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#### ABSTRACT

The article recapitulates the Universal Declaration of Human Rights framers debates regarding the right to education, centering on its primary purposes, followed by contemporary examples of programs, both in formal and informal (popular) education, designed to achieve each of these specified purposes. [Original article in English.]

## THE RIGHT TO EDUCATION AND HUMAN RIGHTS EDUCATION

Richard Pierre Claude



Education is intrinsically valuable as humankind's most effective tool for personal empowerment. Education takes on the status of a human right because it is integral to and enhances human dignity through its fruits of knowledge, wisdom and understanding. Moreover, for instrumental reasons education has the status of a multi-faceted social, economic and cultural human right. It is a social right because in the context of the community it promotes the full development of the human personality. It is an economic right because it facilitates economic self-sufficiency through employment or self-employment. It is a cultural right because the international community has directed education toward the building of a universal culture of human rights. In short, education is the very prerequisite for the individual to function fully as a human being in modern society.

In positing a human right to education, the framers of the Universal Declaration of Human Rights (UDHR) axiomatically relied on the notion that education is not value-neutral. In this spirit, Article 26 lays out a set of educational goals analyzed in this essay along with discussion focusing on education about human rights in the light of Article 26.

Human Rights Education (HRE) is a long-term strategy with sights set on the needs of coming generations. Such education for our future will not likely draw support from the

impatient and the parochial, but it is essential to construct innovative education programs to advance human development, peace, democracy and respect for rule of law. Reflecting these aspirations, the UN General Assembly proclaimed a United Nations Decade of Human Rights Education (1995-2004) (Res. 49/184). In so doing, the international community referred to human rights education as a unique strategy for the “building of a universal culture of human rights”.

### **The right to education in the Universal Declaration of Human Rights**

In the wake of World War II, the globe lay in shambles, torn by international violence from Poland to the Philippines, from the tundra to the tropics. Discussion about the importance of education as indispensable for post-World War II reconstruction emerged in the earliest work of the United Nations Human Rights Commission. That body was set up in 1946 by the Economic Social and Cultural Council of the UN, to make recommendations for promoting respect and observance of human rights on the untested theory that human rights-respecting regimes do not make war on other such regimes.

Thereby to bring peace to the world, members began their work in 1947, and Mrs. Eleanor Roosevelt was elected to chair the Commission. The Commission’s Rapporteur, Dr. Charles Malik (Lebanon) said that from the beginning all the Commission members knew that their task of composing a declaration of human rights was in itself an educational undertaking. He said: “We must elaborate a general declaration of human rights defining in succinct terms the fundamental rights and freedoms of [everyone] which, according to the Charter, the United Nations must promote. ... This responsible setting forth of fundamental rights will exert a potent doctrinal and moral and educational influence on the minds and behavior of people everywhere”.<sup>1</sup>

Malik’s statement echoed the Preamble to the Universal Declaration proclaiming the instrument as a common standard of achievement for all peoples and all nations who should “strive by teaching and education to promote respect for these rights and freedoms...”. This entirely new global “bottom up” program of educating people regarding their human rights marked a

1. Charles Malik, *These Rights and Freedoms*. UN Department of Public Information, 1950, pp.4-5.

challenge to the “top down” strategies of diplomatic state-craft, balance of power manipulations, and *Realpolitik* that were insufficient to forestall the calamity of two world wars.

### *Formulating the right to education*

The Universal Declaration shows its framers realized that education is not value-neutral, and in drafting the document, the Soviets, being most ideologically sensitive, were the first to speak on this point. Mr. Alexandr Pavlov for the USSR argued that one of the fundamental factors in the development of Fascism and Nazism was “the education of young people in a spirit of hatred and intolerance”.<sup>2</sup> As it finally turned out, Article 26 took up Pavlov’s point that education inescapably has political objectives, but ignored his ideologically rigid ideas substituting several goals in positive terms. Thus Article 26, in its most contentiously debated section says that the right to education should be linked to three specific educational goals: (1) the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms; (2) the promotion of understanding, tolerance and friendship among all nations, racial or religious groups; and, (3) the furthering of the activities of the United Nations for the maintenance of peace.

2. E/CN.4/SR.67, Commission on Human Rights, Third Session. Summary Record of the 69<sup>th</sup> Meeting (Lake Success), 11 June 1948, p. 13.

#### ■ The first goal

This arresting notion of the development of the human being’s full personality, while abstract, is important as a thematic thread running through the UDHR. Its significance in framing a holistic concept of human nature as essentially free, social, potentially educated, and entitled to participation in critical decision-making is bolstered by repetition at several points:

- Article 22 says everyone’s rights to social, economic and cultural rights are “indispensable” ... for the “free development of his personality”.
- Article 26 posits a right to education, and states: “Education shall be directed to the full development of the human personality”.
- Article 29 repeats the holistic vision of human rights, saying: “Everyone has duties to the community in which alone the free and full development of his personality is possible”.

The language linking these provisions in “full development” terms illustrates the organic nature of the Declaration whereby diverse rights flow from a belief in the equality of all human beings and the fundamental unity of all human rights. The often reiterated right to “the full development of the human personality” was seen by most framers as a right reinforced by community and social interaction. It linked and summarized all the social, economic and cultural rights in the Declaration. Given the goal of the full development of the human personality in the context of society – the only context in which this can occur – it follows that the right to education is a social right, a social good, and a responsibility of society as a whole.

Latin Americans took a leading role in framing the right to education. Belarmino Austregésilo de Athayde for Brazil provided a keynote statement on the importance of value-based education and was the first to argue that education provides the individual with the wherewithal “to develop his personality, which is the aim of human life and the most solid foundation of society”.<sup>3</sup> An Argentine proposal put substance on these abstractions mimicking Article 12 of the American Declaration of the Rights and Duties of Man. “The one-year old Declaration of Bogotá said: “Every person has the right to an education that will prepare him to lead a decent life, to raise his standard of living, and to be a useful member of society”.<sup>4</sup> Calling for greater conciseness, Mrs. Roosevelt cautioned against language that would overload the right to education. In this spirit, the framers settled on alternative simpler language – “Education shall be directed to the full development of the human personality”.<sup>5</sup>

The “full development” goal was intended to capture the enabling qualities of the right to education, and of education about human rights to capacitate people to their potential faculties so as to ensure human dignity. This view follows from a close reading of the key phrase – “full development of the human personality” – which is immediately followed without so much as a comma by the phrase: “and to the strengthening of human rights and fundamental freedoms”. Using a standard approach to statutory construction, one might fairly conclude that the joining of the two elements was deliberate and meaningful, especially in view of Mrs. Roosevelt’s injunction to seek conciseness.

The logic of the two ideas in combination tells us that

3. Official Record of the Third Session of the General Assembly, Part I, “Social Humanitarian and Cultural Questions”, 3<sup>d</sup> Committee, Summary Records of Meeting, 21 September–8 December 1948, reporting the 147<sup>th</sup> Meeting of the Commission, held at the Palais de Chaillot, Paris, 19 November 1948, p. 597.

4. Argentine Amendment (A/C.3/251).

5. Cuban Amendment (A/C.3/261).

education promoting the full development of the human personality and the dignity it entails also promote human rights. And for such full development, education for dignity should take into account the total menu of human rights, personal rights like privacy, political rights like participation and the right to seek and disseminate information; civil rights like equality and non-discrimination; economic rights like a decent standard of living; and the right to participate in the community's cultural life. This analysis pre-figures the Brazilian Paulo Freire's views advocated in his book, *The Pedagogy of the Oppressed*.<sup>6</sup> Freire emphasizes the connections between popular empowerment and self-realization as the consequence of people learning and exercising their human rights.

6. P. Freire, *Pedagogy of the Oppressed*. New York: Seabury Press, 1973.

### ■ The second goal

Article 26 calls for education to “promote understanding, tolerance and friendship among all nations, racial or religious groups ...”. This idea started out under the guise of different language. Professor René Cassin, the influential French delegate and Vice President of the Human Rights Commission, drew support for asserting that one goal of education should involve “combating the spirit of intolerance and hatred against other nations and against racial and religious groups everywhere”.<sup>7</sup> But again, the Latin American delegations had the last word, showing their voting strength in supporting the view of Mr. Campos Ortiz of Mexico that educational goals should be framed in positive terms instead of negative goals such as “combating hatred”. He convincingly said that Article 26 should link the right to education with the positive goal of “the promotion of understanding, tolerance and friendship among all nations and racial and religious groups ...”.<sup>8</sup>

7. Official Record, op. cit., p. 587.

8. Id., p. 584.

### ■ The third goal

Article 26 says education should “further the activities of the United Nations for the maintenance of peace”. In the final consideration of the Declaration before the General Assembly, the Mexican delegate said that the right to education should be connected to the peaceful objectives of United Nations activities. Mr. Watt from Australia promptly objected and urged support

9. *Id.*, p. 594.

10. *Id.*, *ibid.*

11. *Id.*, p. 589.

for a broader reference to all the “purposes and principles of the United Nations”.<sup>9</sup> Again, Mrs. Roosevelt expressed distaste for any formulation lacking conciseness and specificity, and said for that reason she associated herself with the simpler Mexican proposition. She thought that for educational purposes, United Nations activities for the maintenance of peace should be recognized as “the chief goal of the United Nations”.<sup>10</sup> True to pattern, other Latin American voices chimed in, supporting the Mexican initiative. Mr. Carrera Andrade of Ecuador lyrically concluded that when the world’s youth became imbued with “the guiding principles of the United Nations, then the future [would promise] ... greater hope for all nations living in peace”.<sup>11</sup>

Finally, the reference to UN peace activities was adopted and all dissent was swept away with the final version of Article 26 winning a unanimous 36 votes with 2 abstentions. As a result, Article 26, with three separate sections, now reads:

*1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.*

*2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.*

*3. Parents have a prior right to choose the kind of education that shall be given to their children.*

On 10 December 1948, the General Assembly solemnly adopted and proclaimed the Universal Declaration of Human Rights. That body showed it realized such a document could have little effect unless people everywhere knew about it and appreciated its significance for every human being. Therefore, the Assembly also passed Resolution Number 217 urging that the widest possible publicity be given to the Declaration and inviting the Secretary General and UN specialized agencies and non-

governmental organizations to do their utmost to bring the Declaration to the attention of their members. One present-day result is that the Universal Declaration can be obtained from the United Nations in any of 300 languages: <<http://www.unhchr.ch/udhr/index.htm>>.

As noted, the educational directives of Article 26 point to three distinguishable goals. Using this tripartite framework affords a glimpse at present day examples of human rights education directed to each of the three goals.

### Human rights education today

Education involves more people than any other institutionalized activity worldwide, according to the United Nations Special Rapporteur on the Right to Education. In her 2002 report to the UN Commission on Human Rights, Katarina Tomaševski said that while a commitment to institutionalized education is globally ubiquitous, the commitment everywhere is “to ‘hardware’ at the expense of ‘software’”.<sup>12</sup> In these terms, she “lamented a ... disequilibrium between the formal institutional structure and contents of schooling on the one hand and the value-oriented substance of teaching and learning on the other. ... the disequilibrium [is manifested in] fierce disputes about the orientation and content of schooling [which] are thus endless”.

While the obligation for states, schools, and all of us to promote human rights through education is a 50-year-old internationally defined duty, it has only recently become more actively and widely accepted. Among the several reasons for this, perhaps none is more important than the end of the Cold War which made more realistic than heretofore the announcement of the UN Decade for Human Rights Education whereby the United Nations intervened in the “fierce disputes” referenced by Tomaševski by calling for the insertion of human rights content into the orientation and material dealt with in the classroom.

In 1993, the World Conference on Human Rights held in Vienna asked the UN for action to accelerate the promotion of human rights. One important result was that the United Nations General Assembly proclaimed the years 1995-2004 as the World Decade for Human Rights Education. The UN proclamation says the decade has as its aim “the full development of the human

12. Annual Report of the Special Rapporteur on the Right to Education, Katarina Tomaševski, submitted pursuant to Commission on Human Rights Resolution 2001/29, paragraph 46, E/CN.4/2002/60.



13. UN General Assembly,  
Res. 49/184.

personality in a spirit of peace, mutual understanding and respect for democracy and the rule of law”. The resolution says that such education should be introduced at all levels of formal education (the conventional school system) and should be adopted in non-formal education (called “popular education” as promoted by NGOs). The resolution also speaks to issues of methodology, favoring interactive, participatory and culturally relevant learning methods.<sup>13</sup>

There are many examples of programs entailing these goals and methods. Having tracked the Article 26 human rights education goals of (1) full personal development, (2) the promotion of tolerance, and (3) advancement of UN peace goals, it is instructive to link recent HRE programs with each of the Declaration’s goals. The thumbnail profiles that follow will draw from both formal education and non-formal education where various activist groups target specialized constituencies.

Examples were chosen to illustrate how wide-ranging the human rights education project has become since its recent inception. The “software” is very diverse. For example, some of these projects are short-term and others reflect long-term educational commitments. Some are addressed to values clarification and cognitive development. Another set focus on analytical skills and problem-solving, and others on changing attitudes and behavior. Some are embedded in formal educational programs and others in programs of popular education. All manifest one or more of the educational goals specified in Article 26 of the Universal Declaration.

### *Full personal development and respect for human rights*

#### ■ Popular education on the rights of the child in Nepal

The United Nations Convention on the Rights of the Child was adopted by the General Assembly in 1989 and rapidly came into force as an international treaty. States parties are obliged to make its principles and provisions widely known to both adults and children and to file a report on such

activities with the UN Committee on the Rights of the Child, a ten-person group of experts. Nepal is one of 192 countries (as of 2004) which have ratified the treaty. Despite episodes of civil strife, NGOs in the Himalayan kingdom have shown ingenuity in propagating its provisions and in seizing the state's reporting duties as an opportunity to launch a nationwide educational program on the rights of the child.

In 1992, many Nepali NGOs along with United Nations Children's Fund (UNICEF) organized a workshop on the Children's Convention in the capital of Katmandu. The workshop supplied educational opportunities to inform policy makers, to prompt questions from members of the media, and to raise the consciousness of the general public regarding children's issues and Nepal's duties under the Convention. The workshop was replicated in five administrative regions of the country and finally in all 75 provincial districts. Drawn from many localities, children also participated in a National Seminar of NGOs, after which, they went back to their communities to share their learning and then return to the capital with friends.

The resulting Children's Seminar discussed the status of children and their responsibilities as well as the related duties of parents, the community, local government bodies, and political parties. As an outcome of this process, the government's National Planning Commission – with responsibility to prepare Nepal's treaty report required by the Convention on the Rights of the Child, did so by forming a joint committee with NGOs representation. Thus the National NGOs Workshop and the Children's Seminar, as well as various declarations and plans of action developed in their wake, became the basis for NGOs input in the national report to the United Nations. The resulting report was important, but no more so than the nationwide NGOs-led process of education on the subject of the rights of the child.

The NGO's objective of values enhancement and clarification took place at many levels as Nepal prepared to take up its responsibility under the International Convention on the Rights of the Child, including the incorporation of human rights and the rights of the child into the formal school curricula. The Convention says such education shall be directed to: "... the development of the child's personality,

talents and mental and physical ability to their fullest potential; [as well as] the development of respect for human rights and fundamental freedoms and for the principles enshrined in the Charter of the United Nations”.

### ■ Women’s rights in Ethiopia

A project in Ethiopia initiated by a group called Action Professionals Association for the People stresses the importance of education for full personal development with particular attention to respect for the human rights of women. In 1995, the Action Professionals were looking for a teaching program to promote women’s rights, taking into account that Ethiopia had ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This author documented their work, observing them setting up community-based programs of human rights including one called “Bringing CEDAW Home”. Their curriculum planning was meticulous, and the resulting training manual, *The Bells of Freedom*, is accessible on-line.<sup>14</sup>

The CEDAW exercise begins with the announced objective of promoting behavioral change and women’s empowerment through community-based non-formal education to break the old curse of domination by one gender over the other and to take action to eliminate discrimination. They designed simple ways and simple language to introduce CEDAW – article by article, explaining that the Government has promised to abide by its provisions. Then, people were asked to speak from experience about any specific provision of CEDAW such as Article 5 saying customary practices based on the idea of the inferiority of the sexes should be eliminated.

Most important, using a problem-solving approach, participants designed programs of action and selected the one action-plan, among several they designed, that they all actually would be willing to put into effect, including one specifically addressed to removing barriers to the full development of the woman’s personality. In one significant outcome, for example, women agreed to stop using coercion and even force to back up arranged marriages for their pre-teenage daughters, so as to abide by Article 16 of the Universal Declaration saying everyone has a right freely to choose a spouse.

14. Action Professionals Association for the People (APAP), *The Bells of Freedom*. Adis-Abeba, 1996. Available at <<http://www.umn.edu/humanrts/education/belfry.pdf>>. Last access on 9 January 2004.

*Promoting tolerance among groups  
and international friendship*

■ **Cambodian exercise  
on prejudice and discrimination**

Cambodian NGOs, like those in many developing countries, have tried to avoid duplicating efforts and have found ways to undertake their work sorting out a division of labor among themselves. Some specialize on the problems of the disabled, some with war-widows, and others with issues relating to domestic violence. In 1999, under the sponsorship of the Asia Foundation, this author worked with a creative Cambodian NGO specializing in grassroots educational programs for ethnic minorities: the Khmer Kampuchea Krom Human Rights Association (KKKHRA). The group conducts needs assessments among poor minority groups and organizes educational sessions for citizens, including those prone to prejudice and discrimination. Between 1993 and 1999, the NGO had reached 23,716 Cambodians with its popular education programs.

In the example below which reflects the work of KKKHRA, the entire lesson plan is laid out to illustrate the organized mode of presentation. Followers of Paulo Freire will recognize the Brazilian methodology at work. The lesson includes five standardized key parts: (1) an **overview statement** explaining in historical and social terms why the exercise is important; (2) the **objectives of the exercise** from the point of view of the participants and of the desired learning competencies expected of them; (3) **procedures**, giving some pointers to the facilitator, for example about using some visual reference points for non-literate audiences, such as “stick figure” drawings; (4) **materials**, including specific relevant provisions of the Constitution of the Kingdom of Cambodia as well as international human rights standards applicable to the country; and (5) **sequence**, in which step-by-step advice is given to the facilitator.

1. **Overview.** First, the facilitator must become familiar with basic information important to the historical and demographic context of the exercise as well helpful in analyzing related problems. In this case, the facilitator is told that an understanding of prejudice, discrimination,

racism, sexism and ethnocentrism is an important part of human rights education. These forms of moral exclusion are fundamentally manifestations of the central problem of the denial of human dignity that makes possible various types of discrimination, especially against minorities. Groups suffering from discrimination include ethnic and language minorities, refugees and displaced persons, religious and other minorities. Ethnic minorities suffered badly during the early 1970s in Cambodia, called “Pol Pot times”. Before 1975, the nation had a population of about 7.2 million; within four years this had dropped to around 6 million (some were the victims of genocide, others became refugees). By the end of the 1990s, the population rebounded to 10 million. Ethnically, the Khmers are the dominate group and there are significant Chinese and Vietnamese minorities as well as a small percentage of tribal groups. It is prejudice and ignorance that promote the dehumanization of ethnic minorities and which in turn foster and support many forms of discrimination.

**2. Objectives:** Participants should:

- reflect on the meaning and nature of prejudice;
- reflect on the process and characteristics of discrimination and its origins in prejudice;
- be able to identify minority group problems of prejudice and discrimination;
- recommend a course of action for a problem of discrimination faced by members of an ethnic minority and base their plan on national and international human rights standards.

**3. Procedures.** The facilitator must use creativity to explain the distinction between prejudice and discrimination and to ensure the participants understand the connections involved. As this can be a very sensitive topic for many, it will be important to allow adequate time for diverse views to be expressed. The facilitator should not try to “correct” views that sound prejudiced, but allow others to comment on them. Steps 5 and 8 are rather complex, so the facilitator should plan to “float” among various groups to ensure that they understand their tasks.

4. **Materials.** International Covenant on Civil and Political Rights (ICCPR), articles 26 and 27; Cambodian Constitutional provisions on discrimination, articles 31 and 45.

## 5. Sequence

**Step 1.** Ask the participants to name different ethnic minorities in Cambodia. Tell them that they should identify a group with which they are familiar and explain whether that group suffers from prejudice.

**Step 2.** Facilitator input: Explain that prejudice and discrimination are closely related, and that prejudice leads to discrimination. Undertake some brief lecturing along the following lines:

**Prejudice** involves beliefs, feelings and attitudes [add emphasis]. Feelings of prejudice stem from the belief and attitude that certain people are inferior and should be treated in an undignified way or even with contempt. Prejudice is the fertile ground in which custom, habit and attitudes take root and grow into systematic oppression. Prejudice and ill-feeling are often directed at women, as well as other groups in society: refugees and displaced persons, members of various religions, ethnic and language groups, etc. Prejudice tends to be strongest in persons and societies where reasoned judgment is weak and where ignorance explains prejudicial processes of moral exclusion of others and the process of denial of the right to equal and fair treatment. It is ignorance that says that exclusion and denial are “natural”. Prejudice is often hidden, but becomes evident when people (1) use bad names to refer to a minority, such as “*juan*” a pejorative and mean-spirited reference to Cambodians of Vietnamese origin, and (2) use stereotypes – “oh, the X group, they are all lazy and stupid”.

**Discrimination** involves action [emphasis], often based on unfair rules. Acts of discrimination are based on the prejudice that one group, considering itself better than others, deserves to deny the other group basic human rights and access to the benefits of society. Thus discrimination is a denial of human dignity and equal rights for those discriminated against. The actions involved deny human equality and impose a life of problems and struggles upon some, while endowing others

with privileges and benefits. Just as prejudice gives birth to discrimination, so discrimination gives birth to exploitation and oppression, and when exploitation and oppression are reinforced by custom and tradition, they are difficult but not impossible to uproot and change. In the Khmer context, ethnic minorities suffer from prejudice and discrimination, and the subservience of women involves both exploitation and oppression.

Ask the participants if they understand these distinctions and ideas and urge them to ask questions.

**Step 3.** Show the participants a picture of four “stick figures” with a cloud above their respective heads looking at another such figure identified as a member of an ethnic minority. Name that person’s ethnic minority status, e.g., ethnic Vietnamese. Ask the participants to discuss in small groups how to fill in the cloud space, with a bad name designed to reinforce the notion that the minority member is inferior or less than human, and other idea-clouds with a stereotypes (they are all greedy, cruel, etc.). Encourage discussion of how these names and stereotypes reflect ignorance and lack of understanding. Explain that these are all indications of prejudice which, like poison, leads to a socially unhealthy result in terms of discrimination.

**Step 4.** Draw an arrow from each stick figure to the minority member saying the arrow shows action involving discrimination, e.g., acts of denial and exclusion including those deciding that an ethnic Vietnamese child should be excluded from a community social event or from a local school.

**Step 5.** Divide the participants into small groups, each one to deal with a different ethnic minority. Each group should have (1) a reporter who reports on problems of prejudice and attitudes that people have about the category of people discussed, including bad names and stereotypes; and (2) a reporter to report on problems of discrimination or acts of exclusion, exploitation and oppression, directed against the category of people being discussed. The two reporters present the discussion and conclusions of the group to the plenary

sessions. Urge the participants to ask the “prejudice reporter” to explain how prejudice leads to discrimination. Urge the participants to ask the “discrimination reporter” to tell them how prejudice is the basis for discrimination and why it is hurtful to the community.

**Step 6.** Facilitator input: Tell all participants that when minorities are victimized by discrimination, considered inferior or treated with little or no tolerance, a grave human rights violation is committed. Human rights require that minorities are to be treated with respect and dignity. Any form of discrimination or intolerance violates their respect and dignity. Therefore any form of discrimination should be taken seriously. Ask them if they understand.

**Step 7.** Tell them that the following are methods in seeking justice when minority rights are violated:

- filing a complaint with a court that can take action;
- informing the police and asking them to take action;
- informing a defender organization that can supply legal assistance;
- telling a human rights NGO that is able to investigate and report on the incident;
- informing the media: newspaper, radio, television;
- informing a representative of the National Assembly from the province;
- telling the commune leader to investigate and act upon the allegation;
- conducting an NGO-sponsored human rights education class for the community.

**Step 8.** Ask the participants to reconvene in groups imagining they are minority members and as such to decide which remedial step they would recommend selected from the previous instructions but adding to their recommendation those provisions of the ICCPR and the Constitution of the Kingdom of Cambodia which apply. Finally, the groups should report back with their action recommendation.

The exercise described above is used by NGOs in the context of a full program of many human rights popular education lessons.<sup>15</sup>

15. A variation on this “prejudice exercise” can be found in a more generalized format as Activity 15 in Richard Pierre Claude, *Educación popular en derechos humanos: 24 guías de actividades participativas para maestros y facilitadores*. San José de Costa Rica: Instituto Interamericano de Derechos Humanos, 2003.



### ■ Arab-Israeli education planning

In 2003, the Council of Europe brought together educators from Northern Ireland, Palestine and Israel to compare educational techniques for advancing the cause of toleration.

Palestinian and Israeli participants involved in preparing school textbooks learned how education authorities in Northern Ireland try to overcome the problems of teaching in a divided society. The Council's Rapporteur on the Situation in the Middle East, Mikhail Margelov (Russia), hailed the "spirit of tolerance" that prevailed during the meetings on suppressing inflammatory language and incitements to hatred in school textbooks. Participants heard examples of provocative language used in current Palestinian and Israeli schoolbooks, but agreed on making changes to promote the values of tolerance. Taking into account the fact that the majority of hostile interactions, acts of violence and destruction in Israel and Palestine are conducted by and victimize the young, too often prompted by adults, the Rapporteur said: "What makes me optimistic is the level of self-criticism and cooperation we have heard".

For their part, Arab and Israeli educators were able to share a positive example of educational planning directed at the promotion of inter-group understanding among youth at the secondary school level in Israel. "The Rules of the Game" is called by its designers a "bottom-up" curriculum. This term draws attention to the fact that, from its inception, the project was developed with the full participation of an equal number of Arab and Jewish high school teachers.

The objective of the group of 20 educators was to cooperate in developing a curriculum to foster the understanding of human rights and democratic principles including both majority rule and minority rights. The teachers' planning phase encompassed a year of debate and discussion with intensive workshops drawing materials from Al-Haq and B'Tselem, respectively Arab and Jewish human rights NGOs.

The teachers' participatory learning project is supposed to build and reinforce attitudes of tolerance, mutual respect and individual freedom. To these ends, the curriculum primarily emphasizes a cognitive approach aimed at helping students distinguish empirical findings from value judgments, eye-witness evidence from hearsay, and a logical argument from an emotional

one. The teacher-planners of the project expressed the hope that "... a 'grass roots' curriculum, introduced by the very same teachers by whom it was developed, might secure good will and cooperation that are so direly needed in order to overcome negative attitudes and resistance to change" (Felsenthal & Israelit, p. 95).<sup>16</sup>

In the Israeli example, teachers from both sides of the divisive conflict came together cooperatively to plan a program promoting the values inherent in their collaborative process: conflict resolution, tolerance of diverse perspectives and mutual respect for the human rights of others.

### *Furthering activities of the UN for the maintenance of peace*

#### ■ The peace-building handbook

In 2003, scholars at the Columbia University Center for the Study of Human Rights (CSHR), published a ground-breaking and highly specialized planning and evaluation handbook sponsored by the United States Institute of Peace. *Human Rights Education for Peace Building* is a multi-authored research project reflecting several years of analytical brainstorming and fieldwork by J. Paul Martin, Tania Bernath, Tracey Holland, and Loren Miller. They gathered educational materials and conducted interviews in post-conflict areas such as El Salvador, Guatemala, Mexico, Liberia, and Sierra Leone, where the international community sought to restore peace. The resulting manual is replete with lessons drawn from these zones of conflict and presented to help future planners, administrators and teachers in implementing HRE in violence-ridden areas where peace-building programs are targeted.

Martin and colleagues give human rights practitioners a detailed *vade mecum* on how, under challenging conditions, to conceive, plan and manage HRE programs in their cognitive, attitudinal, behavioral and skill-building components. The peace-building handbook presents a rich mix of theoretical wisdom, anecdotal and practical prescriptions for advancing reconstruction and transitions to peace with educational components. The contribution of human rights in such environments lies in the vision of living without violence it offers to those beset by powerlessness. *Human Rights Education*

16. Ilana Felsenthal & Israelit Rubinstein, "Democracy, School, and Curriculum Reform: The 'Rules of the Game' in Israel". In: Roberta S. Sigel & Marilyn Hoskin (eds.), *Education for Democratic Citizenship: A Challenge for Multi-Ethnic Societies*, pp. 87-102. Hillsdale, NJ: Lawrence Erlbaum Associates, 1991.

*for Peace Building* argues for long term educational projects that offer a conceptual alternative to violence as a means of social action.

With strong analytical guidance, the book shows that HRE objectives may be appropriate at one level of peace-building but not at another. HRE planners are guided by a “stage approach” model along the continuum from conflict to peace and suggesting variations in HRE objectives suitable, among others, for the pre-peace and settlement stage, the negotiation stage, and the reconstructive stage. For example, educational objectives for the pre-peace stage are reactive and emphasize monitoring skills and the need for meticulous accuracy in recording violations for possible legal process. As reconstruction activities develop, HRE programs become pro-active and forward looking, focusing on expanded notions of human rights beyond legal claims and to norms for everyday living, including non-discrimination, empathy and respect for everyone’s human dignity.

In answer to the question: “How does HRE differ from other peace-building activities?”, the CSHR co-authors write:

*In the eye of the storm, where everything seems negotiable and thus subject to the fiat of the most powerful, HRE can provide both structure and standards. HRE introduces an alternative, namely a set of laws or codes as defined by the international community away from the heat of the crisis as a way towards preventing human right abuses. This was precisely the motivations of the world’s states after the horrors of the World War when in 1948 they approved the UN Declaration on Human Rights.*

### ■ Philippine HRE for military and police

Despite the origins of the Freire pedagogy in Brazil, in some respects Asia shares credit as a cradle of human rights education because such programs were first commenced on a national basis in the Philippines as required by their Constitution of 1987. It is a charter composed by people who themselves had suffered under the previous tyrannical rule of Ferdinand Marcos, so the resulting new Constitution is strongly reactive to that historical record. Through human rights education, the framers explicitly sought to change the political environment and prevailing values,

attitudes and behavior of citizens and law enforcement officials. They reasoned that human rights education and training have both preventive and curative impacts – they can empower people to prevent problems from arising by nurturing respect for other people’s rights, and, as well put officials on notice that people are informed of the possibilities of redress.

Philippine NGOs use the constitutional mandate to build their own programs of community development and practical self-help networks for women and children, farmers, the handicapped, slum dwellers, etc. Such programs carry less risk of provoking elite-based opposition when linked with human rights education because of the well-known constitutional stamp of approval. Moreover, NGOs in the Philippines found their programs had higher prospects for success in shaping values as they linked human rights with concrete community improvements that respond to peoples’ needs as they define them.

Since 1987 when the new Constitution mandated the teaching of human rights, police, military and teacher-training in the island nation has been implemented with varying degrees of success. For lack of well-planned models, efforts to implement HRE for security services were initially shaky and notably uncertain.<sup>17</sup> For example, the military made seven *coup d’état* attempts against the new government within three years until a Philippine Senate Committee focused sharply on the need for stronger discipline supplemented by education “with teeth”. They concluded (apud Claude, p. 73):

*A more effective education program is needed for the military and government personnel in order for them to have a better understanding of their duties and responsibilities in the protection and promotion of human rights in accordance with the Constitution, laws and internationally accepted human rights norms and standards.*

The demand for the restoration of domestic peace served as a rebuke to the National Human Rights Commission because it is constitutionally responsible for human rights education for the military and police.

After several failed attempts at implementing HRE, and in response to the Senate’s criticism, fresh efforts to gain military

17. R.P. Claude, “Civil-Military/Police Relations”. In: *Educating for Human Rights: The Philippines and Beyond*, pp. 71-101. Manila/Honolulu: University of the Philippines – University of Hawaii, 1996.

18. Galtung & Wirak, "Human Needs and Human Rights – A Theoretical Approach". *Bulletin of Peace Proposals* 8, pp. 251-258, 1977.

acceptance of effective human rights education were launched under the leadership of the Human Rights Commission's education officer, Amâncio S. Donato. A PhD in philosophy, in interviews in Manila he told this author that his ideas about how to approach HRE for the police and military were partially influenced by Johan Galtung and Anders Helge Wirak's "Human Needs and Human Rights".<sup>18</sup> Under the new program Donato planned with the help of social scientists and law professors, thousands of police and military officers began undergoing periodic eight-day "conscientization programs" on human rights, constitutional law and humanitarian law. The "teeth in the programs" derived from Presidential orders specifying that promotions and pay increases should be withheld for officers failing to pass the required course on human rights and international humanitarian law.

The Human Rights Commission was faced with the challenge of how to ensure acceptance of the program within the military ranks among whom were many who held elected officials in contempt. With such attitudes prevailing, the educational challenge was to design a model adding attitude and behavior change to cognitive skills development. As a related matter, the Commission had to deal with the sensitive issue of the program's "legitimacy". Acceptance by the officer corps remained problematic so long as they had no hand in its design and little basis to relate to its provisions. The Commission responded by proposing several ways to increase endorsement of human rights education by military and police. For this author, Dr. Donato summarized his methods for military HRE, reducing the planning directives colloquially to a set of maxims:

**Make it folksy:** instructors should use common vernacular and "avoid legalese", emphasizing the Filipino culture and community context so as to ensure sympathetic understanding.

**Make it their's:** encourage the development of their own drafting of a professional code of ethics after a thorough understanding emerges in discussion of human rights and humanitarian law norms.

**Make it personal:** trainers should creatively underscore the

point that respecting human rights is consistent with the trainee's own human needs (e.g., family interests, the education of their own children, etc.) tied to respecting the human needs of others.

**Make it pay:** Success in the program should be shown to be in each officer's best interests evidenced by reliance on incentives (promotions and pay increases) rather than sanctions (threats of investigations, punishment and humiliation).

In 1995, recognizing the importance of HRE program evaluation where military and police training are concerned, the University-based Development Academy of the Philippines designed an assessment program focusing on security services training at two levels. First, at the individual level, an attitude and skills survey instrument helped to evaluate trainees' changes in psychological attitude and behavior norms. Second, a community-level impact assessment canvassed the incidence of increases and decreases in human rights violations among those who have gone through the program of human rights education and training. Professionals conducting such programs recognize that critical evaluation is always important to ensure that long-term programs adjust to changing circumstances and meet their stated objectives.

### *Global resources and support for Human Rights Education*

By many standards, the original UN Decade for Human Rights Education (1995-2004) was a success. By its completion, HRE programs could be found in the majority of countries worldwide. They were strengthened and facilitated with various reinforcements. Many were:

- facilitated by UN and regional support and technical assistance;
- funded by international agencies;
- converted into long-term programs with the aid of university certificates and teacher training; and
- supplemented by creative popular education projects of NGOs targeting specialized groups such as women and children, the disabled, the rural poor, and those unreached by the formal school systems.

The supporting structures at the international level include UNESCO's Division of Human Rights, Democracy, Peace and Tolerance which provides strategies for teaching human rights on an international and regional level. Also from the United Nations, the "UN Cyber School Bus" – <<http://www.un.org/Pubs/CyberSchoolBus/humanrights>> – is an attractive website to facilitate infusing classroom activities with human rights information and materials. The site includes an interactive Universal Declaration of Human Rights, a plain language version of the Universal Declaration, questions and answers, definitions of human rights terms appropriate for primary and secondary school classes, and an ingenious *Global Atlas of Student Activities*.

Regional support for human rights education are evident in the work of the European Union, the Asian Regional Resource Center, the All African Annual Workshop on Human Rights Education, and the publications and instructional programs of the Interamerican Human Rights Institute. International and national funding agencies have favored the use of HRE. The chief sources of financial support have included the European Human Rights Foundation, the Canadian Human Rights Foundation, United States Agency for International Development, and many private foundations including the Ford Foundation, Redd Barna (Norway), the Fredrick Neuman Foundation (Germany), the Dutch Foreign Ministry, the Asia Foundation and many others.<sup>19</sup>

A new step was taken at the level of international financial institutions when the Asia Development Bank, not traditionally known for progressive initiatives, nevertheless assessed the region's legal systems at the beginning of the twenty-first century as "plagued by corruption and interests vested in maintaining the *statu quo*". The Bank concluded that their funded development projects would benefit by including programs of "legal literacy training" a term less controversial to Asian governments than "popular human rights education". Linked to development projects, "legal literacy" training, according to the Bank, should promote improved governance based on "citizen knowledge of rights, demands for accountability, and participation in decision-making" to foster a "legal system's responsiveness to the needs of the disadvantaged".<sup>20</sup>

There are many Internet sites established to support HRE programs, and they are especially useful to classroom teachers

19. Funding agencies supporting human rights education are listed in Frank Elbert (ed.), *Human Rights Education Resources Book*. Cambridge/Amsterdam: Human Rights Education Associates, 2000.

20. Asian Development Bank, "Legal Literacy for Supporting Governance". Manila: Regional Technical Assistance Study RETA 5856, 1999.

and NGOs undertaking educational projects for the first time. A few examples suggest the range and diversity of such resources. “All Different, All Equal” is a project of the Council of Europe which includes curriculum to promote inter-cultural education. Amnesty International USA supports a Human Rights Education site offering a monthly e-mail newsletter for human rights educators. BBC World Service: “I Have a Right to ...” supplies case studies used to teach students about the Universal Declaration of Human Rights. Other sites with substantial HRE materials are hosted by the “Human Rights Internet”, “Human Rights Education Associates”, “The People’s Movement for Human Rights Education”, “Partners in Human Rights Education”, etc.

## Conclusion

Many observers, activists and educators now perceive the beginnings of an international movement in support of human rights education. It is more viable for having globally available UN resources in combination with a burgeoning international network of cooperating public and private groups. The vision shared by those involved is directed to constructing a “universal culture of human rights”, no longer a utopian fancy but now a challenge for a globalizing world in need of shared positive values. We are faced with the obligation at the international, national, local and personal levels to implement effective programs of human rights education and to employ methodologies that will ensure that the task is well done, consistent with the goals of world peace and respect for human rights everywhere.

To reinforce our responsibilities to support human rights education, consider this poignant comment by Eleanor Roosevelt. As if talking to us today, she said in 1948:

*It will be a long time before history will make its judgment on the value of the Universal Declaration of Human Rights, and the judgment will depend, I think, on what the people of different nations do to make this document familiar to everyone. If they know it well enough, they will strive to attain some of the rights and freedoms set forth in it, and that effort on their part is what will make it of value in clarifying what was meant in the Charter in the references to human rights and fundamental freedoms.*