to incorporate human rights or human rights education into pre-service teacher preparation programs.55 In her discussion of this issue, French human rights educator, Francine Best provides the reader with additional insights. She notes that most pre-service courses are still oriented to a


55 From our review of the literature, the exceptions may only be the Philippines and, perhaps, Chile.
particular discipline, especially in secondary education, and also expresses concern that the duration of teacher training in many places is too short for a "... complete course unit to be devoted to the history of human rights and the relevant legal concepts" (Best, 1991, p. 120-121). However, her main line of reasoning relates to the urgency of training teachers for HRE. According to Best, "... such is the urgency that training in human rights cannot be confined to this initial phase [pre-service] ... all teachers must be trained ... as quickly as possible" (1991, p. 121). In her opinion, in-service teacher training for HRE is the answer.

To date, most HRE teacher training courses have, in fact, been conducted as short, in-service courses that allow the maximum number of teachers to be trained in the shortest possible time. However, although in-service courses may offer the benefit of expediency, the possibility of a multidisciplinary context and the absence of the administrative bureaucracy normally associated with teacher training institutions, they may also suffer from a number of perennial challenges faced by in-service teacher education in general.

2. The Perennial Challenges of In-Service Teacher Education

The success of any educational initiative depends in large part "... upon the support given to the teachers" (Gardner, 1990, p. 92). In the case of an initiative that introduces school-based HRE, involving not only new content but also new pedagogy, this support is vitally important. However, in many places, it is grossly lacking, and teachers often work "... without reinforcement, with little supervision from their
superiors or help from their peers, and with little motivation or opportunity to improve their teaching” (Shaeffer, 1993, p. 188).

One such support mechanism (favored by human rights educators) is in-service training. However, in many countries, formal in-service opportunities are few and far between. To make matters worse, despite evidence that longer-term programs are more effective, programs are usually short, once-off, and “in and out,” failing to provide any in-depth knowledge of subject matter or pedagogical skills, let alone on-going guidance (Tatto, 1997a, pp. 216-7). Further exacerbating the problem is the lack of cooperation and coordination between the colleges of teacher education and the schools (the places where their graduates are practicing) during (either pre-service or) in-service. In most cases, in-service programs are conducted in isolation from the schools, instead of in cooperation with them (Dove, 1986, p. 224).

These conditions conspire to make the implementation of school-based HRE by teachers more difficult. They are further compounded by the very nature of the program – HRE requires substantial attitudinal or “mindset” change that takes time to develop. As a result, a strong argument could be made in favor of a more sustained approach to teacher development that furnishes teachers with ongoing support in their practice. As Craig and others have argued, this support is crucial for determining “the extent to which attitudes and practices of participants have actual changed for the better” and “whether these changes are manifested in classroom and school practices and processes” (1998, p. 118).

In several low resource contexts, alternative delivery systems which offer built-in and ongoing support mechanisms have been shown to enhance the quality of learning and
teaching and actively promote the kind of participatory, learner-centered approach espoused by HRE. The following examples may prove illustrative. Maria Tattó’s report on Mexico’s PARE program indicates that one successful intervention has been the incorporation of the teacher into a community of learners, providing mutual support at the local level (Tatto, 1999, p. 27). Similar kinds of local support mechanisms were evident in Indonesia’s Cianjur Project, designed, in part to establish new patterns of classroom behavior (student active learning). The project provided support to teachers at multiple levels – the teacher training institutions, the (re-)trained inspectors and head teachers, and other teachers (Gardner, 1990). Finally, one of the most powerful elements of the Community School project in Upper Egypt was its extensive system of ongoing support and training provided at the local level. This included weekly staff meetings, visits and internships in existing community, schools, observations and interactions with children, and regular practice of effective teaching methods and feedback (Craig et al., 1998, p. 59).

These examples provide a sampling of the rich variety of alternative mechanisms available for providing teachers with support. However, with a few notable exceptions (see following sections), we found very little evidence of their adaptation for use in HRE teacher training programs.
3. **Overview of HRE Teacher Training Programs in HRE**

The HRE teacher training programs that do exist display tremendous variety on a number of different levels, including but not limited to:

- degree of inter-agency/regional coordination
- duration of the training program
- location of the training program
- content and pedagogy
- degree of teacher involvement in planning
- inclusion of teacher concerns about inhibiting and supporting factors
- follow-up support
- scope of the HRE effort, i.e., pilot project or full-scale campaign

The program overviews that follow represent a mere sampling of existing efforts in HRE teacher training. For the most part, the programs that we have selected for inclusion in this overview are, for the most part, in-service programs. We have selected these particular programs because they demonstrate a wide range of possible approaches and address most of the key issues bulleted above. In addition, they offer tangible evidence of the degree to which human rights educators and trainers have (or have not) responded to some of the perennial challenges facing in-service teacher training programs in general.

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56 Notable by its absence is a description of the Chilean experience. We were unable to obtain any English-language materials on their ongoing efforts to implement school-based HRE. However, we do know that exploratory workshops have been conducted with teachers, and that a teacher-training plan in human rights has been set out and put into practice. This plan, which is based on critical pedagogy, is entitled, “Problematising Curricular Design for Teaching Human Rights (Magendzo, 1994).
As noted in the Slovakian box below, Amnesty International/Bratislava has been involved in organizing teacher training workshops in Slovakia since 1993. In addition, Amnesty International has been active in providing HRE training for teachers in various parts of the world. For example, AI helped to organize several HRE workshops aimed at teachers, educationalists and human rights activists in Hungary and the Ukraine, as well as in Peru, where its Peruvian Section ran a teacher training project for 21 schools, in cooperation with the Ministry of Education. In Guyana, AI has begun a model teacher-training project that aims to reach every teacher in the country. During 1998, the Ghanaian Section ran a series of workshops in teacher training colleges attended by more than 900 student teachers and AI’s HRE coordinators from Croatia, the Czech Republic, Moldova, Poland, Slovakia, Slovenia and the Ukraine met and agreed to formulate a joint regional strategy (http://www.amnestyusa.org/ailib/aireport/ar99/intro/action-07).

Amnesty is currently in the process of developing a US-based HRE training for teachers (to be held in July 2001 in New York City) as part of its AI USA Human Rights and Education program. The mission statement reads as follows:

“The AI USA Human Rights and Education program is identified by our promotion of the Universal Declaration of Human Rights and its inherent affirmation of human dignity. Our work is informed by critical pedagogy, reflective practice, and by compelling action. In partnership with our allies we will contribute to the growth and development of human rights activists, thus transforming the culture of our organization” (Board Report September 2000, Human Rights Education Program).
CAMBODIA

In 1995, the Cambodian Institute of Human Rights has embarked upon a massive HRE campaign for teachers called the Human Rights Teaching Methodology (HRTM) project. This project is intended to “...heighten awareness and understanding among teachers of the values of human rights, democracy and non-violence and to train teachers how to introduce these concepts into the classroom” (CIHR, 1999, p. 1).

Using the cascade method, the Institute has trained several cohorts of master trainers for both elementary and secondary school levels. In turn, these master trainers have trained additional cohorts of trainers who then go out to the schools and train the teachers. Master trainers complete an intensive month-long course of study while the teacher training consists of a week-long human rights teacher methodology course. This course encourages active trainee participation and provides lectures and discussions around major human rights themes and the basics of student-centered learning, as well as hands-on experience with specific techniques. The content covers international laws and standards as well as traditional Khmer and Buddhist values (Banks, 2001, p. 2).

The CIHR is committed to reinforcing the human rights learning gleaned from their training programs and provides a variety of on-going support to teachers and master trainers. It produces and distributes a HRE magazine for teachers, conducts post-training monitoring, observation and discussion, and organizes periodic refresher courses.

Recognizing that government support is a crucial determinant of the success and sustainability of the project, the Institute has worked closely with the Ministry of Education. It has also involved Ministry officials, directors of teacher training institutions and school principals in the design, implementation, monitoring and evaluation of the project (CIHR, 1999, p. 5). Its efforts have not been in vain. The Ministry of Education has made human rights teaching methodology training part of its current five-year plan (CIHR, 1999, p. 2). Currently the Institute is working towards the institutionalization of HRTM by making it a permanent part of teacher training for primary and secondary school teachers. Ultimately, it hopes to scale down its own direct involvement and take on an advisory/inspectorate role (CIHR, 1999, p. 5).

As of July 2000, 30,000 of Cambodia’s 71,000 teachers had been trained. The Institute plans to train another 10,000-12,000 teachers per year in human rights teaching methodology (Banks, 2001).
Since adopting Resolution (78)21 on the Teaching of Human Rights in 1978, the Council of Europe has been one of the forerunners in providing HRE training and support to teachers. In addition to promoting teacher training workshops, the Council is active in developing HRE materials and coordinating HRE conferences (Bernstein Tarrow, 1989, pp. 189-190). Recent examples of the Council’s work HRE for teachers include co-sponsorship of a series of 10-day teacher training courses – to train teachers from Bosnia Herzegovina on democracy and human rights. The Council has also prepared a Guide that provides teachers (from Bosnia Herzegovina) with practical help on how to address human rights at school. In 2000, to commemorate the 50th anniversary of the European Convention on Human Rights, and to mark the mid-point in the UN Decade for Human Rights Education, the Council prepared and disseminated The European Convention on Human Rights: Starting Points for Teachers. This publication contains opportunities for including human rights in lesson plans across the curriculum and provides teachers with some activity-based starting points to make use of these opportunities.

Under its ERASMUS programme, the European Commission, in cooperation with the Association for Teacher Education in Europe, sponsored a human rights curriculum development project involving 22 university departments of education in 13 European countries. This project is designed to enable teacher educators to learn from each other’s experiences of HRE (Osler & Starkey, 1996, p. 103). The new curriculum, entitled “Education for citizenship in a new Europe: Learning democracy, social justice, global responsibility and respect for human rights” was designed by an international and multidisciplinary team and implemented in each participating institution during the 1993/1994 academic year (Osler & Starkey, 1996, p. 111).

Since 1983, the International Training Centre on Human Rights and Peace Teaching (CIFEDHOP), an NGO based in Geneva, has conducted an annual HRE program for teachers and others involved in formal education. CIFEDHOP’s week-long training uses a participatory format and democratic style of working. While there is a strong emphasis on legal awareness, efforts are made to build on participants’ prior knowledge and to make the legal knowledge accessible to teachers. Participants are broken up into three language groups, and each has its own permanent legal expert. The summer school comprises three main parts: establishing the climate; inquiry, study and experience; and synthesis. This last part of the summer school involves planning for future work in HRE, and includes the exploration of networking and support opportunities (Osler & Starkey, 1996, pp. 119-120).

58 A copy of the 1993 CIFEDHOP Training Programme is included as Appendix E.
NAMIBIA

As part of a sub-regional effort, UNESCO is currently assisting with the implementation of a pilot project on Education for Human Rights and Democracy in Mozambique, Namibia and Zimbabwe. Funded by DANIDA, the project is being run by the ministries of education, and, in Namibia, through the National Institute for Educational Development (NIED). The Namibian project is also forging closer links with the Legal Assistance Center, the Human Rights Documentation Center at the University of Namibia and other organizations working in the same field.

The project was officially launched in 1997 and the Namibian pilot phase (2 years) began in November 1998. During the pilot phase, participating organizations have identified and developed teaching materials and defined ways of integrating these materials into existing curricula. For example, participants at the sub-regional training workshop for writers of instructional materials, held in Maputo in February 1999, developed a Teachers’ Resource Kit consisting of a collection of teacher aids. Participating organizations have also conducted training/orientation courses for teacher trainers, as well as for in-service and pre-service teachers.

In Namibia, the project aims to mainstream human rights and democracy in the upper primary school languages and social studies curricula (Grades 5-7). During the pilot phase, the project was piloted in 14 schools countrywide and “lessons learned” are being shared with other schools throughout the country. NIED is currently working on a strategy to develop teacher training modules for the four Namibian teacher training colleges.

59 While the authors of this Master’s Thesis originally intended to focus primarily on the Namibian experience, they were unable to obtain the pilot project materials before the School of Education deadlines. This summary is included for posterity, even though the Education for Human Rights and Democracy project is not exclusively a teacher training initiative.
THE PHILIPPINES

"[T]he Philippines is a pioneer worldwide in the steps it has taken to constitutionalize the state obligation to develop HRE" (Claude, 1996, p. 13). Article 14 of the 1987 Constitution requires all educational institutions to include the study of human rights.

In the early 1990's the Philippine Normal University developed a program of human rights education for future Filipino educators. Their emphasis is on developing participatory pedagogies and critical skills among teachers and students.

To complement this pre-service training, the Diokno Foundation (a local NGO whose principal objective is to open up formal education to human rights teaching) has been involved in the provision of in-service (on-site) teacher training for HRE since 1993. Their experience has shown that in the Philippines, this training is most successful when it begins with social and economic rights and development issues about which teachers themselves are concerned (Claude, 1996, pp. 109-110). The Foundation has also developed 24 modules on the themes of human rights to be incorporated into Social Studies, English, Filipino and values at the elementary level and 16 modules for infusion into Language Studies, History and Social Sciences at the secondary level (Claude, 1996, p. 55).

Catholic schools in the Philippines are also pursuing HRE. The Education Forum (one of several task forces of the Association of Major Religious Superiors in the Philippines, organized during martial law to forge an educational response to problems of oppression) conducts on-site, in-service training with teachers, students teachers and teacher trainers utilizing an explicitly Freirean approach (Claude, 1996, pp. 56-7).
SLOVAKIA

In Slovakia, the local section of Amnesty International has formed an alliance with the Milan Simecka Foundation to organize the Human Rights in the Slovakian Schools project. This project, which has been in operation since 1993, provides in-service human rights training workshops for teachers (three days in length).

The project has received support from the Department of Education Human Rights Section of Comenius University, the Slovak Center for Conflict Prevention and the Partners for Democratic Change, as well as a number of international organizations, including the Open Society Fund, the National Endowment for Democracy, the Human Rights Advocacy Project and the Council of Europe (Neascu-Hendry et al., 1997, pp. 500-501). The Foundation also works closely with ten Slovakian NGO’s working in the fields of education, psychology and law. Recently the Foundation has also begun to coordinate more closely with pedagogical centers that are associated with the Slovakian school administrative bodies, thereby optimizing the chances for HRE training to become institutionalized.

Three principles guide the Foundation’s approach to professional development in HRE.
1. Emphasis on the reality of teachers’ historical and current experiences in the classroom (including awareness-raising about the “hidden curriculum” of teacher-centered instructional methods)
2. Active participation/learning methods.
3. Teacher decision-making/autonomy

The program is generally divided into three main themes:
1. A psychological section
2. A methodology section
3. Theoretical background of human rights

Although the Foundation contracts with overseas “experts,” it also ensures that at least half of the trainers are local (thereby increasing the relevance for Slovakian classrooms and promoting the chances of sustainability). The team of trainers includes experienced teachers, human rights experts and at least one psychologist. The training workshops are often held in regional centers (Neascu-Hendry et al., 1997, pp. 500-501).

See also, http://www.hrea.org/pubs/HRECasestudies/slovakia.html

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60 The Foundation’s mission is the “... initiation of activities aimed at the development of democracy, the enhancement of culture, and cultivation of intellectually aware citizens able to function in this new political environment” (Neascu-Hendy et al., 1997, p. 514).
In South East Asia, government agencies and NGO’s are designing and implementing a variety of teacher training programs on human rights. Cambodia, the Philippines and India have programs that try to reach as many teachers as possible, while smaller pilot programs can be found in Indonesia and Thailand (HURIGHTS OSAKA, 1998, p. 5). These national efforts have been complemented by increasing regional cooperation and coordination among human rights NGOs (Claude, 1996, pp. 147-148). There have been a series of regional and sub-regional meetings on human rights education as well as a series of workshops on HRE organized by the Asia-Pacific Human Rights Information Center (HURIGHTS OSAKA) in collaboration with Child Rights Asianet, and the Asian Regional Resource Center for HRE.

This workshop series emphasized “. . . the need to train teachers and other education officials to implement HRE in schools” (HURIGHTS OSAKA, 2000, p. 115) and led to the development of a four-day ASEAN sub-regional training program. The Southeast Asia Pilot Teachers’ Training Workshop, held in April 1999, was designed to review the experiences of Southeast Asian schools in teaching human rights. Attended by teachers trainers, teaching-materials developers, curriculum developers, officers of teacher training facilities and school heads from Cambodia, Indonesia, the Philippines, Thailand and Vietnam, the training workshop had the following components (HURIGHTS OSAKA, 2000, p. 16):

- Human rights concept and vision (including review of human rights situation, national histories and sectoral concerns)
- HRE and the school curriculum (including updates on HRE work; discussions about the role of school in promoting human rights in society; profiles of human rights advocates; and development of model HR curricula)
- Teaching methodology (including making lesson plans, modules and teaching guides)
- Dissemination mechanisms (within and outside the school system)
- Evaluation of HRE programs and activities (HURIGHTS OSAKA, 2000, pp. 16-17).

Participants spoke about the need to simplify teacher training programs (p. 117) and for greater collaboration between NGO’s and the Ministry of Education. Importantly, early in the workshop, participants also identified and discussed at length factors that inhibit or support HRE in schools. In the area of curriculum development, Indonesian participants suggested that a model teachers’ curriculum can be developed by organizing teachers’ clubs in schools, forming clusters of 6-7 schools in a specific area, and adopting the cascade system to implement the curriculum (HURIGHTS OSAKA, 1999, p. 123).  

It is noteworthy that this regional cooperation is occurring in spite of (or perhaps because of) the fact that the Asia-Pacific region is the only major region of the world not served by any regional inter-governmental human rights institutions such as those in Africa or the Americas (Claude, 1996, p. 147).

For the full report of the training workshop, see the website of the Asian-Pacific Human Rights Information Center: http://www.hurights.or.jp.
THE UNITED STATES — MINNESOTA

The Partners in Human Rights Education (PIHRE) is a joint project of the Minnesota Advocates for Human Rights and the University of Minnesota Human Rights Center. The project is overseen by a Steering Committee comprised of educators, lawyers, community and human rights activists. The program originated in Minneapolis/St. Paul and later expanded to Greater Minnesota. Nationwide expansion has come through the creation of the North American Partners for Human Rights Education (NAPHRE), a coalition of eight human rights education university centers and organizations. NAPHRE has established an annual course on HRE for teachers at the University of Minnesota Summer Session. The University’s Human Rights Center is working to establish human rights as an essential component in the all US educators. NAPHRE has been involved in outreach to the cities of San Francisco, St. Louis, Milwaukee and Cincinnati (Rudelius-Palmer, 1994, p. 50).

Since its piloting in 1992 (after teacher focus groups indicated interest), PIHRE has been training 3-person volunteer teams – a teacher, a lawyer and a community representative – that then engage in outreach with local schools, with each partnership agreeing to complete at least two action-oriented projects with their students. According to Kristi Rudelius Palmer, the main goal of the partnership is “… to have students take on responsibility as community citizens and realize that they can make a difference in their local, national and international communities (Rudelius-Palmer, 1994, p. 40). Teams visit their classrooms at least once a month and use participatory teaching methods to involve students in the exploration of human rights and responsibilities (Rudelius-Palmer, 1994, p. 44).

The four-hour PIHRE Team Training includes the development of team building strategies (including ideas on how teams may divide up the teaching responsibilities), the modeling of a safe, democratic, and interactive training environment, and the uncovering of local, national and international dimensions of human rights and responsibilities.

The project targets and recruits teachers who are already working on global, multicultural, gender-fair and human rights issues in their classrooms. In addition, there has been proactive recruitment of teachers (and lawyers) from diverse backgrounds (Rudelius-Palmer, 1994, pp. 37, 42).
The chart overleaf summarizes some of the main characteristics of these programs. It is followed by a brief narrative discussion that highlights some of the key issues.
### Program Summary Chart

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<th>COUNTRY - REGION - AGENCY</th>
<th>COORDINATION</th>
<th>DURATION</th>
<th>LOCATION</th>
<th>CONTENT AND PEDAGOGY</th>
<th>TEACHER INVOLVEMENT IN PLANNING</th>
<th>TEACHER CONCERNS INTEGRATED</th>
<th>FOLLOW-UP SUPPORT</th>
<th>SCOPE OF HRE EFFORT</th>
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| Amnesty Int'l             | - Works with key local partners, inc. NGO's, MOE & TTC's  
- Facilitatation of regional and sub-regional efforts at coordination  
- US outreach via membership and educators network | Varied, depends on country | Various | Focus on UDHR; AI "issues" include women, death penalty, rights of sexual minorities, and environment; participatory approach (informed by critical pedagogy). | Pre-workshop outreach conducted | US follow-up through AI USA's Educators Network | Varied, depends on country |
| Cambodia                  | CIHR works closely with the MOE, TTC's and schools  
- Master trainers: on-site  
- Teachers: one week | On-site | Major human rights themes (inc. int'l law and standards); traditional Khmer and Buddhist values; learner-centered approach with hands-on experience. | HRE magazine for teachers  
Post-training monitoring/observation  
Refresher courses | Full-scale campaign |
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| Europe                   | - Ongoing regional & sub-regional efforts in curriculum dvpt. & teacher training  
- Inter-university cooperation | CIFEDHOP training workshop for teachers - 1 week intensive | Geneva (draws both European and international participants) | Emphasis on legal human rights knowledge (efforts to build on participants prior knowledge) inc. UDHR and rights of the child; conflict resolution; participatory approach with democratic working style. | None in CIFEDHOP training | CIFEDHOP facilitates development of networks and support opportunities during workshop | Variety of short and long term efforts ongoing across Europe. |
| Namibia                  | - Sub-regional project with Zimbabwe & Mozambique  
- Sponsorship of UNESCO & DANIDA  
- Cooperation with MOEs, University & links with local organizations. | Fits with learner-centered pedagogy of MOE curriculum (at school and TTC levels). | | Distribution of "lessons learned" after pilot project | 2 year pilot will lead to full-scale implementation  
(upper primary in Namibia, i.e. Grades 5-7) | | |
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| Philippines              | - Cooperation between the University & the Diokno Foundation  
                            - Some links with schools | Varied | On-site (school-based) in-service training workshops | Human rights themes; participatory pedagogy to build critical skills of teachers (Education Forum uses Freirean approach). | Some (informally) | Built into in-service, e.g., focus on economic, social and cultural rights and development issues of concern to teachers. | Full-scale (mandated by the Constitution) |
| Slovakia                 | - Inter-agency cooperation and multi-lateral sponsorship  
                            - Coordination with local NGOs  
                            - Pedagogical centers associated with Slovak education authorities | 3 days | Regional centers | Theoretical background of human rights; psychological focus (conflict resolution); emphasis on methodology; active learning methods and teacher decision-making/autonomy. | - | Focus on reality of teachers' historical and current classroom experiences.  
                            Dialogue about teachers' own practice and goals for classroom change. | Phase-in to full scale implementation |
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| South East Asia           | - Regional coordination - government agencies and human rights NGOs  
- Series of regional and sub-regional meetings on HRE | 4 day sub-regional workshop | Varied | Sub-regional understandings of human rights concept & vision; HRE and the school curriculum; role of culture; dvpt. of lesson plans, modules & teaching guides; utilizes participant-centered/driven methodology. | Some, e.g., Indonesia's experience developing a model teachers' curriculum through the formation of teachers clubs and school clusters. | Yes – extensive coverage integrated as part of training workshop | Yes | Varies |
| United States – Minnesota | - Use of multi-sectoral steering committee  
- Use of trans-disciplinary teams  
- University partnerships | 4 hours | | History of human rights, inc. local, national and international dimensions; team building strategies; interactive & participatory methodology. | Teacher focus groups | Some (locally based organization affiliated with large human rights documentation center). | PIHRE has moved gradually from a local pilot to a state-wide project with nationwide outreach. |
5. Discussion of Key Issues

As evidenced by these program descriptions and summary charts, a number of HRE programs are offering support to teachers in a range of countries. Most of this support appears to be occurring through the provision of in-service training workshops by NGOs.

**Coordination:** We were encouraged by the fact that all the programs reviewed are engaged (to some degree) in inter-agency or regional coordination. However, we also noted that only half of the programs appear to be working closely with ministries of education; and only two appear to be conducting outreach to the teacher training institutions. Of equal interest was the fact that only the Filipino and Cambodian programs seem to be working closely with the schools. As noted earlier, this separation between teacher training programs and schools is, lamentably, all too common.

While the increasing involvement of NGO's in the provision of HRE training programs has great potential, in terms of institutionalizing HRE in the schools, it will in the long run, also be important to develop closer ties with both the teacher training institutions and the schools. Moreover, in terms of attaining long-term sustainability, the Cambodian Institute of Human Rights underscores the importance of actively involving the ministry of education at all stages of the program development and implementation (CIHR, 1999, p. 5).

**Duration of the Training Program:** The training programs reviewed range in duration from four hours to one month. Only two of the programs (Cambodia and

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63 It can be inferred from the Namibian program description that there has been some school outreach during the pilot stages of the project.
CIFEDHOP) provide the intensive one-week training recommended by some human rights educators (see, for example, Best, 1991) and are supplemented by post-training workshop support mechanisms.

As noted earlier, short, once-off training programs may not provide the teacher with the level of sustained support required to effectively implement new content or pedagogy. This is of particular concern in the case of school-based HRE which, in many cases, introduces both new content and new pedagogy.

**Location of the Training Program:** Many of the programs reviewed appear to be making efforts to hold their HRE teacher training programs in convenient regional locations. However, only the Cambodian and Filipino programs provide teachers with the ease and non-disruption of on-site workshops. In so doing, they are facilitating the immediate application of teacher learning as well as building closer links between the training institutions and the schools. As noted by Dove (1986), these linkages are vital if teachers are to be able to effectively “. . . disseminate new ideas and practices . . .” (1986, p. 224).

**Content and Pedagogy:** All of the programs reviewed display a balanced blend of content and pedagogy and seem to have adopted various “hybridized” versions of the “learning for and about” approach to HRE. While all incorporate a more theoretical component of human rights history, law and standards, a few of the programs reviewed provide evidence of facilitating the participants’ access to this “knowledge.” In addition, several programs show interesting local interpretations of human rights. The South East Asian programs, for example, focus on local understandings of human rights concepts and visions, and place an explicit focus on the importance of culture and values. For
example, the Cambodia Program considers the interface between human rights and traditional Khmer and Buddhist values.

The Slovakian program contains a strong psychological component that characterizes the kind of approaches used in other "post-conflict" settings (Bernath et al., 1999). It also helps teachers to develop a range of non-violent conflict resolution skills for application in the classroom and the school community.

With respect to pedagogy, it appears that all of the programs reviewed are utilizing some form of participatory pedagogy, with a focus on active, participant-centered learning. Some state clearly that they keep lectures and other teacher-centered methodologies to a minimum, so as to offer participants more opportunities for gaining hands-on experience with the "new" approaches. Overall, the shift toward a more participant-oriented pedagogy is most encouraging, especially in light of the traditional emphasis, in HRE as much as in schools and teacher training institutions, on "banking" education.

Although there was little indication of the more radical and transformative pedagogical vision called for by the UN Decade for Human Rights Education, we view the South East Asian programs (including the Southeast Asia Pilot Teachers' Training Workshop, Cambodia’s Human Rights Teaching Methodology Project, and, to a lesser extent, the HRE efforts ongoing in the Philippines) as an exciting move in that direction. These programs are making deliberate efforts to ground their pedagogical practice in the participants' lived experiences of human rights. In so doing, they are contributing to the development of a culturally relevant pedagogy and local human rights meaning making.
**Degree of Teacher Involvement with Program Planning:** There was very little evidence of teacher involvement in the program planning and design. In most cases, course leaders and program developers take responsibility for devising and sequencing the activities within a pre-determined framework (e.g., Starkey, 1996, p. 119). One notable exception is the involvement of Indonesian teachers in developing a model teacher’s curriculum through the formation of teachers’ clubs and school clusters (see South East Asia Pilot Teacher’s Training Workshop). The University of Minnesota’s PIHRE program also conducted teacher focus groups as part of its preliminary planning.

In future, consideration might be given to the preparation of a training framework whose specific contents are open to negotiation or co-construction with participants, according to particular interests or concerns. In our own work, we have made extensive use of needs assessment tools to effect this participation.

**Inclusion of Teacher Concerns about Inhibiting and Supporting Factors:** While we consider this issue to be of paramount importance in overcoming barriers and discovering entry-points for the implementation of school-based HRE (see discussion in Section III.C.3.), only one of the programs reviewed explicitly includes it as an integral training component (South East Asia). Nonetheless, the Filipino and Slovakian programs do demonstrate alternative means of raising closely related issues. In the Philippines, program planners have found that focusing on economic, social and cultural issues and/or development issues of particular concern to teachers, e.g., “brown-outs,” has made their in-service HRE training program more effective. In Slovakia, as an acknowledgment that the pedagogical environment of the classroom may be far from
conducive to the implementation of a participatory form of HRE, one entire part of the teacher training program focuses on these and related issues.

We were somewhat disturbed by the fact that so little of the HRE literature emphasized the importance of eliciting teacher input, even when it has been shown that this “speaking out” can prove to be “cathartic” in training sessions for teachers (Magendzo, 1994, pp. 257-8). Magendzo believes that in the case of Chilean educators, this “catharsis” is prompted both by the opportunity to speak freely about human rights concerns and by the establishment of a link between their personal and pedagogical experiences with human rights (1994, p. 257). In our own practice, we have also made extensive use of “connection-making” as a strategy for eliciting teacher accounts of their experiences (both negative and positive) with human rights. For example, using a variety of interactive teaching aids, we have encouraged teachers to view personal life events and daily classroom occurrences through a human rights lens.

Provision of Follow-Up Support: We were disappointed to find that only two of the programs reviewed have established mechanisms for follow-up support. Of these, only one (Cambodia) offers sustained, multi-faceted follow-up. If school-based HRE is ever to become a reality, human rights educators need to find out whether the changes intended by their training programs are actually being put into practice by teachers in their classrooms.64

The evolution of one’s own “human rights-ness” and the creation of a human rights environment in the classroom and school depend, in large measure, on the attitudinal and behavioral changes that comprise the heart of a people-centered HRE.
Because these changes develop over time, the importance of follow-up support to facilitate and evaluate this process of change cannot be overstated.

The larger HRE community could learn a lot from studying the experiences of the Cambodian Institute for Human Rights and, to a lesser extent, CIFEDHOP’s European training program.

**Scope of the HRE Effort, i.e., pilot project or full-scale campaign:** The programs reviewed manifest a wide array of options in this regard. The PIHRE program was piloted for one year, while the Namibia program was piloted for two. At the other end of the spectrum lies the Cambodia program, which is committed to training all educators in a relatively short period of time. In other places, HRE programs are being phased in over a more extended period of time.

The HRE literature also reveals widely divergent opinions on this issue. For example, Francine Best underscores the urgency of the HRE project, and seems to want as much training for as many teachers as soon as possible (1991, p. 121). On the other hand, Filipina human rights educator, Felice Yeban, a firm advocate of pilot projects, says that “[t]he school and the teaching and learning process appropriate for each age level must first be studied systematically before massive training of teachers ... [is] launched” (1994, p. 17). Between these two perspectives lie a number of more flexible arrangements which may prove more appropriate for the particularities of different locations.

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64 This issue is directly related to the urgent need for more evaluation of existing HRE programs.
6. **Closing Comments**

This section on HRE teacher training programs has revealed the existence of a wide range of options for HRE teacher training programs. At the same time, it has also shown that there is no one ideal approach to the provision of HRE training programs for teachers. In many places, the ability to work in cross-sectoral and inter-organizational partnership may facilitate the provision of such programs. In the few places where this kind of cooperation and coordination has extended to the teacher training institutions and the schools, it also seems to enhance the chances of program sustainability.

This section has also highlighted a number of factors which may support teachers in their efforts to implement school-based HRE. In terms of content and pedagogy, the use of active, participant-centered methodologies can provide an effective bridge between the theory of human rights and the practice of human rights education. This bridge is strengthened when the pedagogy is culturally relevant, begins with participants' lived experiences of human rights and encourages local meaning-making. In our view, this pedagogical approach can greatly facilitate the application of teacher learning, i.e., teacher implementation of school-based HRE, especially when complemented by follow-up support mechanisms such as classroom observations, refresher courses and teacher clubs.

Finally, this section has attempted to stress the importance of teacher participation in co-constructing the content and design of HRE training programs. Unfortunately, the program review has also revealed the all-too-familiar silence of teachers' voices in this regard. For the most part, the teachers' concerns about implementation obstacles were not addressed, their opinions about opportunities and
entry-points for implementation were not solicited, and their input into program planning and design was notable only by its absence.

If school-based HRE is ever to become a reality, realized in classroom by teachers, then far more opportunities need to be created for teacher input and involvement in their own preparation. The same concern holds true for HRE in general, and fittingly brings us back to our point of departure:

... the underlying issues ... [must be] made explicit ... if we really want to free HRE from the constraints which impeded its introduction. (Tschoumy, 1989, p. 113).
APPENDIX A

A Chronology of Our Human Rights Education Project

Early in our program of study, we discovered our mutual interest in human rights and human rights education, embarked upon a rich journey of inquiry, and began to develop a multi-faceted human rights education project.

Phoebe is an international labor rights and women's human rights activist with expertise in human rights violations in export processing zones. As a consultant for the Women's Rights Project of Human Rights Watch, she designed and implemented an international advocacy campaign on sex discrimination in Mexico’s maquiladora industry. She also served as a member of the International Coordinating Committee for the Social Summit Tribunal of Women’s Economic and Social Rights, held as part of the NGO Forum at the United Nations Social Summit in Copenhagen, Denmark, and for the Beijing Tribunal on Accountability for Women’s Human Rights, held as part of the NGO Forum at the United Nations’ Fourth World Conference on Women. She has designed and conducted numerous trainings for grassroots groups and workers’ organizations on the globalization of the economy and on violations of workers’ and women’s human rights.

Mary is an attorney with training in International and Human Rights law, and experience teaching the Street Law curriculum in both American and Namibian settings. She worked with the State Bar of California’s Law-Help-LA project in the wake of State v. Powell ("the Rodney King verdict"), conducting outreach and serving as a liaison between members of the community and the criminal justice system. After that she spent
several years designing and implementing programs to educate California attorneys about methods of Alternative Dispute Resolution before moving to Namibia, where she worked in formal and nonformal education for five and a half years -- teaching high school and developing community education programs.

During our second semester at the Center for International Education, we designed and presented a graduate seminar on human rights education for Education 629 (Global Issues in Education). Participants included local educators and international students engaged in post-graduate work at UMASS. As we were developing the materials and considering the methodologies to be used in the session, we drew heavily on our past experience with human rights. In addition, we incorporated our more recent training in the participatory techniques of nonformal and popular education. Mindful of the need to evaluate the impact of the seminar,¹ we also designed and administered a short evaluation form, included a synthesis of the data obtained in our final project report, and used participant feedback in revising subsequent workshops.

The positive feedback from our colleagues (and later some of their students) indicated significant interest in additional human rights education. As a result, we began to develop a comprehensive project on human rights education. This project attempts to demystify human rights by making human rights education more relevant to the local context and by encouraging students/participants to explore possibilities for human rights action in their own communities. These possibilities include challenging everyday violations of human rights within the school setting.

¹ Despite the proliferation of human rights education initiatives, there is a troubling absence of appropriate evaluations of such programs.
In April 2000, at the request of one of the seminar participants, we conducted a mini-unit (three sessions) on human rights education for Grade 10 students at Amherst-Pelham Regional High School. Around the same time, we designed several innovative teaching aids, including a series of games that foster critical reflection on human rights issues. In addition, with two other colleagues, Mary co-developed an interdisciplinary instructional design project using a human rights framework. The project was piloted during the summer of 2000 with a Title I funded class and later implemented on a school-wide basis as a thematic, interdisciplinary term unit on human rights.

In August 2000, we attended a week-long course sponsored by the Atlantic Human Rights Centre of St. Thomas University in Fredericton, New Brunswick. The course, entitled “Teaching for and about Human Rights,” allowed us to see firsthand the multiple disconnects among the concepts of teaching about human rights, teaching for human rights, and facilitating human rights education. The course also revealed how the rhetoric advocating a HRE pedagogy that is grounded in the learner and participatory in nature often fails to translate into reality, especially when “content” is dominated by legal discourse delivered in lecture format. Witnessing this debilitating process in action, we noticed how quickly the learners (in this case local educators) became disengaged, resentful and even resistant.

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2 Several of these critical games were developed for Education 640 (Materials Development for Education).

3 This project was submitted as part requirement for Education 681 (Teaching Reading and Writing at the Secondary Level).

4 It is noteworthy that two of the cooperating teachers attended the October 2000 Global Horizons workshop described herein.
We built on our learning from and reflections of this intensive course in HRE in designing and facilitating a one-day workshop for local educators sponsored by the Global Horizons Project at the Center for International Education. This workshop, entitled “Human Rights Education Across the Curriculum: Entry Points and Innovative Strategies for K-12 Educators,” placed a much more explicit focus on developing a “human rights pedagogy” and, through this pedagogy, on creating a “human rights environment” in the classroom. In addition, we attempted to uncover areas of overlap between participants’ commitment to teaching in general and their commitment to human rights education in particular. At the same time, we directly confronted some implementation challenges facing these educators and actively sought out a variety of different “entry points” and strategies that would facilitate their process of bringing HRE to their classrooms.

Early in the planning of this workshop, we discussed the possibility of using the workshop for Mary’s evaluation project for Education 869 (Evaluation of Curriculum Programs) and we were able to weave together our planning for the workshop and the preparatory work for the evaluation project. The evaluation attempted to determine whether specific workshop objectives had been accomplished, i.e., what had the participants learned; to examine participants’ attitudes to the pedagogy; to identify ways in which participants were applying their learning; and to determine practical impediments to applying workshop learning in local settings.5

5 For a complete description of the evaluation project, please refer to “The Time is Ripe! Evaluation of a Human Rights Education Workshop” (Lugton, December 2000).
Later in October, we attended a two-day workshop on the human rights of women and girls as protected by the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), sponsored by the People’s Decade for Human Rights Education. On the second day, we designed and facilitated a training of trainers session that included one of our critical games, adapted to address women’s human rights. Participants, including Ivanka Corti, former Chair of the United Nations CEDAW Committee, responded enthusiastically to the session.

In November 2000, as part requirement for Education 649 (Training for Nonformal Education), we designed and facilitated, with two of our colleagues (one of whom had attended our October workshop) a three-hour human rights education training for graduate students. This workshop considered human rights violations and affirmations on the UMASS-Amherst campus. Applying some of the learning from the Global Horizons workshop (and its evaluation), we emphasized investigation and action planning and experimented with a new form of evaluation. Creating a hybrid from the synthesis notebook and the technique of KWL, we used a pre-workshop and post-workshop writing activity to find out what participants already knew, thought, felt and believed about human rights on the UMASS campus; what they wanted to know about human rights on the campus; and, after the workshop, what they NOW knew, thought, felt and believed about human rights on the UMASS campus, thereby beginning a synthesis of their learning. The pre-workshop writing activity also served as an informal needs assessment whose contents were synthesized and presented for discussion during the training session.
During the fall semester (2000), Phoebe brought additional insights to our HRE project from her course work in Education 648 (Oppression and Education), Communications 794B (Critical Pedagogy) and Education 793D (Globalization and Educational Policy). In each of these classes, she focused her written work on human rights education and its connection to these areas of study. As a result, she was able to contribute to the further conceptual development of our HRE project by presenting us with a number of relevant challenges and analytical frameworks from these areas of study offered. These included different ways of understanding globalization, social identity and structural inequality as well as post-modem concepts related to globalization and critical pedagogy, particularly concerning hegemonic/counter-hegemonic dynamics and discursive practices.

Although our project has had initial application to Western Massachusetts, we also hope to develop relevant applications for international settings such as Namibia (formal and nonformal educational settings) and the U.S.-Mexico border region (workers in export processing zones). In the immediate future, we will be working with NGO's involved in human rights education in both the non-formal and formal sectors. We have been invited by the Canadian Human Rights Foundation to join their team of facilitators for the Foundation’s Summer 2001 International Human Rights Training Programme. In addition, we are engaged in an on-going dialogue with the Human Rights Educators Network of Amnesty USA relating to the design of a workshop for New York teachers planned for July 2001.

Credit for the development of this innovative strategy goes to our colleague (and fellow human rights education 'convert') Dawn Fontaine.
APPENDIX B

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if a man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now Therefore,

The General Assembly Proclaims

This Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.
Article 3
Everyone has the right to life, liberty and security of person.

Article 4
No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6
Everyone has the right to recognition everywhere as a person before the law.

Article 7
All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8
Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9
No one shall be subjected to arbitrary arrest, detention or exile.

Article 10
Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11
1) Everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.
2) No one shall be held guilty of any penal offense on account of any act or omission which did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

Article 12
No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13
1) Everyone has the right to freedom of movement and residence within the borders of each State.
2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14
1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.
Article 15
1) Everyone has the right to a nationality.
2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16
1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2) Marriage shall be entered into only with the free and full consent of the intending spouses.
3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17
1) Everyone has the right to own property alone as well as in association with others.
2) No one shall be arbitrarily deprived of his property.

Article 18
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public and private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19
Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20
1) Everyone has the right to freedom of peaceful assembly and association.
2) No one may be compelled to belong to an association.

Article 21
1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2) Everyone has the right of equal access to public service in his country.
3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22
Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23
1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2) Everyone, without any discrimination, has the right to equal pay for equal work.
3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24
Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25
1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26
1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27
1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28
Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29
1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30
Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
APPENDIX C

LIST OF HRE COURSES OFFERED THROUGHOUT 2001
(From the Human Rights Education Association website: www.hrea.org)

Title: Advocates Training Program
Date: January-April 2001
Level: professional
Description: The Human Rights Advocates Training Program at Columbia University is designed for experienced human rights workers seeking to: (a) develop their advocacy skills; (b) study international human rights; (c) meet colleagues from other parts of the world; and (d) become better acquainted with international human rights organizations. Advocates audit courses from Columbia's Law and Human Rights and Humanitarian Affairs curricula, participate in advocacy skills training, and work with international organizations and community groups in the New York City area. The Program offers opportunities which can be adapted to the varied needs of professionals wishing to learn more about human rights advocacy, including the opportunity to meet some of the principal actors working in the United States. Participants also act as teachers, providing valuable information on the unique problems in their various countries to human rights groups, students, and the general public. Advocates live in New York's International House and follow a program of: auditing classes; participating in practical skills training workshops; conducting independent research; participating in a professional exchange with NY-based organizations; participating in group seminars; and visiting various institutions in New York and Washington DC. Professor Louis Henkin, Dr. J. Paul Martin and other Columbia Faculty act as advisors to the Advocates.

Location: New York City, USA
Participants: 14-15 lawyers, journalists, teachers, and other human rights activists from developing countries where human rights advocacy is limited. Participants are selected on the basis of their previous work experience and future commitment to the human rights field, as well as the appropriateness of a semester-long stay at Columbia. Preference is given to candidates from countries where human rights work is most difficult, where the existing human rights network is least developed, and where human rights specialists rarely have the opportunity to study abroad. Advocates must commit a minimum of two years of field work upon completion of the Program. Fluency in English is required.

Title: 11th Annual Training for Human Rights Activists from the Asia-Pacific: "Human Rights and Peoples' Diplomacy"
Date: 26 February-16 March 2001
Level: professional
Description: The Diplomacy Training Program (DTP) is a non-governmental, non-profit organization providing human rights training in the Asia-Pacific region. The DTP was founded in 1989 by Professor Jose Ramos-Horta, the 1996 Nobel Peace Laureate and
representative of East Timor at the UN for more than a decade. It is a unique program which provides practical training in human rights and "peoples' diplomacy" to non-governmental organizations and other sectors of civil society. Participants will learn: a) Practical skills of negotiating, lobbying, using the media, strategic campaigning, developing effective strategies for non-governmental organizations. b) Information on the principles of human rights, the use of public and international law, how to access the United Nations and its agencies, and the role of regional and international bodies and organizations. The DTP training is interactive, with emphasis on group work, role plays and simulations. Media training includes practicing in front of a camera and with video replay. Simulations include a session of the UN Commission on Human Rights. DTP trainers are experienced and highly respected local, regional and international NGO leaders, media professionals and committed academics who understand DTP's philosophy of interactive involvement of participants. Participants are provided with a comprehensive Manual in plain English covering the course work.

**Location:** Bangkok (Thailand)

**Title:** Human Rights: Fairness for Everyone  
**Date:** 25 March 2001  
**Level:** adult  
**Description:** This is an interactive workshop in which participants will 1) learn the history, contents, and impact of the Universal Declaration of Human Rights, and 2) explore the concepts of human rights responsibilities and their practical application in today's world. After this workshop, participants will be able to respond intelligently when asked "What is the definition of the term we keep hearing - 'Human Rights'?" Knowing the high quality of CCAE students, we predict discussions and sharing that are lively, profound, and challenging.  
**Location:** Cambridge, Mass. (USA)

**Title:** Advanced International Programme on Human Rights  
**Date:** 17 April-23 May 2001  
**Level:** professional  
**Description:** The Advanced International Programme on Human Rights is organized every spring and lasts for five weeks. It is interdisciplinary and involves aspects of law, social sciences and philosophy. The Programme starts with the concept of human rights and its development. The various branches of human rights are analyzed, as well as problems generated by international and national armed conflicts. Problems related to refugees are dealt with as are existing mechanisms for the prevention of human rights violations. Lectures are given by teachers at the institute and by invited guests. Study visits to Stockholm, and to Turku and Helsinki in Finland are also included in the Programme.  
**Location:** Lund (Sweden)

**Title:** Academy on Human Rights and Humanitarian Law  
**Date:** 29 May-15 June 2001  
**Level:** graduate, professional  
**Description:** The Academy on Human Rights and Humanitarian Law at the American University's Washington
College of Law (WCL), Washington, DC, is a joint endeavor of WCL's Center for Human Rights and Humanitarian Law and its International Legal Studies Program and the Netherlands Institute of Human Rights (SIM), Utrecht University. The Academy offers a program of courses to meet the needs of, inter alia, legal practitioners; counselors in international relief agencies, government agencies, and international organizations; and law students specializing in human rights. Courses offerings will include European Human Rights Law, Inter-American Human Rights Law, Skills, Values and Ethics in Human Rights Advocacy. This year for the first time, a core set of courses will be offered in Spanish. Classroom curricula will be complemented by a series of distinguished lectures, workshops, career panels and visits to several international organizations and NGOs based in Washington, DC. Attendees may register for a Certificate of Attendance, or, if they are attending an ABA approved law school, they may apply for academic credit.

Location: Washington DC (USA)

Participants: lawyers or law students with a demonstrated interest in international human rights law. Other professionals in related fields with some academic or practical experience in human rights will also be considered to the program on a case-by-case approval. Candidates planning to take courses in English may apply to the Academy either for American Bar Association (ABA) approved credits or for a Certificate of Attendance. Candidates taking the courses in Spanish may apply only for a Certificate of Attendance.

Title: Seminar on Violence Against Young Women
Date: 21-27 May 2001
Level: (under) graduate, professional
Description: As defined by the United Nations Declaration on the Elimination of Violence Against Women, violence against women is "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life". Young women in Europe are exposed to these forms of violence; this also represents a very serious obstacle to their meaningful participation in society on a basis of equality. The Youth Programme on Human Rights Education seeks to address issues of major concern for young people in Europe today, as well as to increase their involvement in and commitment to human rights as a pillar of societies in Europe. In organizing this seminar, the Directorate of Youth and Sport expects to raise awareness further and attention to the cases of violence against young women and to provide a forum for exchange of ideas, cooperation and networking between youth organizations, women's organizations and other institutions engaged in dealing with the issue. The working languages will be English and Russian with simultaneous interpretation.

Location: Budapest (Hungary)

Participants: participants who are motivated to contribute to the seminar and to share experiences in the field of women's rights and violence against young women; actively involved within a youth or women's NGO or within a relevant governmental institution;
in the position to act as multipliers within these frameworks; aged between 18-35 years old (preferably); able to work and communicate in English or in Russian.

**Title: Workshop on the Procedures of the African Human Rights System**

**Date:** 21-30 May 2001

**Level:** professional

**Description:** In collaboration with the Human Rights Committee of South Africa, the Institute will hold a Workshop on Procedures of the African Regional Human Rights system in May 2001, for human rights workers in southern and Eastern Africa. Topics covered during the workshop will include an introduction to the international and comparative law of human rights; the African regional system for human rights protection; domestic application of international law; economic and social rights; the state reporting procedure before the African Commission on Human and Peoples' Rights; the individual complaints procedure under the African Charter; special procedures of the African Commission including its missions and special rapporteurs; the African Court on Human and Peoples' Rights; and other recent developments in the African regional system. The workshop will give participants a practical and concrete knowledge of how to use African human rights treaties and enforcement mechanisms in their work.

Specifically, the workshop will cover procedures of the African Commission on Human and Peoples' Rights, and the upcoming African Court on Human and Peoples' Rights, as well as the African Committee on the Rights and Welfare of the Child. Participants will learn how to apply African human rights law at the international and national level. The workshop will be conducted in English. It will have a mixed format of discussions, role-plays, working groups and individual projects. Scholars and practitioners specialized in the African regional system will serve as lecturers and resource persons.

**Location:** Johannesburg (South Africa)

**Participants:** citizens of Angola, Botswana, Eritrea, Ethiopia, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe. It is designed for individuals from both common and civil law systems. Those who already have experience with the African regional system and those unfamiliar with the system are encouraged to participate. A law degree is not required. Gender balance will be a consideration.

**Title: 22nd International Human Rights Training Program (IHRTP)**

**Date:** 10-30 June 2001

**Level:** professional

**Description:** Held every summer for the past 21 years, this intensive three-week training session is particularly intended for NGOs involved in the advancement of human rights issues. Each year, the Programme brings together over 100 participants from approximately 35 countries. The IHRTP is an intermediate-level Programme, which uses a participatory methodology allowing for reciprocal learning through an exchange of experiences among participants, facilitators and guest speakers. A good knowledge of either English or French is required to participate in the Programme. Through post-Programme follow-up and regional support, the IHRTP is part of a continuing process which contributes to the consolidation of a world-wide community of human rights
workers. Programme Objectives: analyze the issues and situations encountered in the work of their organizations using a framework based on internationally accepted human rights values and principles explore ways in which human rights education can increase the effectiveness of their human rights work facilitate networking and partnership activities essential to furthering the cause of human rights increase their capacity to apply their learning within their organizations and their society.

**Participants:** members of human rights NGOs

Successful candidates must be: knowledgeable about the human rights issues on which their organization is working; thoroughly familiar with the activities undertaken by their organizations; aware of human rights principles and the contents of the major international human rights instruments (e.g., UDHR, ICCPR, ICESCR, CEDAW and CRC); sensitive to the issues which arise when working in multicultural groups committed to transfer their new knowledge to colleagues and to others with whom they work.

**Title:** International Human Rights Exchange

**Date:** 25 June-20 July 2001

**Level:** (under)graduate

**Description:** The International Human Rights Exchange is an annual, intensive, interdisciplinary course in the theories and practices of human rights. The course seeks to promote a critical understanding of human rights as part of a broad intellectual and social movement, not simply as a code or set of laws, but a discourse in transformation and often in contest, extending to the humanities, social sciences, arts, and sciences.

The International Human Rights Exchange is a collaborative project, founded on a commitment to genuine international exchanges, inter-institutional co-operation, and inter-disciplinary teaching and learning, that is designed to create and support an annual intensive undergraduate course in human rights aimed at 2nd and 3rd year undergraduate students. Students will spend time in classroom discussion, lectures, and fieldwork, over the course of four weeks, accumulating the equivalent to a semester-long course (4 credits). The IHRE is an initiative of the Institute for International Liberal Education, Bard College, New York, and the Centre for the Study of Religion, University of Cape Town, South Africa.

**Location:** Cape Town (South Africa)

**Participants:** approximately 75 students from a consortium of 14 Southern African universities and U.S. liberal arts colleges.

**Title:** Eighth Women's Global Leadership Institute “Women’s Leadership in a Globalizing World”

**Date:** 11-22 June 2001

**Level:** professional

**Description:** The Institute “Women’s Leadership in a Globalizing World” will bring together leaders who have been working on issues of women’s human rights including local and national organizers, policy makers, researchers and activists. We welcome applications from women from all regions of the world who have taken leadership in
various fields to make the abuses of female human rights visible and unacceptable. The Women’s Global Leadership Institute is a two-week intensive working session of approximately 24 women representing diverse regions, cultures and interests. Participants will spend time sharing their reflections on how the fundamental feminist value of respect for the diversity of women informs the movement and on strengthening the skills needed to carry out the work of women’s human rights. They will work on cross-cultural collaboration and plans for influencing local, national and international approaches to these issues. They will also learn and exchange leadership skills and organizing techniques. Participants will meet with resource people from the United Nations and non-governmental organizations based in the USA.

Participants: Participants...should bring materials, resources and documents from their regions. They should have worked on these issues or related concerns for at least two years in either professional or volunteer capacities. Applicants should have clear plans to take the skills and contacts gained at the Institute back to their own projects, networks, governments or regions.

Location: New Brunswick, New Jersey (USA)

Title: Summer School in International Human Rights Law
Date: 1-28 July 2001
Level: (under)graduate, professional
Description: The Programme in International Human Rights Law has been developed by the University of Oxford Department for Continuing Education and the George Washington University Law School. The aims of the Programme are to develop participants’ advocacy and dissemination skills, as well as their formal knowledge of human rights law and the means for its enforcement. More broadly, the Programme is intended to prepare students to contribute to the improvement of human rights conditions in their homelands and around the world. For the 2001 session, the Programme has assembled an internationally recognized faculty offering courses on the philosophy, history, doctrine and practice of international human rights law. In addition to the introductory course on the fundamentals of international human rights law, the Programme offers an advanced seminar on human rights lawyering and afternoon electives that address important contemporary issues in the field. These include seminars on human rights and employment issues and corporate law, the predicament of populations at heightened risk of human rights violations (including women, minorities and refugees) and an introductory seminar on human rights advocacy and dissemination. The course of instruction emphasizes the increasing reliance on international human rights standards in traditionally domestic fields, such as employment law, criminal law, family law and immigration. Most instruction is conducted in small groups relying on case-based materials and simulations, allowing ample opportunity for exchange with faculty and development of professional skills.

Location: Oxford (United Kingdom)
Participants: law students with a demonstrated interest in human rights, graduate students, lawyers and other professionals in the field.

Title: Human Rights Education Summer Course
Date: 2-21 July 2001
**Level:** professional  
**Description:** This summer, New York University will sponsor a three week course in human rights education in Rio de Janeiro. This is the third year of the course. Students will be affiliated with one of the major local NGOs, Viva Rio. Students will study the international human rights standards, the role of international and local NGOs (non-governmental organizations) in the human rights movement, the everyday practice of human rights at the community level, and the role of education (both formal and non-formal) in promoting human rights. Because the class is orientated towards NGOs and the practice of human rights, each day the sessions are held in different community locations in Rio. Seminars and site visits (two per day) will expose students to some of the major Brazilian scholars and human rights workers. The course themes are holistic and meant to offer an introduction to the Brazilian human rights movement. We will visit with NGOs focusing on street kids, HIV harm reduction, women's human rights, economic human rights, violence and public safety, and human rights education both within the formal educational system and through informal networks such as human rights training for police. All lectures and site visits will be conducted in English or simultaneously translated.  
**Location:** Rio de Janeiro (Brazil)  
**Participants:** NYU and visiting graduate students.

**Title:** 19th International Training Session on Human Rights and Peace Teaching (CIFEDHOP/International Training Centre for Human Rights and Peace Teaching)  
**Date:** to be determined  
**Level:** professional  
**Description:** The aims of the training are to enable participants to acquire:  
* knowledge and understanding of the legal and educational aspects of human rights conventions and texts;  
* an understanding of democratic education and the non-violent resolution of conflicts  
* skills to enable them to share insights with others;  
* opportunities to network with other human rights educators. The working methods that will be used are:  
* Lectures and discussion on philosophical, legal and educational aspects of human rights.  
* Workshops;  
* experiencing interactive methods for learning and applying human rights, democracy and peace;  
* developing appropriate teaching strategies;  
* presentation of global pedagogical approaches;  
* presentation of a variety of teaching materials.  
**Location:** Céligny (Switzerland)  
**Participants:** 100 participants from Eastern and Western Europe, Africa, North and South America and Asia. This training session is designed for teachers in primary, secondary and vocational schools; inspectors, school principles and Ministry of Education officials; representatives of non-governmental organizations involved in human rights education. Participants will receive a certificate of attendance.

**Title:** Summer University on Human Rights and the Right to Education, Session V  
**Date:** 5-17 August 2001  
**Level:** postgraduate  
**Description:** This summer university is organized by the International Organization for the Development of Freedom of Education (OIDEL) and the World University Service - Latin America (WUS). The purpose of the course is to give students the practical means
to take part in creating a genuine human rights culture and to help promote sustainable
development in today's globalized environment. Programme includes theoretical courses
as well as practical sessions at the UN (students will attend the Sub-commission on
Prevention of Discrimination and Protection of Minorities and the Committee for
Elimination of Racial Discrimination, CERD). The course offers a specific focus on
economic, social and cultural rights; the right to education and freedom of education in
the framework of the UN Decade for Human Rights Education. Evaluation of
participants will include a written examination and the presentation of a report on a topic
studied during the session, within three months from the end of the course. This year's
themes will be culture of peace and gender issues. UNIT I (distance education): Module
1. Universal system of Human Rights protection mechanisms. UNIT II (in Geneva):
International Humanitarian Law; 5. The Right to Education; 6. Workshops: Participation
at the Sub-Commission and CERD.

Location: Geneva, Switzerland
Participants: Political decision makers, members of parliament, members of
diplomatic bodies, civil servants, human rights activists, activists in the field of
development (all in their early stage of human rights training), representatives of
indigenous people; university students (final year or post-graduate) with a degree in law,
education or humanities.

Title: International Human Rights Advocacy and Conflict Resolution
Training Program (IHRACRTP)
Date: 5-24 August 2001
Level: graduate, professional
Description: The IHRACRTP is the only program of its kind in which international
participants will not only share their experiences but also inform themselves of the
African American and Native American human rights experiences. The objectives of the
intensive three-week training program include: -to inculcate the spirit of ethical human
rights advocacy; to provide participants with an overview of international human rights
law and the law of armed conflicts; - to introduce international and regional institutional
frameworks for the protection of human rights; - to help participants understand the
causes of human rights violations rooted in the current Nation-State system; - to ensure
that participants understand and appreciate role of various religions in the protection and
promotion of human rights; - to assist participants in understanding the underlying
philosophical basis of human rights values and exhort them to challenge cultural racism,
relativism and imperialism within the human rights movement; and - offer opportunity to
enhance and sharpen their conflict resolution and advocacy skills.

Location: St. Paul, Minnesota (USA)
Participants: human rights advocates and experienced professionals, social service
providers, community activists and leaders, peace advocates, racial and social justice
advocates, teachers, researchers, religious leaders, and advanced students.

Title: Fourth Annual Human Rights Summer Institute for Teachers:
Teaching FOR and ABOUT Human Rights
Date: 12-17 August 2001
**Level:** professional, undergraduate/graduate  
**Description:** This course will consist of four modules, each of which has a human rights, social justice and/or citizenship education underpinning. Each module will be a minimum of seven hours duration. The course will meet and surpass all university requirements for contact time and acceptable academic standards and expectations for a three credit hour course. Module 1 - Educating for Human Rights 1: Foundations - A theoretical/historical approach to human rights issues. The history and rationale for human rights education and legislation is explored as is the development of the promotion of human rights through the United Nations and the member states. What are human rights? Who is protected? Special attention will be given to the United Nations Universal Declaration of Human Rights and its impact on the global community. The Canadian Charter of Rights and Freedoms and the New Brunswick Human Rights Act will also be covered during the course of this module. Module 2 - Educating for Human Rights 2: Practice - Participants will actively pursue the concepts introduced in Module 1 through activities and research aimed at raising awareness of human rights issues in themselves and in their students and colleagues. Participants will be provided with lesson plans by non-governmental organizations designed to promote awareness in their students around human rights and social justice issues both in their communities and around the globe. Module 3 - Human Rights and Citizenship Education - Canadian students will be educated and will conduct their careers in increasingly culturally diverse environments. Attention will be given to providing teachers with the historical framework for citizenship education as well as special consideration to the model of active citizenship and what the term implies. Module 4 - Bringing Contemporary Issues into the Classroom - The "myth" that schools, by law, must provide "value free" classrooms has long inhibited teachers from confronting controversial issues with their students. Participants will be exposed to several issues facing contemporary society and will be provided with some of the tools they will need to address these issues in an informed and systematic fashion. Issues facing First Nations communities will be covered in this module. Other topics to be addressed may include homophobia, poverty and harassment.  
**Location:** St. Thomas University, New Brunswick (Canada)  
**Participants:** Practicing teachers and education students and others interested in human rights and citizenship education. The course will be delivered by a variety of facilitators who have done specific work in the areas covered in the modules. Some pre-Institute readings will be sent to all registrants in late June or early July. Assessment will consist of a combination of on-site evaluative strategies and one take-home assignment.  

**Title:** Communicating Human Rights  
**Date:** 18-23 November 2001  
**Level:** professional  
**Description:** This seminar is about sharing creative and effective approaches to communicating human rights. In particular, the seminar will look at the following: the range of methods for communicating human rights; different approaches to communicating effectively depending on content and audience; approaches to practical training for legal and other professionals using case studies and role plays; effective ways for public bodies to spread human rights information to service providers and users;
innovative teaching of human rights in schools and universities; the use of the creative media including forum theater, television, radio and cartoons; the use of the Internet; and evaluation of indicators of impact and effectiveness. The format of the seminar will be highly participatory, including a variety of case studies from around the world as well as an overview of approaches that have been used in the UK.

**Location:** Kenilworth (United Kingdom)

**Participants:** This seminar will be particularly relevant to those who communicate human rights in their work, such as: human rights educators and trainers, policy makers, legal and human rights professionals and human rights information managers.
# Developmental and Conceptual Framework for Human Rights Education

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<th>Levels</th>
<th>Goals</th>
<th>Key Concepts</th>
<th>Practices</th>
<th>Specific Human Rights Problems</th>
<th>Education Standards &amp; Instruments</th>
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<td>Early Childhood</td>
<td>- Respect for self</td>
<td>- Self</td>
<td>- Fairness</td>
<td>- Racism</td>
<td>- Classroom rules</td>
</tr>
<tr>
<td>• Preschool &amp; lower Primary school</td>
<td>- Respect for parents and teachers</td>
<td>- Community</td>
<td>- Self-expression</td>
<td>- Sexism</td>
<td>- Family life</td>
</tr>
<tr>
<td>• Ages 3 to 7</td>
<td>- Respect for others</td>
<td>- Responsibility</td>
<td>- Listening</td>
<td>- Unfairness</td>
<td>- Community standards</td>
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<tr>
<td>• Upper primary school</td>
<td>- Citizenship</td>
<td>- Group rights</td>
<td>- Fairness</td>
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<td>- UDHR</td>
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<td>• Ages 8 to 11</td>
<td>- Distinguishing wants from needs from rights</td>
<td>- Freedom</td>
<td>- Distinguishing between fact and opinion</td>
<td>- Poverty/Hunger</td>
<td>- History of human rights</td>
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<td>Adolescence</td>
<td>- Knowledge of specific human rights</td>
<td>- Equality</td>
<td>- Performing school or community service</td>
<td>- Injustice</td>
<td>- Local, national legal systems</td>
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<tr>
<td>• Lower secondary school</td>
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<td>- Justice</td>
<td>- Civic participation</td>
<td>- Ethnocentrism</td>
<td>- Local and national history in human rights terms</td>
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<td>• Ages 12 to 14</td>
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<td>- Rule of law</td>
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<td>- UNESCO, UNICEF</td>
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<td>Older Adolescents and Adults</td>
<td>- Knowledge of human rights standards</td>
<td>- International law</td>
<td>- Ignorance</td>
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<td>- Evolution of human rights standards</td>
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<tr>
<td>and Adult groups</td>
<td>- Integration of human rights into personal awareness and behaviors</td>
<td>- World Peace</td>
<td>- Apathy</td>
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<td>- UN Covenants</td>
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<tr>
<td>• Ages 15 and up</td>
<td>- Moral inclusion/exclusion</td>
<td>- World Development</td>
<td>- Cynicism</td>
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<td>- Elimination of racism</td>
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<td>- Moral responsibility/literacy</td>
<td>- World Political Economy</td>
<td>- Political repression</td>
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<td>- Elimination of sexism</td>
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<td>- World Ecology</td>
<td>- Colonialism/imperialism</td>
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<td>- Regional human rights conventions</td>
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<td>- Legal Rights</td>
<td>- Economic globalization</td>
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<td>- Moral Rights</td>
<td>- Environmental degradation</td>
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<td>- NGOs</td>
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**APPENDIX D**
APPENDIX E

1993 CIFEDHOP Training Programme

11th Training Session on Human Rights and Peace Teaching for Teachers of Primary, Secondary and Vocational Schools

Geneva, July 5–10, 1993

Main Theme: HUMAN RIGHTS – DEMOCRACY – DEVELOPMENT

PROGRAMME for the English Speaking Section

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<th>Time</th>
<th>Event</th>
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<tbody>
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<td></td>
<td>15.00-17.30*</td>
<td>Registration at Château de Bossey</td>
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<td>17.30</td>
<td>Meeting of the English Speaking Group</td>
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<td>18.15*</td>
<td>Dinner</td>
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<td>19.30–21.00*</td>
<td>Presentation of participants</td>
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<tr>
<td><strong>Monday 5 July</strong></td>
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<td></td>
<td>8.15*</td>
<td>Breakfast</td>
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<td></td>
<td>9.00-9.30*</td>
<td>Welcome</td>
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<td>– Guy-Olivier Segond President of CIFEDHOP</td>
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<td>– Jacques Muhlthaler Founding President of EIP and CIFEDHOP</td>
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<td>9.30-9.45*</td>
<td>Presentation of CIFEDHOP’s activities and projects</td>
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<td>– Monique Prindezis (Switzerland) Interim Director of CIFEDHOP</td>
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<td>9.45-10.00*</td>
<td>Presentation of the World Association for School as an Instrument of</td>
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<td>Peace – EIP activities and projects</td>
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<td>– Pierre Adossama (Togo) Vice-President of EIP</td>
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<td></td>
<td>10.00–10.30*</td>
<td>Coffee break</td>
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<td></td>
<td>10.30–12.15*</td>
<td>Human rights, freedom and democracy (Round table)</td>
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<td></td>
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<td>– Guy Haarscher (Belgium)</td>
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<td>– Rabea Naciri (Morocco) Mohamed V University, Rabat</td>
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<td>– Adama Dieng (Senegal) Secretary General, International</td>
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<td>Commission of Jurists, Geneva</td>
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<td>12.15*</td>
<td>Lunch</td>
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<td></td>
<td>14.00-17.30</td>
<td>Teaching and learning about the Universal Declaration of Human Rights</td>
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<td>(workshop)</td>
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<td>17.30–18.15*</td>
<td>Welcome drink offered by EIP</td>
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<td></td>
<td>18.15*</td>
<td>Dinner</td>
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<td><strong>Tuesday 6 July</strong></td>
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<td></td>
<td>8.15*</td>
<td>Breakfast</td>
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<td></td>
<td>9.00-10.00</td>
<td>Human rights terms and concepts (Lecture)</td>
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<td></td>
<td>10.00–10.30</td>
<td>Coffee break</td>
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<td></td>
<td>10.30–12.00</td>
<td>What do we mean by democracy at school? (Workshop)</td>
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<tr>
<td></td>
<td>12.15*</td>
<td>Lunch</td>
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<td></td>
<td>14.00–16.00</td>
<td>Workshops:</td>
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<td>1 Drama; 2 Non-violent conflict resolutions; 3 Working with photos</td>
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<td>16.00–16.30*</td>
<td>Coffee break</td>
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<td></td>
<td>16.30–18.00</td>
<td>Presentations by members of the group</td>
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<td>18.15</td>
<td>Dinner</td>
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<td></td>
<td>20.00*</td>
<td>Demonstration of teaching materials brought by participants</td>
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</table>
Wednesday 7 July
8.15* Breakfast
8.30* Bus leaves Château for the United Nations Office in Geneva (UNOG)
9.00-10.30* United Nations Visit
10.45-12.30* Visit to the Museum of the International Committee of the Red Cross
Lunch and afternoon Free

Thursday 8 July
8.15* Breakfast
9.00-10.00 Minorities and human rights (Lecture)
10.00-10.30* Coffee break
10.30-12.00 Protection of minorities and human rights (Lecture)
- Rachel Brett (United Kingdom) Quakers United Nations Office, Geneva
12.15* Lunch
14.00-16.00 Intercultural simulation
- Arnaldo Cecchini (Italy) University of Venice
16.00-16.30* Coffee break
16.30-18.00 Presentations by members of the group
18.15* Dinner

Friday 9 July
8.15* Breakfast
9.00-10.00 Human rights, democracy and development (Lecture)
10.00-10.30* Coffee break
11.00-12.00 Development and children's rights (Lecture)
- Nigel Cantwell (United Kingdom) Defence for Children International, Geneva
12.15* Lunch
14.00-16.00 Human rights projects (Workshop)
16.00-16.30* Coffee break
16.30-18.00 Reporting back:
Feedback from the group
Questionnaire on the session
18.15* Dinner
20.00* Participants' party

Closing session

Saturday 10 July
9.00-9.30* Breakfast
9.30-10.30 Feedback from the evaluation of the session
Conclusion and future projects
10.30-11.30* Distribution of certificates
Distribution of list of participants' addresses
Closing address
12.15* Farewell drink offered by CIFEDHOP
Lunch

*Common to all linguistic sections
BIBLIOGRAPHY


Human Rights Educational Association website. URL http. www.hrea.org


Nekhwevya, F. (1999). No matter how long the night, the day is sure to come: Culture and educational transformation in post-colonial Namibia and post-apartheid South Africa. International Review of Education, 45 (5/6), 491-506.


REFERENCE DOCUMENTS


Council of Europe Recommendation No. R (84) 7. Recommendation No. R (85) 7 of the Committee of Ministers to members States on Teaching and Learning about Human Rights in Schools.


United Nations High Commissioner for Human Rights website. URL www.unhchr.com

