C·A·P WORKING-PAPER

A Survey

on

Human Rights Education

Publication-Project

based on the

Human Rights Education-

Expert-Meeting

in May 2002

in Munich

CONTENT

Introduction

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This compendium of articles on Human Rights Education is the result of the work of the network "Education for Democracy, Human Rights and Tolerance". Before we introduce you to the theme of this survey, we would therefore like to briefly outline the network initiative, which provided the framework for this publication.

The network initiative

The International Network "Education for Democracy, Human Rights and Tolerance" was founded in 1998 by the Bertelsmann Foundation and is conducted in co-operation with the Center for Applied Policy Research (CAP) at the University of Munich. The CAP is one of the most experienced institutes in tolerance education in Germany. Since the late eighties it has been working as an official consultation center for the Ministry of Youth of the Federal Republic of Germany. The Bertelsmann Foundation works together with the CAP in this field already for more than eight years. This work is conducted on a national and international level.

The network consists of ten NGOs, academics and practitioners from various countries in Western and Eastern Europe, Israel, the Philippines, South Africa and the USA. The aim of the network is to bring together an international group and to provide it with an infrastructure to work together. The main focus of the network is the exchange of ideas and experiences, the development of projects and research on issues of tolerance education. The network shows that in many countries around the globe organizations or initiatives, mostly NGOs, exist who have developed interesting and original approaches towards fostering tolerance, democracy and human rights. In addition, these organizations have created successful training programs which are often rooted in their specific cultural backgrounds. They do not only raise our awareness for certain target groups (i.e. groups in conflict) but also reflect the specific history and philosophy of their societal genesis. Many of these initiatives are not known outside the region where they implement their educational programs. Therefore the network initiative encourages its members to exchange their concepts,

programs, approaches and methods. Participants gain new and valuable perspectives and ideas.

The partner-NGOs of the network are:

1. *Anti-Defamation League, USA*
2. *Adam-Institute for Democracy and Peace, Israel*
3. *Ben-Aquino-Foundation, Philippines*
4. *Center for Applied Policy Research, Germany*
5. *Center for the Study of Conflict, Northern Ireland*
6. *Foundation for Democracy, Poland*
7. *International Fellowship of Reconciliation, Netherlands*
8. *Novamerica, Brasil*
9. *Participa, Chile*
10. *UMAC, South Africa.*

Besides these members (core-participants) the network works with external experts and associated institutions such as: *Center for Conflict Resolution,* Capetown, South Africa; *Council of Europe,* Strasbourg, France; *Human Rights Education Associates,* Boston, USA; *Human Rights Resource Center,* Minnesota, USA; *Ludwig Boltzmann Institut for Human Rights,* Vienna, Austria; *Asian Resource Center for Human Rights,* Bangkok, Thailand; *European Training and Research Center for Human Rights and Democracy,* Graz, Austria; UNESCO-Chairs for Human Rights Education.

Objectives

The International Network "Education for Democracy, Human Rights, and Tolerance" aims at identifying the best educational practice, programs, concepts and models available. These ideas and materials should not only be exchanged within the network but also become known to a greater public. Some of the main goals of the network initiative are:

- Gathering and bringing together world-wide experience and ideas
- Searching for the best educational practices
- Developing new and creative solutions in tolerance-education
- Communicating and distributing new developments

- Implementing network-results into the work of participating organizations and their educational systems
- Providing a platform for intercultural learning

How does the network work?

The network consists of different working groups that meet several times a year to pursuejoint projects. The character of the meetings is determined by workshops provided and organized following a rotating principle among the participants based on their respective individual, professional and institutional competencies. Besides the workshops, there are intercultural panels, field-trips and expert-inputs for formal and informal exchange on issues relevant to tolerance, democracy and human rights education. The meetings are being held in different countries and are hosted by NGOs that are participating in the network.. That way the representatives of the NGOs get to know each other within their regional contexts. Co-operation and commitment to the Sisyphus-like task of "cultivating humanity" through education help to overcome cultural and linguistic borders without losing the sensitivity for diversity within the microcosm of the network. Being exposed to different cultures, as well as the changing roles of being host or guest, provides the ground for intercultural learning and - even more important for successful co-operation – helps to build trustful relationships between the participants.

The topic Human Rights Education in the network and beyond

Human Rights Education is one of the central concerns of the network. Most network partners pursue strategies of implementing human rights as core values in their educational programs and curricula. Several workshops aiming at the exchange of "best practice" and an expert conference on Human Rights Education in 2002 and 2003 laid the fundament for this publication which gathers some of the main contributions from different country perspectives.

When discussing the history, the evolution and the present situation of Human Rights and human rights education we deal in many respects with visions and visionaries. After all human rights education is about human development, social change and social transformation. The visions of international Human

Rights advocates and Human Rights educators - many of them non-governmental organizations - without doubt have had a very profound impact across the globe as this publication illustrates. That does not mean that Human Rights are not violated any longer. They sadly are. Despite this - visionaries in different times and different locations have continued to pursue a world in which all people might enjoy certain basic and inherent rights simply by virtue of being human. Last but not least these actors share the conviction that education in and for Human Rights can contribute to the reduction of human rights violations and prevent human rights abuses. Education plays a key role for the promotion of human rights. There are three main dimensions addressed by human rights education:

1. Knowledge: provision of information about human rights and mechanisms for their protection
2. Values, beliefs and attitudes: promotion of a human rights culture through the development of values, beliefs and attitudes which uphold human rights
3. Action: encouragement to take action to defend human rights and prevent human rights abuses[1]

Human rights education in fact is a very recent phenomenon which has only gained significance within the last decade, even though the theme was first brought up in 1974 by the UN. However, it seems that the current situation to develop and implement human rights education is in many ways a unique one - at least if we follow the argument in Paul G. Lauren's latest book "The Evolution of International Human Rights". He points out:

> *"Never before in history has there been what is now described as such a 'universal culture of human rights' in which the rights of so many men, women, and children are given so much attention in so many diverse places under the watchful eyes of*

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[1] See "Guidelines for national plans of action for human rights education", in *Report of the Secretary General of the UN*, New York, 1997.

the world and in which the international community refers to human rights as the common language of humanity.[2]

Understanding and defining human rights as the common language of humanity is however a complex, sometimes problematic and often long process which starts with the simple recognition of human rights and ends with implementing a definition of Human Rights through institutions. All around the globe countries have pursued this common ideal of establishing a culture of human rights in their own way and in their own pace, unfortunately not always with success and not seldom having to deal with sever backlashes.

The great diversity of national histories, political systems and cultural backgrounds shows that the idea of human rights has developed more quickly in some countries than in others and that it has thrived on many different grounds. And yet, in spite of different starting points and strategies, the routes taken all lead to similar destinations as this publication with examples from the Philippines, South Africa, the US and Europe shows.

We would also like to bring attention to one of the major documents human rights education has been based on. In 1995 The United Nations declared the Decade for human rights education. By doing so they defined human rights education as „training, dissemination and information efforts aimed at the building of a universal culture of Human Rights through the imparting of knowledge and skills and the molding of attitudes which are directed to five aspects:

First: the strengthening of respect for Human Rights and fundamental freedoms

Second: the full development of the human personality and the sense of its Dignity

Third the promotion of understanding, tolerance, respect, gender, equality, and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups

Fourth: the enabling of all persons to participate effectively in a free society

Fifth: the furtherance of the activities of the United Nations for the maintenance of peace"

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[2] Lauren, Paul, G.: The Evolution of International Human Rights", Philadelphia, 1998, 4.

For us - that is the "International Network Education for Democracy, Human Rights and Tolerance" - it seemed time to look back and examine how these principles on paper were translated into educational practice. Because even though these objectives seem quite self-evident and clear, the ways how they are being addressed educationally by the various actors in different countries and regions varies to a great extend. This publication therefore intends to give a survey on different approaches to human rights education as different needs in different parts of the world have to be met. The contributions by the diverse authors also make clear that global or international perspectives on Human Rights have to be linked to the diversity of local traditions and cultures as well as individual and community commitment - which present the pillars on which a universal culture of Human rights can be build on. The former director of the Danish Center for Human Rights - Anette Fay Jacobson – therefore stresses:

> *[...] the most effective Human- Rights Education-Material must be rooted in local conditions and history. It should be based on local traditions, common knowledge and culture, including minority cultures. It should preferably be built upon positive as well as conflictual examples from national and local communities, and draw upon cultural heritage, including literature and art, and historical and/social conflicts of the given country.[3]*

The quote underlines how deeply rooted Human Rights are in - politics, personal relationships, arts and culture - and that we therefore have to consider Human Rights not simply as a legal issue but a question of how to deal with each other in every day life. It was the founding mother of the UNIVERSAL DECLARATION OF HUMAN RIGHTS - Eleanor Roosevelt who made that point in the first place. She asked the question "Where, after all, do universal human rights begin" and gave the answer herself:

> *"In small places, close to home - so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm, or office*

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[3] Jacobson, Anette Fay: Human Rights Education in a European Perspective. The Danish National Commission for UNESCO, 1999, 2.

where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world."[4]

In that very sense we hope that this contribution with examples of "best practices" and experiences from diverse countries will encourage practitioners and activists all over the globe to turn as many "small places" as possible into places where Human Rights are being cultivated and lived.

[4]See: http://www.udhr50.org/history/Biographies/bioer.htm

I. Case studies on Human Rights Education in specific regions or countries

1. Human Rights Education in the Philippines
By Zenaida Reyes

To be handed in

2. Walking the talk – A Conflict Resolution Approach to Human Rights Education from South Africa

By Michelle Parlevliet

Introduction

South Africa's transition to democracy was hailed as a miracle across the globe. The country that had become vilified and isolated during years of white minority rule, captured the world's attention as its most famous citizen and former prisoner, Nelson Mandela, was instated as the President of the South African Republic in 1994. The adoption of a new Constitution reflected and reinforced the political shift to a non-racial democratic dispensation founded on the value of human dignity, the achievement of equality and the advancement of human rights and freedoms. Nearly a decade has passed since these momentous events. As much as they highlighted the end of one era in South African history, they also marked the beginning of another one, that is characterised by the need for the transformation of society, state institutions, and relationships. Past imbalances and attitudes did not simply disappear with the proclamation of new legislation, however progressive. Improving the quality of life for South Africans of all colours has turned out to be a major challenge as is the creation of a society reflective of democratic values, social justice and human rights.

Part and parcel of this constitutional project towards transformation have been efforts to develop a human rights culture by the establishment of statutory bodies meant to strengthen constitutional democracy[5] and through educational initiatives of governmental and non-governmental nature. This article focuses on human rights education in South Africa and highlights, in particular, the relevance of conflict resolution in this regard. It discusses a number of challenges for human rights education in the South African context, and explains how conflict resolution can strengthen Human Rights Education in various ways. It is beyond the scope of this essay to give an in-depth and comprehensive overview of formal and non-formal human rights education in South Africa since the demise of apartheid. However,

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[5] Chapter 9 of the Constitution of South Africa provides for the establishment of these state institutions, which include the Public Protector, Human Rights Commission, Commission on Gender Equality, Electoral Commission, the Auditor-General and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities.

some major developments are outlined here, in order to sketch the context and background for the later discussion focused on the value of conflict resolution for human rights education. This discussion is informed by the experiences of the Human Rights and Conflict Management Programme of the Centre for Conflict Resolution, a non-governmental organisation based in Cape Town.

Context and background

Current-day South Africa is still in large measure defined by its history of institutionalised racism. This history did not commence with the adoption of 'apartheid' as official state policy in 1948. Efforts to segregate the country's various racial groups and to protect the privileges of the white minority stem from much earlier. For example, the 1913 Land Act stipulated where people of colour should settle, confining the country's majority to a minor part of the land in primarily unfertile and harsh areas. From 1948 onwards, ever increasing legislation expanded and deepened the system of marginalisation and racial discrimination. It came to regulate all areas of social, political, economic and cultural life for the black population of South Africa. Apartheid prohibited their meaningful participation in the country's political and economic affairs, excluded them from access to opportunities for development, restrained their interaction with the white population, and crushed their frustration and resistance through increasingly violent means.

State institutions were geared towards supporting this oppression, including the educational system. Education was a convenient tool for the apartheid regime to enforce its discriminatory policies and create a culture of obedience. It was conducted within a hierarchical and authoritarian paradigm in which teachers were obedient followers and implementers of apartheid. Children were seen as empty vessels to be crammed with facts and knowledge which were often irrelevant to their lives. Aimed to entrench apartheid, the educational system upheld socially engineered divisions, emphasised diversity at the expense of commonality, taught the innate and God-given superiority of one race and the inferiority of another, and discouraged learners from thinking critically and independently about themselves, society, and the world. Segregation reigned supreme, with special primary and secondary schools and tertiary institutions for different groups. As a 1992 report of the National Education Policy Initiative pointed out, "the apartheid curriculum policy [...] justified racial and ethnic segregation on 'cultural' and 'linguistic' grounds,

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stressing that each group should have its own schools and education authorities. From this, separate syllabi, textbooks and examinations have flowed in a pattern of unequal power and resources."[6] The poor quality of education in a context of political and economic oppression caused widespread resistance amongst youth throughout the 1970s and 1980s towards the control over and the goals of education.

The demise of apartheid saw the desegregation of the educational system as the new government set out to change apartheid legislation governing education from one favouring a minority to one catering for the majority of learners. New policies and legislation were adopted of which the South African Schools Act of 1996 deserves special mentioning. Repealing all apartheid legislation pertaining to schools, this Act provides for compulsory school attendance between the ages of 7 to 15, and for the democratisation of school governance on the basis of equal representation and inclusivity. It thus ensures that human rights in education go beyond access to education and are linked to the conditions that prevail in schools and the kind of treatment meted out to learners.[7] The Act also abolishes corporal punishment – which was common practice in South African schools – on the grounds that it violates one's right to be treated with dignity.

In addition, government and civil society undertook a range of initiatives to educate people about their rights. Before the 1994 elections, massive voter education campaigns were conducted to explain the electoral process to the general public, most of who would be voting for the first time. A Department of Constitutional Development was established after the elections, which was tasked with the development and implementation of constitutional education programmes throughout the government sector. Non-governmental organisations engaged in general educational outreach programmes to communities across the country, and undertook specialised programmes for members of government, parliamentarians, paralegals, and others involved in the justice system. Specific attention was devoted to disadvantaged and vulnerable groups, including children, women, and prisoners.[8]

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[6] National Education Policy Initiative (1992).

[7] Nazir Carrim, (2001) *Conceptualizing Human Rights and Inclusivity in the context of Education and Training: A Framework and Principles Document.* Paper published as part of the Human Rights and Inclusivity Working Group in the National Curriculum Statement process; subsequently also published by the Gauteng Institute for Education and Development.

[8] Victoria Maloka, *Summary of Human Rights Education in South Africa,* unpublished paper, 2002, Centre for Conflict Resolution (HRCMP).

Human rights have also gained prominence in the formal curriculum which was overhauled in 1997 with the adoption of a new curricular framework, called *Curriculum 2005* (C2005). It is outcome-based rather than content-based, which means that it seeks to focus on what learners should know and be able to do at the end of a course of learning and teaching. C2005 advocates for the incorporation of human rights into the eight main learning areas identified, namely language, literacy and communication; human and social sciences; technology; mathematics; natural sciences; arts and culture; economic and management sciences; and life orientation. These learning areas are geared towards students developing their understanding of larger political, social and economic contexts, and an ability to function therein.[9] The human rights oriented nature of this new curriculum is reflected in the principles on which C2005 is based, which explicitly emphasise anti-discrimination, human rights, inclusivity, democracy, common citizenship and nationhood and redress for injustices of the past.[10]

However, despite the array of changes indicated above, the unfortunate reality at present is that rights are still far from real for many South Africans. The state infrastructure and legislation may have changed, but many ordinary citizens have yet to feel the practical implementation of the policies, laws, and rights. This is particularly the case when it comes to the socio-economic conditions experienced, as access to development, opportunities and resources – though formally equal – are still highly unequal in practice as people come from divergent starting points. Civil and political rights have largely been realised, but continuing complaints about abuse at the hand of the police, xenophobic violence against foreigners, or a militaristic atmosphere in the prison system, reflect that there are some gaps left. On an attitudinal and social level, moreover, there is still a strong apartheid legacy, which manifests itself in how people relate to one another and the perceptions they hold. As September puts it, "the law-enforced artificially created culturally-defined ethnic identities have become part of people's basic experience, as well as integral to the social structure."[11]

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[9] Salim Vally and Yolisa Dalamba, 1999, *Racism, 'Racial Integration' and Desegregation in South African Public Secondary Schools. A Report on a Study by the South African Human Rights Commission*: p. 17. Paper available on website of the SAHRC (http://www.sahrc.org.za).

[10] Carrim (2001): 9.

[11] Jean September (2001), unpublished paper on *Citizenship education within a human rights framework*, for the British Council, in London.

The educational system constitutes a sad example in this regard. A paper commissioned by the South African Human Rights Commission (SAHRC) on racism in education found that statutory de-racialisation has not impacted day-to-day racist practices at institutional and inter-personal levels which continue to persist. It emphasises that the continuing racial inequality in schools is structurally linked to wider social relations and the economic, political and social fabric of society. Such inequality must be understood with reference to South Africa's apartheid history and to contemporary political and economic disadvantage and patterns of inequality in society.[12] The study points out that even though explicitly racial policies are not allowed any longer, aspects such as high school fees, exclusionary language and admission policies still reflect apartheid ideology.[13] C2005, the new curriculum, is of little assistance in eradicating racist incidents and practices in schools, in part because its implementation has been problematic.

In sum, a primary feature of the South African context is the large gap between the progressive and lofty provisions of the country's new laws and policies and the practical, concrete, reality experienced by the majority of the population. This has a large impact on human rights education as it presents a number of challenges that need to be taken into account when engaging in such education. Some primary ones are discussed below.

Challenges for Human Rights Education in the South African context

1. **Skills and attitudes matter:**

    knowledge in itself is not sufficient to affect change

Since the transition to democracy, human rights education in South Africa has generally focused on making people aware of their rights and the various instruments and mechanisms available for the protection and promotion of human rights. This 'legalistic' approach, as it has been called, was found in a national survey to have been a dominant approach in human rights education between 1996 and 1999. The survey also found that there was a tendency to generalise, formalise and render

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[12] Vally and Dalamba (1999): Introduction.
[13] Ibid.

human rights abstract.[14] Yet, building people's knowledge of the law and enhancing their capacity to identify specific rights or violations of a right is not necessarily sufficient to ensure that they will be able to enjoy those rights nor that they will appreciate the meaning and value of rights. For the latter, they need to understand why rights are important and how they are relevant to their own life. For the former, they need to gain the capacity and confidence to exercise their rights. This requires the development of skills, something to which human rights education in South Africa has been little geared because of its technical nature and emphasis on information-sharing.

Doubt can also be cast upon the ability of legalistic human rights education to alter deeply held beliefs and attitudes. Racism, discrimination, stereotyping and prejudice relate to attitudes and perceptions held by individuals and groups about 'The Other.' Again, knowledge of rights and the law is insufficient to transform those, however much the South African Constitution and the Bill of Rights provide the fundamental basis for anti-racism and other human rights work. Codified though rights may be in these and other instruments, human rights essentially involve human relationships: relationships among individuals and groups and between individuals and/or groups and the state. Rights education fails to reach its full potential if it remains abstract and does not succeed in bringing rights down to the level of where participants are at the point where they critically review their own attitudes, positions and relationships. The challenge is thus to create a safe learning environment in which attitudes and perceptions can be challenged and personal reflection and change are facilitated. In that sense, human rights education is about transformation – of individuals, relationships, structures, and society.

2.The issues are conflict-loaded

Enforcing equality and advocating rights of marginalised or disadvantaged groups threatens the status quo in society. It also challenges prescribed or embedded notions of inferiority and superiority and historical power relations. It may imply a need for societal transformation and redistribution, especially in contexts characterised by structural socio-economic inequities and political inequalities. Consequently, trainers and educators may encounter hostility, anger and resentment

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[14] Carrim, N.; Pendlebury, S., and Enslin, P. (2000), *Education for Democracy: Democracy for Education: The South African Case: Final Report* (Johannesburg, School of Education, University of the Witwatersrand.)

because the content of rights education challenges people's positions in society, hence making them defensive. This is enhanced by the fact that many human rights concerns are controversial in the South African context – examples include homosexuality, sexism, racism, the abolition of the death penalty, the illegality of corporal punishment of learners in schools, abortion, tolerance towards different religions, xenophobia, etc. Issues such as these touch on people's identity and belief system, and can therefore ignite strong emotions.

> *It should be noted that these are not the only areas where rights and conflict intersect. For example, conflict may arise over different interpretations of a single human right and in situations where different rights need to be balanced against one another. If trainers and educators are insufficiently prepared to manage tensions and conflict arising in the context of human rights education, this undermines their ability to deliver such education effectively. Moreover, if they perceive conflict as inherently negative or destructive (as many of us do, based on painful or difficult experiences), they will be inclined to try to suppress or avoid it. This does not provide any insights to participants as to how to handle conflictual situations related to rights; in other words, participants and learners then lack an example of how to constructively manage conflict surrounding rights issues.*

3. Rights may be perceived as being alien to African culture and/or traditional customs

In conducting human rights education, positions are sometimes encountered in which rights are not part of African culture,' or that 'rights are Western concepts.' An awareness that such arguments may be motivated by, for example, a desire to uphold the status quo on the part of those deriving certain benefits or privileges from a (particular interpretation) of customs or culture, does not negate the importance of engaging in them. Such sentiments can be very strong and may cause people to distance themselves from human rights and regard them as irrelevant to their situation or context. An ineffective, but oftentimes adopted, response from trainers and educators is to take a position themselves – for example, 'this is the law' and

'you must uphold it, no matter what you think and whether you care or not.' Especially when trainers or educators perceive the audience as problematic (in relation to human rights), they are inclined to adopt such a response – in the case, for example, of traditional leaders or security personnel. This then leads to positional bargaining where there is limited scope for forward movement as parties compete with one another for their view to reign supreme.[15] Moreover, it does not bring audiences any closer to gaining an understanding to the meaning and relevance of rights because such an approach does not explore their motivations for taking particular positions or their perceptions of rights. It also does not afford the educator or trainer the opportunity to explore important values in African culture and how these may relate to human rights, or how the audience interprets notions such as 'culture' and 'customs. '

4. The process may contradict the contents

As mentioned, formal education in South Africa has historically been conducted within a hierarchical and authoritarian paradigm. While much work has been undertaken to transform the educational system into one that is outcome-based and learner-centred, many educators are still trapped in the old paradigm of Christian national education, in which the educator is the expert instructing those who are being educated. This may be due to, amongst other things, the training that educators received in the past and the power and security they derive from this didactic approach. However, conducting human rights education within this paradigm is contradictory and paradoxical in that the *process* to convey the message is not aligned to the *contents* of that message. Its contribution to enhancing a culture of human rights is thus questionable: the process used to get the message of human rights across is not reflective of human rights itself. It negates fundamental principles of equality, dignity, respect, tolerance, participation, pluralism of ideas and opinions, and inclusion. It does so by, for example, failing to acknowledge learners' experiences and relying on one-way communication such as lectures.

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[15] *Positional negotiation* refers to a competitive process in which parties make offers and counter-offers which they feel will resolve the conflict. These exchanges of offers typically start to either converge on a solution which both parties find acceptable or, if parties remain far apart, brings them to an impasse. According to Moore, parties tend to use positional negotiation when there is little trust between them; when winning is more important than building a co-operative relationship between them; or when a party perceives that it benefits from making the other party lose (Christopher W. Moore, (1996), *The mediation process: practical strategies for resolving conflict.* 2nd; San Francisco: Jossey-Bass.) This may explain

The discrepancy between process and contents is not confined to formal education but can also arise in the non-formal sector where people from a range of professional and educational backgrounds conduct workshops for a variety of audiences. This may be due to insufficient knowledge of different pedagogical models and methodological frameworks amongst trainers and educators – which can lead to a duplication of what they themselves have been exposed to in their youth. One wonders whether it could also be related to the extent to which trainers have been involved in the liberation struggle as human rights activists. At that time, they were used to adopting an adversarial stance when encountering real or alleged human rights violations. After all, most rights were denied then and confrontation seemed (or was) the only way to challenge injustice. At present, this adversarial attitude may at times be enhanced by the knowledge that South Africa now has a strong constitutional framework that endorses the rights of all people, irrespective of colour and other differentiating features. This can lead trainers to adopt a top-down and slightly authoritarian or self-righteous approach, in which questions about or challenges to rights are not engaged in and the trainer is the primary source of the 'right answer.'

5. Teachers educators, and trainers may lack capacity and confidence

As desegregation took place in the educational system in the early 1990s, there was little attention for the development of those teachers who were already 'in service' to help them cope with the challenges presented by desegregation and by the need for transformational programmes. Initiatives to this extent have increased over the past years, but these are not sufficient or comprehensive. Educators, teachers and trainers still often lack the capacity and confidence to deal with these challenges, implement the various new programmes, and manage tensions raised in learning environments. The *Racism in Education* paper commissioned by the SAHRC highlights that there are no structured co-ordinated programmes to help teachers cope with multi-racial, - cultural, - lingual, - ability classrooms.[16] Capacity and confidence are also often limited within the non-formal sector, as there is generally

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[16] Vally and Dalamba (1999), see note 6.

little training, mentoring and support for civil society actors involved in human rights education.

Some of the challenges mentioned above relate particularly to the capacity and approaches of educators and trainers who conduct human rights education. Others relate more to the needs of learners and participants attending such education. This means that efforts to address these challenges must take place on both levels.

The relevance of conflict resolution for Human Rights Education

The theory and practice of conflict resolution can greatly contribute to human rights education and training for educators and participants alike. As a starting point, conflict resolution sees a conflict as normal, inevitable and natural part of life. Consequently, the focus of conflict resolution is not on eradicating, avoiding or suppressing conflict, but rather on managing it in a healthy way that allows for the expression of discord and legitimate struggle without violence.[17] Promoting creative, constructive and co-operative approaches to conflict, conflict resolution seeks to facilitate dialogue between parties in conflict and focuses on creating safe spaces for negotiating substantive issues. Its emphasis on the non-violent resolution of conflict and the need for inclusive processes mean that human rights values are at the core of conflict resolution; there is an awareness that everyone has a voice, and that all concerns must be heard – including those which are critical, dismissive, or unpleasant.

Approaching human rights education from a conflict resolution perspective acknowledges the intricate and dialectical relationship between rights and conflict. It recognizes that conflict is part and parcel of human rights and that such conflict is not necessarily bad but may have certain positive functions: for example, helping to clarify norms for interaction and building understanding between people coming from different perspectives. It also recognizes the potentially subversive and conflictual character of human rights education in its challenging of people's perceptions and worldviews and its prompting of people to re-evaluate conditions in their society as regards to existing power structures, distribution of resources, the relationship

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[17] It should be noted that conflict is not equated with *violent* conflict in the conflict resolution field; it is emphasized that conflict can be expressed in positive, constructive, and negative, or destructive, ways. In the remainder of this section, where 'conflict' is mentioned, this should thus not be understood as *violent* conflict.

between the state and citizens and so forth. A conflict resolution approach to human rights education thus emphasizes the need for trainers and educators to be prepared for conflict arising in the educational environment and to be equipped to handle it in a constructive way. It also highlights the need for participants and learners to develop skills for managing conflict that may come up as they exercise their rights.

Three other foci in conflict resolution deserve mentioning here as being particularly relevant for human rights education. The first is a strong concern with process. Process, in the context of human rights education, means the way in which such education is conducted: the methodology, approaches and techniques used. As such, it is different from what can be called the 'product' of human rights education, which refers to the outcome of such education; this can be new knowledge, new attitudes, and/or new skills. Within the conflict resolution field, there is great awareness that the process used to achieve a particular outcome influences the quality thereof. A process that is flawed contaminates the outcome by making its legitimacy questionable, hence undermining its sustainability. In other words, the sustainability of the product depends not only on its contents, but also on the process by which it was achieved. The context in which the significance of process often arises in the conflict resolution field is one of peace negotiations. If, for example, some parties experience a peace process as exclusive or illegitimate, this generally impacts on their willingness to uphold the agreement resulting from negotiations because they question its validity.[18] Recognizing the value of good process is as applicable to human rights education, especially when considering the earlier discussion on the discrepancy often found between process and contents in human rights education in South Africa. This highlights that the impact – and therefore sustainability – of human rights education is undermined when the educational process does not manifest or embody human rights values. Thus, a conflict resolution approach to human rights education emphasizes the necessity of conducting education in such a way that it reflects and reinforces the contents of human rights education. In other words, human rights education should be rights-based, or, must 'WALK THE TALK.'

The second is an emphasis on interests. In conflict resolution, a distinction is made between 'positions' and 'interests,' where positions refer to *what* people say they

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[18] For more discussion on this issue, see Parlevliet (2002): 22-24.

want (the demands they make, or, their stated solution to a conflict) and interests to *why* people want that (the needs, fears, concerns or values motivating people to take a particular position). Comments about human rights are often made in the form of positions: 'human rights are important,' 'human rights must be respected,' 'human rights are the law and must be upheld,' or, 'human rights do not belong to my culture,' 'human rights only exist for criminals,' 'rights only serve to complicate our work as police officers/ prison warders/etc.' Positions often prompt counter-positions. This may then lead to a situation where both parties are so intent on proving their right, that there is little scope for dialogue and willingness to engage with the other's point of view (this was earlier referred to as positional bargaining.) A conflict resolution approach to human rights education creates an awareness of the way in which we communicate about rights and the efficacy thereof. It highlights the importance of looking beyond the positions people take and exploring the interests, needs and fears informing those. What concerns motivate a person to take a negative attitude towards rights? Are there ways in which human rights could be framed in terms of such concerns, so that the person understand that rights protection might be in his/her interests?

A third additional focus point in conflict resolution with particular relevance for human rights education, is an emphasis on ownership and local applicability. In conflict resolution, it is stressed that parties to a conflict must have ownership of the process and outcome of efforts to resolve conflict if these are to be sustainable. Solutions that are transplanted from other contexts or are imposed by external actors tend to have little staying power because they may be inappropriate and inconsiderate of local circumstances. Alternatively, the local population may consider them illegitimate if they have not been involved in the process of developing and deciding on such solutions. Local applicability and ownership are thus closely related, and stem from a concern with sustainability. If parties do not feel that they 'own' an agreement, or if an agreement is not suited to local conditions, the sustainability of that agreement is limited. In the context of human rights education, this translates into the need to make sure that people can relate human rights to their own lives (so as to enhance ownership), and that rights are related to the local environment. This means that rights education should be contextualised in the sense of grounding human rights in people's experiences as well as in the larger political, social, and economic context in which they live. 'Ownership' then involves fostering an understanding amongst

individuals and groups that rights are relevant for them; that rights impact on and function in their daily lives; that they have a responsibility towards rights; and that their perception and experience of rights is seriously considered. 'Local applicability' involves exploring local conditions, norms and values and using culturally appropriate methods for talking about rights (for example, story telling; use of metaphors and proverbs, etc.)

The above underscores the value of conflict resolution for human rights education in both contents and process. The emphases on conflict as natural and as part of human rights; on exploring interests; on good process, involving dialogue, inclusion, and participation; and on ownership and applicability are all highly relevant to human rights education. They are also closely related to one another, thus forming a useful framework for considering human rights education. Admittedly, some of their implications for human rights education are not necessarily new – for example, the need for interactive methodologies and experiential learning has long been recognized, although it has been seldom advocated on the ground that process and contents must be aligned. Others are more innovative, such as working with the conflictual nature of human rights and considering interests.

An additional point here is that conflict resolution is both a science and an art.[19] It is an art in that it is a combination of personal traits that makes people successful conflict resolution practitioners – these include sensitivity, empathy, intuition, self-awareness, and confidence. The 'science' part of conflict resolution relates, on the other hand, to the body of theory, models, techniques and skills that one can learn, practice over time, and in which one can grow increasingly sufficient. In the context of human rights education, this means that, while some people may be more inclined towards human rights because of their character and personality, all people have the ability to learn about human rights and to grow increasingly confident and capable of enjoying them. This highlights the importance of exploring how the practice and theory of conflict resolution can strengthen both trainers/educators and participants/learners in conducting human rights education effectively and exercising their rights constructively.

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[19] Laurie Nathan, (1998), "At the Core. Six strategic principles of mediation," in *Track Two*, Vol. 7 No. 1 (April), pp. 8-10:10 (Centre for Conflict Resolution, Cape Town.) Nathan comments on the 'art and science nature' of mediation in particular. His arguments, however, are also applicable to conflict resolution overall.

Lessons from CCR's practice

The experiences of the Human Rights and Conflict Management Programme of the Centre for Conflict Resolution testify of the value of conflict resolution to human rights education. Many of the lessons learned in this regard stem from work conducted over a 1.5 year period with the National Centre for Human Rights Education and Training of the South African Human Rights Commission, during which four training workshops were held for trainers of the SAHRC based throughout the whole country. These trainers conduct workshops for a variety of audiences (for example, the general public, governmental institutions, companies, the health sector) on a range of human rights concerns. Other insights have been gained through work with audiences as diverse as the Independent Complaints Directorate (a statutory body monitoring the police and investigating complaints on police abuse); the Office of the Inspecting Judge (a body monitoring the conditions in prisons and concerned with ensuring respect for the human dignity of inmates), non-governmental human rights organisations such as Lawyers for Human Rights, which focuses on particular marginalised or vulnerable groups (for example, farmworkers or refugees); prison management and wardens; provincial training managers of the South African Police Service; conflict resolution organisations involved in intervening in community conflict and facilitating decision-making processes about issues such as safety, health, policing, etc. It should be noted that all of the above constitute non-formal training and education; the Programme has only been involved in formal human rights education to a limited extent.[20]

1. Conflict resolution training for human rights educators is important

A needs assessment conducted with the SAHRC trainers in 2001 indicated that they consistently experienced conflict in the training environment yet felt not equipped to deal with it. Primary challenges experienced were dealing with strong emotions (especially anger, defensiveness, and hostility), encountering extreme points of view, managing cultural challenges to rights, and balancing conflicting rights. Training in conflict resolution helped the trainers to be prepared for such situations in the

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[20] Since 2000, the Programme has been involved in an *International Human Rights Exchange*, a multi-disciplinary, one-month intensive human rights course for under-graduate students, by a consortium of six South African universities, the University of Zimbabwe, and seven liberal arts colleges in the USA. For information on the IHRE, see http://www.ihre.org.

educational environment. It made them aware that it is of not much use to override people's opinions and tell them how they ought to feel on certain issues and what the law says, as this often fuels resentment. Skills training in facilitating communication, overcoming deadlocks, and negotiation assist trainers and educators in defusing tension, and engaging their audiences in ways that lessen defensiveness, make them feel heard, and make them willing to question their own assumptions and perspectives and build their understanding of the meaning and relevance of rights.

2. Conflict resolution enhances 'Walking the Talk' in human rights education

This lesson focuses specifically on the educational process. Conflict resolution makes trainers and educators aware of the significance of process and helps them to adopt a methodology that reflects the human rights values one is trying to convey. The use of conflict resolution techniques thus enhance the rights-based nature of human rights education. Focusing on dialogue, inclusion, and participation, such techniques build their capacity to conduct education in a way that is elective, interactive and builds on the experiences of participants or trainees, manifesting values of respect, equality, tolerance, dignity, integrity and empowerment. In doing so, educators 'model' human rights values and principles and strengthen the impact of their education.

3. Communication and negotiation skills are of particular importance for human rights actors.

Exposing human rights actors to conflict resolution makes them aware of how their communication style may influence the extent to which other parties are willing to co-operate on issues of human rights. As noted, human rights actors are often inclined to adopt an adversarial attitude when raising human rights concerns. Conflict resolution helps them realize the possible negative consequences of that stance in terms of enhancing the potential for conflict and/or for damaging the relationship between parties. Developing strong communication skills is thus of the utmost importance in assisting human rights actors to choose a communication style that is appropriate and effective in a particular situation.[21] Learning to frame rights in terms

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[21] It is for this reason that UNHCR and the Centre for Common Ground (CCG) in Angola have combined human rights education for internally displaced persons with conflict resolution. CCG Director Utterwulghe comments that "teaching people about their rights without building a capacity to talk about, defend and present those rights in a non-adversarial way is like giving a fisherman a net with gaping holes" (as quoted in Parlevliet (2002: 33).

of interests, moreover, enables them to explain rights issues in relation to the needs and interests of others, rather than having to resort to bland, prescriptive statements about the rules that apply and actions that should or should not be taken.

For example, in the case of human rights work in South African prisons, there is a strong perception amongst wardens that rights make their work more difficult and only exist for the benefit of inmates. In such a situation, insisting that rights must be respected may secure wardens' compliance but is likely to fuel resentment. It also does not build their understanding of why such respect is important. If, on the other hand, a human rights activists can explain how rights protection could benefit them, they are more likely to make a genuine effort to uphold rights. Buy-in would be facilitated when they understand that respect for rights would most likely improve the relationships with prisoners; result in less complaints from prisoners; make them feel more safe as wardens; and assist in the rehabilitation process of prisoners. The emphasis on communication and negotiation skills here is not to deny that taking a strong, confrontational stance may be necessary in certain instances of human rights work; rather, the point here is to highlight the importance of exploring different communication styles and building the capacity of human rights activists to engage with others about rights in various ways.

4. Problem-solving skills should be part of human rights education

Incorporating problem-solving skills in human rights education builds people's capacity to exercise their rights. This is particularly relevant in situations where the full realisation of rights is problematic due to structural constraints in the wider social, political, and economic context. The state has a specific responsibility to ensure the realisation of rights, but it is, in practice, often only able to do so to a limited extent for a variety of reasons (limited resources, limited capacity, lack of infrastructure.) Problem-solving skills enhance people's ability to assess whether there are any actions they can undertake on their own account, individually or within their communities, rather than relying solely on the state for the implementation of rights. They also enable people to identify obstacles that exist in their environment and to generate different options that can be employed to secure access to rights. Including problem-solving in human rights education thus enhances its empowering nature and transformative potential.

5. The notion of 'basic human needs' as understood in the conflict resolution field is useful to build understanding of rights.

In the human rights field, the concept of needs has been primarily considered in relation to socio-economic rights. Needs are primarily conceived of in terms of material and social goods such as food, shelter, clothing, medical care, and schooling. From a conflict resolution perspective, however, needs are understood in a broader sense, as relating to security, welfare, freedom, and identity. Needs do not only include tangible items such as protection and subsistence, but also aspects such as needs is relevant for human rights in that it highlights that each right helps to meet certain needs.[22] Introducing rights through 'basic human needs' helps participants to concretise human rights and relate them to social, political economic, and cultural concerns that matter to them. This is particularly useful in situations where people know of the existence of human rights, but have limited understanding of what rights entail; and in cases where rights are seen as abstract legal concepts with little bearing on people's lives. The conflict resolution understanding of human needs thus allows for human rights issues to be grounded in the experiences of participants, builds ownership, and assists in 'demystifying' human rights.

6. Raising rights indirectly may be a strategic way of getting participants to engage with human rights

We have found that it is at times more effective to raise human rights indirectly, through notions such as 'human dignity,' or, as indicated above, 'basic human needs,' rather than starting immediately with an explicit focus on human rights in education or training workshops. This is related to the perceptions people may hold about human rights. If rights are seen as abstract concepts, or if rights are perceived of as problematic or subversive, mentioning 'human rights' may cause people to 'shut off' or distance themselves from training and education. At times it is therefore useful to lay a foundation that audiences can easily relate to and do not consider threatening. Concepts such as needs and dignity are easily linked by participants to their own lives, context and culture, and may ensure that participants engage more substantially in training and education rather than dismissing human rights as

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[22] For a more detailed and comprehensive discussion of the relevance of the conflict resolution perspective of needs for the human rights field, see Parlevliet (2002): 16-19.

irrelevant or difficult. They thus provide a basis for talking about human rights in a way that helps participants grasp the meaning, value and relevance of rights.

It should be noted that this approach of raising rights indirectly is not meant to diffuse or silence rights. It is a strategy to ensure continued and substantial involvement of the audience with human rights. As such, it is primarily relevant in the beginning phase of an education and training event; concepts such as human dignity and human needs are not meant to *replace* rights. Once people have worked on human dignity and/or human needs, it is much easier for them to grasp the notion of rights – the values they represent, the purposes they have, and their regulatory character. The introduction of human rights instruments is thus facilitated in this way: the rights in the instruments have come to life.

Conclusion

This paper has highlighted the relevance of conflict resolution for human rights education. It is clear that a conflict resolution approach to human rights education can hold significant benefits for trainers/educators and participants/learners alike. Such an approach sheds new light on educating people about their rights by explicitly acknowledging the conflictual nature of human rights and underlining the importance of good process, the development of skills, exploring people's interests, and contextualising rights. Its emphasis on dialogue, communication, and participation, moreover, brings the relationship component of human rights to the fore. Rights do not only relate to structural conditions in society (as embedded in division of power, resources, and opportunities amongst individuals and groups), but also to how people interact with one another, how groups are treated, and how the state deals with its citizens. Approaching human rights education from a conflict resolution perspective facilitates a careful consideration of human rights in their various dimensions.

3. Challenges of Human Rights Education in South America

by Vera Maria Candau

Since the 1980s, projects in human rights education have proliferated in Latin America. In the field of school education, concern for this issue has been more recent but is progressively increasing by means of projects promoted by non-governmental organizations, with or without support from the government, as well as at the initiative of some – a few – local educational systems.

The objective of this study is to examine the genesis of human rights education on the continent and the challenges faced by this movement today.

The work is based on the following statement: the implantation of neoliberal policies on the continent on the economic, political, social and cultural levels, in the 1990s, challenges human rights education to develop new patterns in order to be able to provide significant answers to this reality.

The first part of the study analyzes the social, political and ideological context in which human rights education projects in Latin America emerged, who were the most important agents, its mobilizing "passion" and its underlying utopia. The second part of the work is dedicated to a brief analysis of the current hegemonic project – neoliberalism – and its effects on questions of human rights and education. The final part will present some of the major challenges currently faced by human rights education in the region, from the point of view of the education of social and cultural agents who seek to build democracy and a fully developed citizenship.

The Genesis of Human Rights Education in Latin America

The development of human rights education in the different countries of the continent has taken many forms and several distinct patterns of evolution, always strongly linked to the political and social processes prevailing in the different contexts.

Specialists in this field are unanimous in affirming that this concern rises from the need to redefine the forms of action of non-governmental human rights movements and organizations after the collapse of the dictatorial regimes and the installation of processes of (re)democratization in various parts of the continent.

There is no doubt that the struggle for human rights in Latin America has been a formidable task in recent decades. Violations of human rights have increased dramatically. There were many victims and, in many cases, the recovery of memory, the recognition of the crimes committed in the name of the State and the overcoming of impunity remain issues that have not been confronted with the courage and the political will to make justice.

Nonetheless, beginning in the 1980s, human rights movements and organizations, without turning their back on the denouncement of violations that have taken place and the promotion of actions in protection and defense of such rights, widened their horizon of concerns and the social spaces in which they act. Alongside problems considered to be traditional and basic, relating to civil and political rights, questions such as social, economic and cultural rights started to receive emphasis, individually and collectively. From this moment on, activities related to the promotion of and education in human rights acquired special relevance.

Basombrio (1992), a researcher who made a comprehensive work of recording and analyzing the struggle for human rights education in recent years in several Latin American countries, thus summarizes the process that took place:

> *"Human rights education in Latin America constitutes a recent practice. This space where popular educators and human rights militants interact started to develop at the same time as the end of the worst moments of political repression in Latin America and reached a certain level of systemization in the second half of the 1980s"* (p.33).

Two mobilizing aspects stand out in this historic process: the links between groups promoting popular education and those in favor of human rights; and the stimulating and catalytic effect of some international organizations.

With regard to the former, it is important to note that, for many years, organizations concerned with popular education and those supporting human rights evolved independently and with hardly any institutional relations. However, especially during the 1980s, interactions began to multiply, producing a mutual fertilization which was one of the most significant expressions of the support for human rights education activities. (Sime, 94)

With regard to the role of international organizations, the ones with the greatest influence on the development of human rights education on the continent are: UNESCO, the Inter-American Institute for Human Rights (Costa Rica), the Education for Peace and Human Rights Network of the CEAAL (Consejo de Educación de Adultos de América Latina) [Latin America Council for Adult Education] and the NOVIB platform (Dutch international cooperation and development organization).

Experiences with human rights education have been conducted throughout the region. The information available shows that the majority was made in a non-formal educational setting, an aspect traditionally emphasized by popular education. However, the concern for school processes has slowly affirmed itself and some institutions, in countries such as Peru, Chile, Mexico, Uruguay and Brazil, have developed many creative activities in this area.

These projects have some common elements but also use different mindsets, methodologies and materials. One of the greatest challenges has been continuity. When conducted in partnership with the State, changes in public administrators generally lead to the interruption of works in progress. In the case of independent projects, these are usually financed by international agencies and there is a continuous effort to attract the necessary funds.

Nonetheless, one can state that the groups working in this field have a deep and militant conviction of the need to build, in daily life, a culture of human rights, to have a profound effect on people's thinking, to create new social practices and that education plays a fundamental role in order to achieve this goal. Education for citizenship and democracy is a non-negotiable objective and this concern necessarily includes the theoretical and practical affirmation of human rights.

According to Sime (1994)

> *"Human rights education was born with an inheritance, from popular education, of an explicit vocation to build a historic project, a mobilizing will defined by an option in favor of structural change and commitment to the people. This aspect will mark differences with neutral approaches to education as well as with those that do not share such values.*
>
> *This option attracted a great part of the ethical and political energy of that time that was shared by many sectors: to propose an alternative society and a way in which to build it.*

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However, this image of the project prevalent in the 1970s and 1980s is today subject to strong questioning. Very important changes occurred in the country and in the world, as well as in the field of education itself, that require a re-evaluation of the historical project.

Human rights education has provided and should continue to provide an important contribution to the re-evaluation of the historical project. Indeed, the question is: how to contribute to a project in which both society and the individual can define themselves in terms not only of what they are against but what they are for? Our identity is defined by that which we believe. As well as belief, what one does is also a factor in one's identity. There are different ways to support a project. We want to support a way of thinking that values strongly the practice of a belief that is neither dogmatic nor excluding. We have learned, from the differences in experiences in Latin America, that there is no single ideology, party, church, non-governmental organization or popular organization that is the owner of human rights, the sole representative of the people and the exclusive spokesman of the truth." (p. 88)

Today, at a time in which neoliberal hegemony is gaining strength on the continent, while perplexity and uncertainty proliferate, human rights education must be repositioned and we must identify the new challenges it must face.

Neoliberalism, Democracy and Human Rights

The result of the rapidity, profundity and nature of the transformations in recent years is a change dominated, on a world level, by a conservative point-of-view and mentality, cloaked in an air of modernity. This approach sees the global process as inevitable and homogenous, and is based on the hegemony of the neoliberal ideology that, since the crisis of the Keynesian model in the 1970s, has spread rapidly throughout the world. This way of thinking is based on the globalization and centrality of the market, the internationalization of economies and restructuring of production. This restructuring of productive forces uses science and technology as

the main form of production of goods and services, with tangible effects in the spheres of culture, social practices, power relations and the production of knowledge. The penetration and implementation of neoliberalism has varied across countries and regions. In Latin America, since the end of the 1980s, it has been spread throughout the continent by democratic governments, with the systematic and, in general, aggressive implementation of strict monetarist policies, with the support and approval of international financial bodies.

An important point is that this model sees differences in the distribution of wealth as necessary, despite the increase in social inequality, since this is a source of economic dynamism. This view is not explicitly stated but is easily accepted and serious social problems are tolerated as inevitable and inherent to the model.

Another dominant fundamental question for this approach is the highly selective role reserved for the State, especially with regard to regulations of any sort and to the control of the economy. The privatization of companies and services, particularly public services (health, telecommunications, education, roads, etc.), becomes fundamental. In short, one can say that a State that minimizes social expenditures and economic intervention is essential for neoliberalism.

In the second half of the 1990s, the impact on the Latin American continent of this ideology and the implementation of policies based on it is evident and efficient in terms of the introduction of structural change in productive, political and social systems, as well as in the cultural dimension, from the point of view of society's collective mentality. Neoliberalism has brought about a serious aggravation of social inequality and a new conception of the relations among market, State, democracy and society that has consequences from the standpoint of the exercise of citizenship and the practice of human rights. Therefore, I agree with those authors who say that neoliberal ideology has implanted itself deep within the common sense of Latin Americans and in a form that can be thus summarized: the market is idolized and functions as a social regulator; private enterprise is exalted and viewed as a model of quality and productive efficiency; there is a horror of hyperinflation; the consumption culture is stimulated and valued, generating a new kind of citizenship defined by the capacity to consume the symbolic and material goods produced by this new system. Societies that are highly discriminatory and excluding on the political, social and economic levels, such as those we live in today in Latin America, reinforced by the harsh implementation of neoliberal policies, become increasingly complex

environments for the development and strengthening of democracy. In reality, the democracy we live in is a façade, or what some authors denominate "low intensity" or delegatory democracies. These concern themselves almost exclusively with the periodic repetition of elections in accordance with the terms of the constitution of each country, without any other trace of democracy in the daily life of the people, and with a citizenship that is restricted, of "low intensity" (O'Donnell, 1993) and practically inexistent, especially with regard to the exercise of social and economic rights.

At the same time, however, progress has been made by some social movements that promote processes of democratization that seek to conquer a new ground for citizens, generating in society a movement to broaden the exercise of rights, from civil and political rights to economic, social and cultural ones. The socialization and incorporation within the sphere of responsibilities of the public sector of certain economic and social rights, such as health, education, social security, labor legislation, etc., with the intent of universalization, has been subject to intense conflict and fierce struggle in many Latin American countries.

Today, human rights education must be situated in this context of pervasive and profound transformation of production, mentalities and of the exercise of citizenship.

The Problem of Human Rights Education in Contemporary Latin America

In the first semester of 1999, the Inter-American Institute for Human Rights (IIDH - Costa Rica) began the development of a process aiming for an analysis of human rights education in Latin America during the 1990s. It was coordinated by the Chilean professor Abraham Magendzo, an educator with wide experience and scientific production in Latin America.

As part of this analysis, one researcher from each country was chosen to conduct a case study of his or her specific context. The countries taking part were Argentina, Chile, Peru, Brazil, Colombia, Guatemala and Mexico. After the conclusion of the national studies, these were forwarded to all the researchers and an IIDH seminar was held in Lima, Peru, during November 1999, to discuss and prepare the final summary of the process and to raise questions that were considered important for the development of human rights education from 2000 onwards. Next follows a brief presentation of the main issues discussed.

A first set of issues is related to the meaning of human rights education in the new political, social, economic and cultural environment, that is, in the transition from

modernity to post-modernity, in the context of weak or "low intensity" democracies and of neoliberal hegemony. We live in a context of the weakening of civil society, a growing social exclusion and the absence of a utopian ideal of social construction. On the other hand, in contrast to the 1980s when NGOs and progressive public administrators promoted most experiences in human rights education, the last decade has witnessed the pervasive entry of governments, usually of a conservative nature, into this field. Almost all Latin American countries now have legislation designed to promote human rights education and to insert it into the educational system. This new situation makes it important to analyze and discuss questions about human rights education and its goals.

To complicate this matter further, there is the problem of the multiple meanings of the expressions used. It is important not to let the expression human rights be substituted by others that are more ambiguous or that restrict human rights education to education in values, de-emphasizing its political nature. However, contemporary human rights education is open to multiple interpretations and the expression has "broadened" so much that within its meaning it has incorporated issues ranging from traffic education, consumer rights, gender and ethnic questions, environmental conservation to problems related to the international order and the survival of the planet It takes on so many dimensions as to lose specificity and a more articulated and unifying perspective, ending up by being reduced to a large "umbrella" under which can be placed many different things derived from many different viewpoints.

School culture and the possibility of human rights education in schools were the subject of heated debate. School culture is very often "fossilized", structured in such a monolithic and rigid way as to impede the penetration of the culture of human rights. For the most part, the only change is the introduction of certain content in the formal curriculum. Anything else is difficult, since the way in which school culture is conceived clashes, from the outset, with the culture of human rights.

The question of the range of meanings of human rights education permeated the discussion during the entire seminar, at the end of which a consensus was reached that three dimensions must be emphasized in today's world.

The first is concerned with the education for being "subjects of rights". Most Latin American citizens are not aware of having rights. Such consciousness is weak since people – partly due to the strong traces of paternalism and authoritarianism in Latin American culture – regard rights as gifts. An example of this attitude is the

expression "the boss is nice because he let me take a holiday" where the holiday becomes a question of "generosity" instead of a right. Human rights education must start by promoting the consciousness of being "subject of rights" on individual and collective levels, and being able to link ethical, social and political dimensions with concrete practice.

Another fundamental element in human rights education is to encourage empowerment, especially in the case of social agents that historically have wielded little power in society and, consequently, possess less capacity to influence decisions and collective processes. Empowerment begins by opening up possibilities, powers, the force every person has to be the subject of his or her own life and a social actor. Empowerment also has a collective dimension, working with social minorities, those who are marginalized and discriminated, supporting their organization and active participation in civil society.

The third element involves the processes of change and transformation necessary to build societies that are truly humane and democratic. One of the basic components of these processes is "education for never more", to recover historic memories and to shatter the culture of silence and impunity that remains present in our countries.

These three components – the education for being subjects of rights"" , the promotion of processes of empowerment and education for "never more" – make up the most important points of contemporary human rights education.

With regard to the instructional strategies used, these must be coherent with the above-mentioned objectives which presuppose the utilization of active and participative methodologies, as well as various means of communication. In the case of formal education, they require the construction of a different school culture, which goes beyond a purely frontal and expositive strategy, as well as the production of adequate materials that promote the interaction between the systematized knowledge of human rights and socially produced knowledge. Their fundamental reference should be reality and they should deal with the different dimensions of educational processes and daily life in schools, enabling the culture of human rights to permeate the educational process.

Therefore, the mentalities, attitudes, behaviors, organizational dynamics and daily practices of the different social actors and educational institutions must be transformed. It must also be emphasized that specific contexts require specific approaches. That is to say, one cannot work in the same way with universities,

primary or secondary schools, women's movements and others social movements, etc. However, the methodological approach must always give priority to active strategies that stimulate processes which link theory and practice, cognitive and affective elements, and involvement with concrete social practices.

It is easy to promote events, sporadic situations, and to introduce some themes related to human rights. The difficult task is to promote processes of education that work at a deep level and that stimulate the constitution of social actors, in the personal and the collective levels.

When should an event be considered as promoting human rights, in and out of school? What characteristics are required? Which methodological processes are most appropriate? These are important questions that we must constantly bear in mind.

Challenges and Prospects

The first fact to be faced in order to identify at least some of the major challenges facing human rights education in the new millennium in Latin America is the change in scenery.

Human rights education, as previously stated, was brought to the continent during the 1980s, at the same time as the period of (re)democratization, when there was an atmosphere of social mobilization as well as a strong belief in the possibility of social change and the construction of a democratic society, not only from the political viewpoint, but also in the social, economic and cultural areas. Those years were marked by struggle, a multitude of initiatives and hope. Initial experiences in human rights education can be positioned within this context. Today, the scene is different. The 1990s signified the consolidation of the neoliberal project in many dimensions of social life, since its impact was not limited to the re-structure of the productive sector. The decade ended in a strong economic recession, high rates of unemployment and exclusion, social apathy, increasing violence, disenchantment and the hegemony of the "end of history" ideology. The sentence "the future no longer has a future", sprayed by a group of youths on the walls of Rio de Janeiro, expresses the current climate in dramatic fashion. Within this context the discourse of human rights, part of today's international agenda, is used and repositioned in a new scenery.

One must also bear in mind that the new environment is not monolithic but divided by dialectical tensions within an asymmetrical correlation of forces.

With this new environment in mind, I shall stress some of the most important challenges to the development of human rights education experiences and projects.

1. Choosing from the different political and ideological references in human rights education

The discourse of human rights is currently marked by a strong multiplicity of meanings, as are, therefore, the ways in which to understand human rights education. Two main approaches of thought are more powerful today in Latin America.

The first tends to see the concern for human rights as a strategy to improve society within the existing model, without questioning this model. It emphasizes individual rights, ethical issues and civil and political rights, the latter with respect to participation in elections. Major themes include racial and gender discrimination, prejudice, violence, security, drugs, sexuality, childhood and adolescence rights, and the environment. The meaning of citizenship implies the training of productive and entrepreneurial subjects, as well as consumers. From the educational standpoint, the proposal is to incorporate questions relating to human rights in the school curriculum within a constructivist framework and from a transverse viewpoint, giving priority to the psycho-affective, interactive and experiential dimensions.

The second approach is based on a dialectical and counter-hegemonic approach, in which human rights are seen as means to build an alternative project of society that is inclusive, sustainable and plural. It emphasizes a collective citizenship, enabling the organization of civil society, supports the social actors committed to social transformation and promotes the empowerment of marginalized social and cultural groups. It affirms that political rights cannot be reduced to electoral rituals, often strongly influenced by big media and marketing strategies. The core of its concerns is the relationship among first, second and third generations of rights and the construction of a fourth generation of rights, that incorporates questions deriving from technological progress, globalization and multiculturalism. It accentuates the importance of social and economic rights for the very feasibility of civil and political rights. It emphasizes issues such as unemployment, structural violence, health, education, the distribution of land, concentration of wealth, external debt, social debt, cultural diversity, social security and ecology. It seeks to influence the social, cultural, affective, experiential and structural dimensions of the educational process from a

critical pedagogic approach and from the psycho-pedagogic standpoint, supports social and cultural constructivism.

In many cases, these two approaches are combined; they practically do not exist in a pure state. Nonetheless, it is important to identify the predominant approach in every proposal and, above all, to make clear choices with regard to the path to be followed. I consider this to be the greatest challenge to be faced in coming years.

2.The Need for Criteria that characterize the Specific Nature of the experiences on Human Rights Education

Experiences presenting themselves as human rights education projects can be found in a wide variety of projects and actions. They range from those characterized by an explicit reference to human rights and which work on themes, in theory and in practice, concerning that question in our context, to those that use the theme of human rights in discourse without reference to the relation between theory and practice. They also include actions intended to form critical and active social subjects, on the individual and collective levels, that promote a participative citizenship, but where the theme of human rights is implicit and is not handled in a systematic way. It is important to clarify the basic criteria that define with greater precision the scope of human rights education and the conditions for certain educational experiences to be considered as such.

3. The Risk of Fragmentation

Recent years have witnessed an enormous diversification of work in this area. Actions have become specialized. Different groups emphasize and seek to influence the educational components regarding certain questions: the rights of children, women, native peoples, blacks, AIDS, the handicapped, consumers, the environment, etc. On the one hand, this diversification enriches, but it can also lead to excessive fragmentation. It is important to promote links between these different groups, as well as to provide a general basis of theoretical and methodological support to specific actions.

4. The Tension between Partnership and Cooptation

Another very important question in today's world refers to the frequent partnerships between public agencies and social organizations, especially NGOs. On the one hand, public policies must incorporate different social agents because of the latter's public functions. However, this incorporation should not occur only at the execution stage of plans and projects. It should happen, in ample fashion, from the beginning, so that actors belonging to different tendencies can intervene, not merely by participation in formal rituals, but as effective co-authors, which only rarely happens. In many cases, such partnerships are reduced to transforming social organizations into an executive arm of the State, which transfers some aspects of policy management to them. In such cases, the work of the NGOs, which are characterized by their autonomy with regard to the State – permitting them to become a critical and pro-active force – becomes strongly conditioned. The capacity to distinguish between cooptation and partnership and to reflect collectively about the conditions of each one of them constitutes a very significant challenge today.

5. Human Rights and Teacher's Education

The introduction of the issue of human rights in the teachers and educators training as a whole has been timid. Only a few organizations work this question in systematic fashion. However, this issue takes on urgency if we desire to collaborate in the construction of a culture of human rights that penetrates the various social practices. The search for strategies in this field is of fundamental importance.

From this perspective, the role of educators cannot be seen solely as being mere technicians, instructors, responsible only for the teaching of a certain content and for functions of normalization and discipline. They should be seen as citizens, capable of mobilizing personal and collective processes in the social and cultural fields. Only within such a framework can they be promoters of human rights education.

Human rights education has already blazed a path across the Latin American continent. Today's challenge is to move forward while maintaining harmony with its founding passion: the historical commitment to structural change as a way to achieve an inclusive society and giving place to popular sectors as central social agents in this context. These options constituted – and I believe still constitute – its main source of political and ethical energy.

I conclude this brief presentation with these words of Salvat:

"To us, human rights appear as an utopia to promote and organize a variety of levels and spaces in society. As such, they take on the role of an ethical and political reference, for use in criticism and guidance (real and symbolic) with regard to different social practices (legal, economic, educational, etc.) in the never-ending struggle for a social order that is more just and freer.

As such, they are seen as paradigmatic, that is, as a model and/or approach from which we can read our history and future as a nation." (In. Magendzo, 1994, p.164)

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4. Human Rights Education in Germany

By Nils Rosemann

To be handed in

II. Theoretical and general aspects of Human Rights Education

1. How to define Human Rights Education ? - A complex answer to a simple question

By Nancy Flowers

Introduction

For more than fifty years the Universal Declaration of Human Rights (UDHR) has charged "every individual and every organ of society" to "strive by teaching and education to promote respect for these rights and freedom." Since 1994 the UN Decade for Human Rights Education (Human Rights Education) has urged all UN members to promote "training, dissemination and information efforts aimed at the building of a universal culture of human rights."[23]   Yet human rights educators themselves still struggle with how to define what they do.

Perhaps a definition is elusive because today such a variety and quantity of activity is taking place in the name of Human Rights Education . Since the founding of the United Nations, the concern for and practice of Human Rights Education has increased exponentially, especially since the end of the so-called "cold war." For example, twenty years ago Amnesty International's only Human Rights Education initiative was a so-called Human Rights Education Clearing House, run by a few dedicated volunteers around a kitchen table in Hamburg, Germany. Today Amnesty's International Secretariat in London has a Human Rights Education team that coordinates a network of Human Rights Education staff and volunteers in national sections around the world. In the last twenty years a wealth of Human Rights Education resources have been created to serve people from nursery school children to judges, health professionals, social workers, and police. The once isolated Human Rights Education "pioneers" now enjoy a growing community of

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[23] United Nations, *The UN Decade for Human Rights Education, 1995-2004: Lessons for Life* (Geneva: Office of the High Commissioner for Human Rights, 1998) 3.

colleagues and can benefit from years of practical experience of Human Rights Education in every part of the world

But educators and activists continue to puzzle over how to define Human Rights Education . For example, in January of 2002 Shulamith Koenig of the People's Decade for Human Rights Education (PDHRE) posted a definition of Human Rights Education on the listserv of Human Rights Education Associates[24] and invited reactions. The lively electronic debate that resulted on this listserv, which reaches more than three thousand human rights educators around the world, illustrates the strikingly different ways Human Rights Education is conceived and practiced today. Yet although this discourse has helped to refine vital questions about Human Rights Education (e.g., are rights free or are they contingent on fulfillment of attendant responsibilities?), no consensus definition has yet emerged.

Nor do I think it will. Human rights education lacks not only a clear definition, but also an agreed theoretical basis, and we are unlikely to have the one without the other. Furthermore, Human Rights Education rest on a logically fallible basis of faith, requiring that we accept its value as self-evident.

However, not knowing precisely what Human Rights Education is does not condemn the field to a fatal vagueness. Such open-endedness may, in fact, indicate an essential quality about human rights education and human rights itself. Indeed, this very fluidity may be the source of much of the inspirational and creative force behind Human Rights Education .

Part I: The problem of conflicting definitions

The first problem for defining Human Rights Education is that we have too many definitions, not mutually exclusive, but subtly different in their formulation of goals and principles. Most attempts to define Human Rights Education have been made by three distinct groupings:

    A. governmental bodies, including intergovernmental organizations (IGOs), UN agencies, and UN-sponsored conferences;

    B. nongovernmental organizations (NGOs); and

    C. academics and educational thinkers.

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[24] www.hrea.org.

Although these definitions and the people who developed them overlap in many ways, the differences in their perspectives illustrate critical differences in the way Human Rights Education is conceived.

A. Definitions by governmental bodies

There is no lack of official definitions of Human Rights Education contained in the statements of governmental bodies, and the evolution of these formal definitions provides a highly instructive distillation of the way human rights discourse has changed in half a century.[25] Like other aspects of human rights law and practice, initial statements about Human Rights Education , as in the UN Charter and UDHR, were inspiring but bland generalizations (e.g., "promoting and encouraging respect for human rights…"), However, over the last fifty years these statements have moved toward ever more nuanced articulations of what "respect for human rights" and "teaching and education" really means, as well as what the content and methodologies of Human Rights Education should be.

Governmental definitions are chiefly characterized by their devotion to goals and outcomes, especially those that preserve order and the state itself. In their adherence to legal documents they can be said to stress the "rights" aspect of Human Rights Education . Not surprisingly, the formulators of these definitions are usually diplomats and legal experts for whom education is usually auxiliary and popular education totally unfamiliar.

1.   Governmental definitions emphasize the role of Human Rights Education to create peace, continuity, and social order and oppose socially disruptive behaviors and attitudes. Therefore words like *peace, democracy, development, tolerance,* and *social justice* are repetitive in their statements.

E.g., The 1974 UNESCO Recommendation Concerning Human Rights Education speaks of :

•   promoting   "International understanding," "cooperation," and   "attitudes of tolerance, respect and solidarity";

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[25] *For a summary of these changes see Upendra Baxi's,* "Human Rights Education the Promise of the Third Millenium,*" in Human Rights Education for the 21st Century* (Philadelphia: Univ. of Pennsylvania, 1997) 142. See also the analysis by Claire Thomas and Anna Henry, *Human Rights Standards and Education in Human Rights,* Index: Pol 32/04/96 (London: Amnesty International, 1996).

- building "awareness about relationships between HR and development and peace."

E.g., The 1985 Council of Europe Recommendation R on "Teaching and Learning about Human Rights in Schools" –

- encourages affirmation of "democratic principles," "pluralistic democracy, tolerance, equality of opportunity," and "non-violent resolution of conflict'"

- opposes "xenophobic attitudes, terrorism, racism, bias, stereotypes, discrimination."

E.g., The 1993 Declaration of the World Conference on Human Rights –

> ... *considers human rights education essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance, and peace. (Paragraph 78)*

2.   Governmental definitions stress learning about international and regional instruments, the product of negotiations among states and intergovernmental institutions and meetings that bring states together. For example, the 1993 Declaration of the World Conference on Human Rights states –

> *Human Rights Education should include peace, democracy, development and social justice, as set forth in international and regional human rights instruments, in order to achieve common understandings and awareness with a view to strengthening commitment to human rights. (Paragraph 80)*

Some governmental statements about Human Rights Education seem to limit human rights and fundamental freedoms to only those defined in the UN Charter, UDHR, and Covenants (in particular the UNESCO Recommendation Concerning Human Rights Education of 1974, which was reaffirmed in 1978, 1991 and 1992). However, most governmental statements are not so constraining and do recognize the full range of rights embodied in the corpus of international, regional, and national rights documents.

3.   Governmental definitions increasingly indicate that it is the responsibility of governments to see that Human Rights Education is accomplished properly.

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For example, Article 25 of the African Charter of 1981 is especially clear on this point:

> *States Parties of the Present Charter shall have the duty to promote and ensure through teaching, education and publication, the respect of the rights and freedoms contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood.*

This responsibility or "duty" obviously implies that the state assumes control of the way this "teaching, education and publication" is conducted, interprets the "rights and freedoms" to be learned, and can manipulate the outcome of this education to its own ends.

Among these definitions endorsed and promulgated by states, that are laid out in the Proclamation of the UN Decade for Human Rights Education , 1994, along with its Plan of Action, is certainly the most comprehensive. It marks a new, broader understanding of Human Rights Education goals, widening the conception of Human Rights Education to speak of a "universal culture of human rights," which includes "the full development of the human personality and the sense of its dignity" and a strong statement on gender equality.

This definition of the Decade for Human Rights Education is forward-looking in its challenge to understand just what the "full development" and "sense of its dignity" implies, and its recognition of the interdependence and "mutually reinforcing nature of democracy, development and human rights." However, for all its creative suggestiveness, the Plan of Action for the Decade remains focused on outcomes. Like other governmental definitions, it suggests that the value of Human Rights Education lies in its strategic instrumentality for social good.

B. Definitions by NGO`s

Definitions formulated by NGOs emphasize outcomes as strongly as those formulated by governmental bodies. But, as might be expected, NGOs seek quite different outcomes for Human Rights Education . They challenge the prerogative of governments to define "social good" and determine the goals of Human Rights Education . Where government-endorsed Human Rights Education efforts tend to be

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preservative, those of NGOs are transformative, regarding Human Rights Education as a tool for social change: to limit state power, to protect people from state power, and in some cases, to enable people to seize state power. In their zeal to bring Human Rights Education to diverse populations, NGO activists, even more than the academics, are committed to the "education" aspect of Human Rights Education .

1. Definitions formulated by NGOs emphasize violations, stressing the potential of Human Rights Education to enable vulnerable groups to protect themselves, and challenge their oppressors. Their definitions reiterate words *like power, empowerment, conflict, protect, defend, oppressed and oppressor, victims, violations.*

For example, the International Secretariat of Amnesty International issued a position paper on Human Rights Education in 1987 that gives this definition of Human Rights Education :

> *Adequate protection of human rights depends on the individuals concerned about knowing what their rights are.*
> *......Education should also include teaching people how to defend their rights. If human rights awareness is successfully instilled into a society, this can help to prevent violations. Human Rights Education is therefore a useful shield from human rights abuse.*[26]

2. To this focus on opposition to and protection from abuse, many more radical grassroots NGOs add an additional emphasis on education as a means for claiming, or even demanding, rights that have historically been denied. Their tone is often adversarial, confronting power with a combination of rights knowledge, analytical skills, and political activism. For example, the following language defining human rights education comes from a 1992 training of trainers workshop in human rights in South Asia:

> *[In human rights education]...People are made the subject of their own development in a self-reliant way. ..The groups of the poor analyse their own local situation and problems and try*

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[26] Amnesty International, *Human Rights Education: Amnesty International's Position* Index: Pol 32/03/8 (London: Amnesty International, 1987).

to discover their root causes. They plan and decide for themselves what they can do ... . By discussion and analysis they become aware of their rights, especially the goods and services they should be getting from the Government. Through their limited power they may institute pressure actions for obtaining what is due to them.

...But social injustices are much more complex and difficult to understand and see where the injustice lies. They require social analysis, which is the main tool in both development and social justice work to discover violations of human rights.[27]

Often these more radical statements arise from Human Rights Education efforts conducted in situations of social unrest and systematic rights abuses. For example, *Human Rights for All*, a textbook developed in South Africa in 1991, clearly anticipates a crisis about to happen and emphasizes the need for Human Rights Education to facilitate that transition and prevent conflict:

[Human Rights Education] ... will help people to use non-violent ways to solve human rights problems. ...We will try to provide a better understanding of which human rights issues concern all of us, and what governments and people can do to prevent abuses from taking place. We will look at how to solve human rights problems so that they are less likely to happen again.[28]

By contrast, this 1994 definition from the Philippines reflects the experience of revolution that country had just lived through in the 1980s:

... what is thus, needed is to raise the victims' and the probable victims' consciousness to enable them to critically

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[27] Richard W. Timm, *Training of Trainers in Human Rights* (Bangladesh: South Asian Forum for Human Rights, 1992) 6.

[28] David McQuoid-Mason, Edward L. O'Brien, Eleanor Greene, *Human Rights for All: Education toward a Rights Culture* (Kenwyn, South Africa: Juta & Co., 1991) 7.

examine whatever is mediated to them as the natural way of interpreting their world of experience. It is when the powerless are given the opportunity to reflect on their own thoughts and when their objective condition becomes the content of their study that they are able to liberate their thoughts from undue influence of the ruling power. ...This is every human rights educator's formidable task.[29]

Such NGO conceptions of Human Rights Education underscore its powerful role in the creation of a popular revolution like that of the Philippines, which continue to provide some of the most important models for grassroots Human Rights Education .

3. Definitions of Human Rights Education used by many NGOs stress learning to analyze and eliminate the conditions that lead to negative forces, such as poverty, systematic inequalities of power and opportunities. The revolutionary pedagogy of Paolo Freire is evident in this emphasis on analysis and critical examination leading to awareness. The preceding three definitions echo this Freirian influence as does the definition of Shulamith Koenig in her 2002 New Year's challenge on the HREA listserv:

Human rights education... is a process of learning that evokes critical thinking and systemic analysis, with a gender perspective, with the learners...-- women and men learning to analyze their situations within a holistic framework of human rights about political, civil, economic, social and cultural concern relevant to the learners lives..-- to result in a sense of ownership of human rights...-- leading to equal participation in the decision that determine our lives and taking actions to claim them.[30]

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[29] Amnesty International–Education for Freedom, *Shopping List of Techniques in Teaching Human Rights* (Quezon City: Amnesty International-Philippine Section, 1994) 17.

[30] Shulamith Koenig, on the Human Rights Education Associates Listserv, www.hrea.org, 1 January 2002.

Understandably this aspect of Human Rights Education is almost entirely absent from pronouncements by governments. Governments necessarily look to their own interests, which start with staying in power, even at the cost of sharing power. They may call for progress and implement moderate improvement, but only a radically new government endorses radical change. This difference constitutes a major division in conceptions of Human Rights Education .

4. NGOs are often ahead of governments in recognizing the growing importance of nonstate actors and resulting new models of power, as well as responding to the erosion of state sovereignty in an increasingly globalized world. Furthermore, they value human rights as the only consideration that ever trumps national sovereignty. Thus, for many NGOs, the goal of rights education is social change, not only through influencing governments but increasingly to influence other sources of power such as transnational business and nonstate actors. Take, for example, this definition from the Center for Human Rights Education (CHRE) of Atlanta, Georgia, an organization that educates principally on social, economic and cultural rights, or the lack thereof, in the USA:

> *Through Human Rights Education we can create change.*
> *We can exercise democratic control over corporations, the*
> *media and our governments by making sure our voices are*
> *heard when we speak of values common to all of us.[31]*

5.This statement serves to illustrate the huge aspirational burden of hope that is vested in Human Rights Education , especially by the NGO community, but also a potential danger for Human Rights Education . On the one hand, it speaks with a kind of missionary zeal to bring the good news of human rights to everyone and make it real in their lives. This kind of Human Rights Education – as suggested by the title of CHRE's report, "Bringing Human Rights Home" – is largely about helping people perceive the human rights context of their daily life.

Creating this link between human rights and human circumstances is a critical part of Human Rights Education , especially in countries like the United States, where the

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[31] National Center for Human Rights Education, *Bringing Human Rights Home: Linking Individual Dignity with Mutual Destiny: 1996-2000* Report of the National Center for Human Rights Education (Atlanta: National Center for Human Rights Education, 2000) 3.

NGO community conducts most Human Rights Education because the formal education establishment has yet to recognize it as a priority. Although public schools in the USA provide a good grounding in the national Constitution and Bill of Rights, a recent study showed that 93% of people in the USA have never heard of the UDHR.[32] What most people consider "their rights" are limited to the civil and political rights guaranteed by the US Constitution.

On the other hand, a definition of Human Rights Education that promises "democratic control over corporations, the media and our governments" seems to promise more than it can produce. We cannot have world peace or achieve equality without human rights, but to claim that Human Rights Education can lead to controlling corporations is to court disillusionment as much as the promise of some governmental organizations that Human Rights Education leads to world peace or builds democratic institutions. To be sure, human rights education promotes these benefits, but another problem of defining Human Rights Education by its outcomes is balancing the inspirational and motivational with what is practical and achievable, the ideal with the real. Human Rights Education must, of course, do both.

C. Definitions by educationalists

1.   Unlike the definitions of states and NGOs, the writings of academics and educational thinkers tend to shift the emphasis from outcomes to the values that create and inform those outcomes. In general, their recommendations for content and methodology are based on conceptions of Human Rights Education as an ethical framework for universal application. Their definitions emphasize words like *principles, norms, standards, values, and moral choices*. While these formulations are careful to stress that human rights principles must be understood, integrated, and expressed by the learners without coercion, it is clear that most of these thinkers regard human rights as a self-evident value system that arises from human need and applies to all humanity. Indeed, for this group, it is the "human" in Human Rights Education that matters most. While this group has a much more reflective and scholarly approach, it usually lacks the experience in political realities of the diplomats and legal experts or the rough and tumble "street smarts" of the activists.

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[32] Human Rights USA, *Report Card on Human Rights in the USA* (Washington, DC: Peter D. Hart Research Associates, Inc. for Human Rights USA, 1997).

Typical of these is Betty Reardon's definition in her seminal book *Educating for Human Dignity*, 1995:

> *The human rights education framework is intended as social education based on principles and standards ... to cultivate the capacities to make moral choices, take principled positions on issues, and devise democratic courses of citizen action – in other words, to develop moral and intellectual integrity. We hold that the vitality of democracy rests on the ability of citizens to exercise the responsibilities for citizenship in the light of principled reflection.[33]*

Similar is the definition used in the curriculum developed by the Centro de Recursos Educativos in 1992:

> *To educate for and about human rights is without doubt to educate for values. It is precisely in the universality of human rights that we can confirm an education in values that does not, on the one hand, lead to the realization of the values or, on the other hand, to a cultural and local decontextualization.[34]*

J. Paul Martin, Director of the Columbia University Center for the Study of Human Rights, writes:

> *More than most other forms of education, human rights education focuses on norms and values, both of which vary from society to society, often also from religion to religion and culture to culture within a given society. Human rights are evolving in a world, which has come to realize that common standards are necessary if we are to live together with a reasonable degree of peace and assure justice and fairness*

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[33] Betty A. Reardon, *Educating for Human Dignity: Learning about Rights and Responsibilities* (Philadelphia: Univ. of Pennsylvania, 1997) 3.

[34] Centro de Recursos Educativos, *Human Rights Education Curriculum* (San José, Costa Rica: Centro de Recursos Educativos, 1992), 7.

> *for those without power and especially those subject to persecution.[35]*

Whereas most governmental definitions refer to "responsibilities", some of these more abstract definitions refer explicitly to "moral duty" and "moral action", the essence of ethics. For example, Joel Spring states in the *Wheels in the Head: Educational Philosophies of Authority, Freedom and Culture (from Socrates to Human Rights):*

For human rights education, this means that students should be taught that they have a moral duty to ensure that there exists the necessary conditions for human activity so that all people can exercise their rights. Human rights in this context becomes the focus of "moral action."[36]

In a contribution to the HREA electronic discussion on defining Human Rights Education, Adam Stone, an educator and attorney, effectively sums up this point of view:

To me, transformative, systematic Human Rights Education is any thoughtful, searching discussion among teachers of what it means to be human and to interact responsibility with our fellow human beings and our planet.[37]

Some of these definitions fall over an already blurred edge, ceasing to be about human rights in either context or content and generally becoming about ethical behavior. Is human rights an ethic? Can the value system the HR system embodied exist along side community religious and cultural values? In a 1998 article David Weissbrodt and Teresa O`Toole describe international human rights as the first univeral ideology. Some of these academic definitions seem to regard Human Rights Education as the first ideological education.

2.   Like NGO definitions, these definitions from educationalists are also greatly influenced by Freirian thinking, as reflected in this definition by David Shiman, who is emphatic that while Human Rights Education must present values, learners themselves have the responsibility for their own choices and actions:

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[35] J. Paul Martin, Self-Help Human Rights Education Handbook (New York: Center for the Study of Human Rights, Columbia University 1998).

[36] Joel Spring, Wheels in the Head: Educational Philosophies of Authority, Freedom and Culture from Socrates to Human Rights (Boston: McGraw Hill, 1999) 162.

[37] Adam Stone, on the Human Rights Education Associates Listserv, www.hrea.org, 1 February 2002.

Human rights education should help students develop values that are rooted in a human conception of justice and equality. Students must choose for themselves the values by which to live and principles upon which to act, but we can help them to develop an understanding and an appreciation of our values and principles as they identity and clarify their own. Finally we can challenge students to determine which, if any, human rights issues they care about and what, of anything, they will do to translate their concerns into action.[38]

3.   Educational professionals in the formal sector are especially concerned about where to locate Human Rights Education in relation to other forms of education already established in the curriculum, such as development education, peace education, character education, global education, or citizenship education. Most feel that human rights is integral to these other forms of education. Betty Reardon has stated, for example, that "Human Rights Education is as fundamental and constitutive to peace education as human rights are to peace."[39]

However, most educators remain unclear as to whether one subject subsumes the other.

For example, in seeking to differentiate between citizenship education and Human Rights Education, Lynn Davis suggests that in many situations the two are synonymous, citing Council of Europe research and the Plan of Action for the UN decade for Human Rights Education. Citizenship education is distinguished by being more concerned with the historical, political and economic realities of a specific country, while Human Rights Education puts similar knowledge, values and skills in an international context.[40]

However, Davis points out that in the new guidelines for British schools, Human Rights Education in Schools, Education for Citizenship and The Teaching of Democracy in Schools, Human Rights Education   is clearly subordinate to Citizenship Education. Rather than serving as a basis for developing shared values

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[38] David Shimann, Teaching Human Rights (Denver: Center for Teaching International Relations, 1999), 2.

[39] Reardon, 4.

[40] Lynn, Davis, Citizenship Education and Human Rights Education: Key Concepts and Debates, London: The Britisc Council 2000, 15.

in a democratic, pluralistic society, human right is relegated to a list of "key concepts" in citizenship.

The same subordination of Human Rights Education exists in US school standards, as reflected in the Expectations for Excellence: Curriculum Standards for Social Studies issued by the National Council for the Social Studies. In these influential but noncompulsory standards, learning about human rights is relative ly low on the list of many cognitive areas recommended for instilling, "the ideals, principles, and practices of citizenship in a democratic republic." Specifically learners should be able to:

> *IX.e. analyze the relationships and tensions between national sovereignty and global interests, in such matters as territory, economic development, nuclear and other weapons, use of natural resources and human rights concerns;*
>
> *X.f. analyze or formulate policy statements demonstrating an understanding of concerns, standards, issues, and conflicts related to universal human rights;[41]*

Formal education must always accommodate itself to the state institutions and policies that give it "form." One part of the problem is that in most parts of the world Human Rights Education is still a new discipline, and as such must yield to subject areas long established in the curriculum. Citizenship education, for example, has a long tradition in most countries and can claim an unquestioned niche in teacher training, in the curriculum, and even in youth and religious groups. If Human Rights Education is truly important, it is only a matter of time before it will be coequal with citizenship education. Indeed, I am convinced that Human Rights Education will eventually become the context that unites and subsumes these other disciplines.

In summary, the academics seem to know what Human Rights Education should do but not what to do with it, and their definitions of Human Rights Education are polarized, erring on the one hand into soaring idealism and on the other into a constrained accommodation to the status quo.

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[41] National Council for the Social Studies, *Expectations of Excellence: Curriculum Standards for Social Studies* (Washington, DC: National Council for the Social Studies, 1994).

Part II: The problem of theory

In search of theory

In the late 80s, when new opportunities for Human Rights Education opened in the former Soviet Union and neighboring states, I was repeatedly confronted with a challenging question. As a professor from Moscow Pedagogical University reminded me, Lenin had declared, "Without a revolutionary theory, there can be no revolutionary movement."[42] So, what was the theoretical basis for Human Rights Education ? The questions was instinctive in a society where theoretical ideology was a part of basic schooling, but coming from a pragmatic, activist background, I felt at a loss. I could explain human rights theory and the thinking behind interactive methodology, but I could not readily articulate any systematic theory that informed my work. However, such questions spurred me to search out these illusive theoretical roots.

At first all evidence pointed to Paulo Freire. Already in the 1980s his revolutionary pedagogy was changing the way both educators and activists thought about the nature of learning and social change, the power dynamic between teacher and learner, and the importance of consciousness and critical analysis of one's own reality. His thinking has profoundly influenced the development of Human Rights Education , even if his revolutionary language was too strong for most ministries of education.

Today, even conservative bureaucrats use Freirian language like the "banking concept of education" and "critical consciousness" without qualification. I imagine the old revolutionary would be amused to hear his language and ideas echoed in official UN documents, as, for example, in one of the guiding principles of the Decade for Human Rights Education :

> *Human Rights Education for the Decade 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*

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[42] Vladimir Lenin, "What is to be Done," *Essential Works of Lenin*, Henry M. Christman, ed. (New York 1966) 69.

political conditions," one of the guiding principles of the Decade for Human Rights Education .[43]

However, no matter how much Human Rights Education has gained from Freire in terms of methodological vision, his pedagogy is insufficient to form a theoretical foundation for Human Rights Education . Our charge is "to strive by teaching and education to promote respect for these rights and freedoms" – a broader challenge that encompasses all peoples of the globe in a common set of norms and standards. In fact, I think Freire would reject the ideas of universal norms and standard altogether, along with most definitions of Human Rights Education , as too "top-down." Despite the inspiration of his vision of learning as empowerment and his respect for the experience and knowledge of the learner, Freire alone does not provide an adequate theory for Human Rights Education

From practice to theory

Having failed to discover a developed theoretical basis for Human Rights Education , I reasoned that implicit theory might be derived from examining the burgeoning practice of Human Rights Education itself. I thus set about interviewing practitioners from every part of the world, asking not only what they did but also why they did it. Most of these people are "doers," people whose lives are dedicated to action. Consequently few have had the leisure or inclination to write about their work; yet when asked, almost all provided clearly defined conceptual bases for Human Rights Education . However, the complexity and contradictory nature of their responses have revealed few easy points of theoretical agreement. Although I initially planned only a few dozen interviews, now after more than fifty completed interviews I am still collecting!

Consequently, I cannot yet offer any final conclusions from this work in progress. But while Human Rights Education theory remains elusive, these experienced practitioners were in agreement on some key points about what Human Rights Education is and is not:

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[43] UN Doc. A/51/506/Add.1, Appendix.

1.Human Rights Education must be explicitly grounded in human rights principles as expressed in the UN Charter, UDHR, and subsequent human rights documents. Human Rights Education differs from moral education, citizenship education, or other related educational endeavors precisely because it takes its authority and its relevance from these universal values.

2.The methods used to teach human rights must be consistent with human rights values, respecting individual and cultural differences while affirming universal principles.

3.Human Rights Education must be more than knowledge about human rights documents. It must involve the whole person and address skills and attitudes as well.

4.Human Rights Education must lead to action, both in individual lives and in the local and global communities.

These interviews have also revealed some common qualities about human rights educators themselves:

a)   They value Human Rights Education for its ethical principles. Most of these educators came from a distinct religious tradition or political ideology, whether Buddhist, Christian, Jewish, Muslim, or Marxist, and for many of them HR principles have replaced, augmented, or transcended their original beliefs. Some value the inherent lack of hierarchy or authority system. Some value its universal application.

b)   They invest tremendous hope in Human Rights Education to unite all people to make a better world, a kind of nontheistic gospel of earthly values, devoid of metaphysics or deity.

c)   They use Human Rights Education as a social tool for social change in their own communities, whether they work with school children or oppressed minorities, on the margins or in the mainstream.

d)   They emphasize the importance of personal transformation. Almost all regard intellectual learning as only a part of what Human Rights Education should accomplish. They aim at the heart as well as the head, their own hearts and heads as well as those of the people with whom they work.

These may seem idealistic conceptions of Human Rights Education , but they come from very practical people, many of whom are working with minimal resources in situations of personal danger.

Part III: The problem of faith

These interviews with Human Rights Education practitioners have revealed a further difficulty in defining Human Rights Education : however different their situations, these educators are united in believing the meaning and value of Human Rights Education to be self-evident, even as human rights principles are self-evident. This is an obvious tautology, for the self-evidence of human rights relies on believing in them.

There is strong historical precedent for this logically indefensible position. Most of the early rights statements derived from the European Enlightenment claim that rights are self-evident and will be recognized by rational people as such. For example, the US Declaration of Independence of 1776 begins: "We hold these truths to be self-evident that all men are created equal and ...endowed by their Creator with certain inalienable rights." Almost two centuries later the Preamble to the UDHR makes a very similar claim for self-evidence: "Whereas recognition of the inherent integrity and of equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world," with whereas carrying the weight of "it being the fact that." Asked about the philosophic justification for human rights, Jacques Maritain, one of the drafters of the UDHR admitted, "We agree on the rights on the condition that no one ask us why."[44]

Logically it would seem that to support human rights and to strive to educate about them, we need to know why we do so. Yet there seem to be no uncontested philosophical foundations for human rights other than that of equal concern and respect for all human beings. This principle is not necessary; it is contingent and constructed.[45] Do we then educate for and about human rights only on the strength of our feelings and the courage of our convictions?

The answer and the problem is "yes," we do. It is our nature as human beings to seek to understand our world. And just as instinctively, we imagine how it could and should be. The resulting tension between the real and the ideal is the source of all humor, all activism, and all hope.

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[44] Jacques Maritain, quoted by Lynn Hunt, "The Novel and the Origins of Human Rights," Presidential Lecture Series, Stanford University, 8 April 2002.
[45] Michael Freeman, "The Philosophical Foundations of Human Rights, " *Human Rights Quarterly 16.* (1994) 514.

I think all human rights educators want to make a better world and find in human rights both a vision and a language to express that aspiration. They are drawn to the vision of principles that can unite all people. For them human rights is a belief system that requires neither metaphysics, conversion, nor loss of individual identity, but yet appeals to their highest ideals and promises both personal and social transformation. Like many aspects of our lives, I think we accept the human rights vision on faith alone. Like love, we respond to it from deep parts of ourselves that defy analysis. Like love, and many other acts based on feeling and intuition, we may, after the fact, construct scaffolds of practicality and superstructures of logic and legality, but the foundations lie in a nonrational decision either to accept or reject solidarity with humanity.

How do you educate for a vision? Neither law nor social justice nor ethics alone will suffice. Human Rights Education must address the moral imagination, that skill that enables one human being to recognize and respect another as essentially like oneself. However, such empathetic identification requires much more of Human Rights Education. I must also be able in some illogical way to love you, to value your life and wellbeing, and for that reason be willing to act on your behalf – even if I may never have met you. Or especially if I have met you and do not like you very much. One seldom mentioned love and education in the same sentence. Yet once again Freire speaks directly to HR educators:

> Dialogue cannot exist, however, in the absence of a profound love for the world and for people... . Love is at the same time the foundation of dialogue and dialogue itself... . If I do not love the world – if I do not love life – if I do not love people – I cannot enter into dialogue.[46]

Human rights has become the language of that dialogue, "the common language of humanity,"[47] and human rights educators are its instructors

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[46] Paulo Freire, *Pedagogy of the Oppressed* (New York: Continuum, 1994) 70-71.

[47] Jan Martenson, "The Preamble of the Universal Declaration of Human Rights and the UN Human Rights Programme," *The Universal Declaration of Human Rights*, ed. Asborn Eide, (Oslo: Scandinavian University Press, 1992) 27.

When the things we need to be fully human, such as dignity and freedom, are denied, only the language of human rights can adequately convey such a fundamental crisis. Even the language of law and constitutional rights fails us.

At the same time, this "common language of humanity" is itself growing in fluidity and complexity, capable of expressing far more about the human condition than the drafters of the UDHR ever imagined. Like the language teacher, the human rights educator can facilitate the acquisition of a new vocabulary, but can neither prescribe nor even guess what the learners will choose to say with it – what lyrics or laments or blessings.

Any language can, of course, also be used to curse and lie! We need to recognize the inherent dangers of Human Rights Education : its potential misuse by those who learn the language without embracing the vision, its appropriation by one group or another for their own worthy but limited goals, its rejection by reactionaries and rationalists or dismissal by impatient revolutionaries. And we can never be unaware that Human Rights Education will always create conflict – clashes of values and cultures, struggles between individuals and the state, disputes among individuals with conflicting rights claims – and be able to address such conflicts in ways that respect human rights.

Finally I think Human Rights Education defies definitions because its creative potential is far greater than we can imagine. We can describe it as it exists today, capture examples of good practice, or show evidence of its success, but we have only the merest glimpse of what people may make with this powerful tool. Every time we try to wrap Human Rights Education in the language of formal education or revolutionary ideology, it bursts the seams and grows in a new and unexpected direction.

These are early days. Fifty years is a very short time. I propose a conference on December 10, 2048, the 100th anniversary of the UDHR. Perhaps then we – or our successors in this work – can begin to know what Human Rights Education really can and should be.

2.Challenges of Evaluation in Human Rights Education

By Felisa Tibbitts

To be handed in