

How Should We Move Forward? A Critical Review of Human Rights Education in Hong Kong

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In this paper, human rights education is defined as ‘education that helps to shape a culture of respecting and protecting human rights, according to the international human rights standards. That is, to cultivate citizens who live in accordance with the principles of human rights and are willing to take actions to protect their own and other citizens’ human rights when the rights are being infringed’. Any discussion of human rights education in Hong Kong, should focus on both the school and community sectors. The Education and Manpower Bureau (EMB) and the Committee on the Promotion of Civic Education (CPCE) of the Home Affairs Bureau (HAB) of the Hong Kong Special Administrative Region (HKSAR) are responsible for human rights education in schools and community respectively. In both sectors, human rights education is considered an aspect of civic education. In this paper I critically review the development of human rights education in the context of civic education and then explore some challenges and possibilities ahead in both sectors.

School Sector

It is argued that school civic education in Hong Kong has evolved through three stages, namely, One: Depoliticizing by the State and the School (before 1984), Two: the Politicization of the Intended Curriculum (1984-1997) and Three (1997 onward): Re-depoliticization of Civic Education and Official Affirmation of Nationalistic Education (Leung & Ng 2004).

Stage one

For stage one, Morris & Morris (1999, 7) commented that:

In effect, the depoliticization of the curriculum and consequently the neglect of civic education was achieved in the period from 1945-65 by direct government intervention, while in the subsequent period it was more a by-product of the curricular priorities in schools.

Basically, nothing about human rights was mentioned in the school curriculum in this stage.

Stage two

Attention to human rights education began at stage two after the signing of Sino-British

Joint Declaration by the People's Republic of China (PRC) and United Kingdom in 1984. According to the declaration, the sovereignty of Hong Kong would return to PRC in 1997. In this period, many significant political events exerting tremendous impacts on the development of civic education and human rights education happened. For example, in response to the "June 4 Massacre" in Tiananmen Square in Beijing, the mass demonstrations in Hong Kong in 1989 eventually led to the amendment of the Education Ordinance and Education Regulations in 1990. The amendment allowed the dissemination of unbiased information and teaching of matters of political nature in schools, which was banned before. This implied that civic education and human rights education could be formally included in the school curriculum.

The mini-constitution: The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and the Hong Kong Bill of Rights were passed in 1990 and 1991 respectively. Schools were expected to equip students to understand these documents. The introduction of the Hong Kong Bill of Rights, which was nearly the direct implementation of the International Covenant on Civil and Political Rights with some exception clauses, had the most direct impact on the inclusion of human rights education in school curriculum. In response to these political changes, the Guidelines for Civic Education in Schools [1996] (Guidelines 1996) was published and all schools were encouraged to implement the guidelines through school-based civic education. This document was considered a breakthrough in civic education that prepares the youth in facing the legal and political development of Hong Kong, especially after 1997 (Leung, Chai & Ng 2000). There were five focuses, namely, human rights education, education for democracy, education for rule of law, nationalistic education and global education. Human rights education was, for the first time, formally introduced into school education as one of the focuses of civic education. For example, in the aims and objectives of

school civic education under Guidelines 1996, the following is stated (CDC 1996, 6, 7, 8):

To help students understand the characteristics of Hong Kong society and the importance of democracy, liberty, equality, human rights and the rule of law...

In the content for International Community for Senior Secondary students, under the heading of Concepts of Global Citizenship, the following concepts about human rights were included (CDC 1996, 39):

- (1) History and concepts: individual rights, minority rights, gender rights, economic and cultural rights, developmental and national rights, etc.
- (2) Protection of rights: related documents, including the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights.

Some proposed question for students' reflection were: "In what way do I respect human rights in my daily life?", "How far am I aware of the rights of minorities and their rights in society?", "How can I protect human rights personally, socially and internationally" and "How can I promote the protection of minority rights? (CDC 1996, 39)". Moreover, human rights were considered as one of the 'sustaining values (social)' in Guidelines 1996 (CDC 1996, 41). Civic education teachers who cared about human rights education were excited to witness what was happening and were prepared to take appropriate actions. However, regardless of the inclusion of human rights education in the formal curriculum, and individual teachers' effort (Tsui, 1999), similar to civic education in general, the implementation of human rights education program in schools remained poor (CDI 1999; Fok 2001; Morris & Morris 2001). Human rights education had never been perceived as important by teachers, who at the same time lack an understanding of human rights.

Stage three

Shortly after the return of sovereignty in 1997, Hong Kong's civic education stepped into the third stage of "Re-depoliticization of civic education" (Leung & Ng 2004). This stage is characterized by the removal of political content again, including contents related to human rights. In the stage three document, *Learning to Learn* (CDC 2001), civic education was renamed as Moral and Civic Education, indicating a shift of emphasis. Content related to personal and interpersonal education, family education and moral education were introduced to replace elements related to human rights and democracy. Human rights as values were put aside in the appendix and were replaced by five paramount values, namely, national identity, a positive spirit, perseverance, respect for others and commitment to society and nation" (CDC 2001, 84). In addition, stage three is also characterized by a strong promotion of nationalistic/patriotic education by the government. Huge resources are injected into schools, communities and media to promote nationalistic education. In sum, political contents, including human rights, were again totally removed from the school curriculum. That is why this stage is called "Re-depoliticization of civic education".

Community sector

Community educators were also requested to make the youth understand the 1990 Basic Law and the Hong Kong Bill of Rights of 1991. Hence, the CPCE, which was responsible for the civic education in communities, formed a sub-committee to work on human rights education in 1992. The Human Rights Education Sub-committee was composed of legal scholars specializing in human rights in the university, civic education teachers, non-governmental organization (NGO) people working on human rights issues, and was supported by the HAB. Many NGOs participated actively, such as the

Amnesty International Hong Kong Section (AIHK), the Justice and Peace Commission of the Hong Kong Catholic Diocese (HKJP) and the Hong Kong Christian Institute (Lee & Yuen 1999). During that period of time, many teaching packages, video tapes, booklets, and cartoons were developed. The teaching materials were recommended for both schools and communities. This period was comparable to the late phase of stage two in the school sector when human rights education activities started to blossom. However, all the efforts had only little impact as the understanding and commitment of teachers and community workers to human rights education were weak. As a result, community human rights education died down gradually and was replaced by nationalistic education shortly after the return of sovereignty over Hong Kong to China, comparable to Stage Three in schools.

Signs of resurrection of human rights education in the communities

Most recently, unlike the school sector, and parallel to the promotion of nationalistic education, the CPCE re-launched human rights education with the help of HAB. It formed a Human Rights Forum in 2003, a Children's Rights Forum in 2005, and a Human Rights Education Working Group in 2005. Representatives of human rights NGOs were invited to participate in the forums, where they voiced their opinions on various human rights issues. The HABs' role was to explain the official government positions. NGO people could request officials from other government bureaus, for example the EMB, through the HAB to explain the human rights issues related to their bureaus. However, the requests were not mandatory and always refused by the other bureaus. The tasks of the Human Rights Education Working Group were to conduct a survey on human rights attitudes of the general public, to update and upload the available human rights education

teaching materials published before, and to have constant dialogue with NGOs. These measures were welcomed by the NGOs. But soon they found out that these actions were probably some kind of ‘window dressing’ responses to the requests from the United Nations human rights treaty bodies’ feedbacks on the Hong Kong’s reports on the human rights situation. This made the sincerity of the HKSAR government in upholding the human rights standards requested by the United Nations human rights treaty bodies doubtful.

Factors hindering the implementation of human rights education

There are many factors affecting the implementation of human rights education programs. The following discussion focuses on such factors at the governmental and school levels.

a. Lack of sincerity of the government

Though in general the human rights record of Hong Kong is not bad among Asian countries, there are many evidences which cast doubt on the sincerity of the government in upholding the international human rights standards in various areas. Up till now, the Hong Kong people’s basic human right of universal suffrage for the Chief Executive and members of the Legislative Council is still being denied, regardless of the strong requests from the United Nations’ Commission on Human Rights (UNCHR) and the Hong Kong people. Hundred thousands of Hong Kong people demonstrated in 2003 and 2004 to voice their strong requests for universal suffrage, but not even a timetable for recognizing universal suffrage was promised. The lack of sincerity is also evident from the fact that the HKSAR government continuously refuses to establish an independent Human Rights Commission to lead the work of protection and promotion of human rights as requested by the UNCHR and NGOs. The government has

only assigned the HAB to coordinate the work on human rights assigned to different bureaus. Since the HAB has equal power and status with the other bureaus, it cannot command cooperation from them. As a consequence, the work on human rights becomes very scattered and ineffective. The lack of governmental intention and policy to implement human rights education program in schools is another fatal hindrance. Without a strong support from the government, it is difficult for schools to take an initiative on human rights education. As a result, students hardly learn anything about human rights. Moreover, this lack of interest in human rights education in schools is also reflected in the teacher education institutes. There is no systematic program on human rights education in any teacher education institutes in Hong Kong. All these factors together have very negative effects on the cultivation of human rights culture in the society.

b. Hindering factors at the school level

Although some recommendations on human rights education by the Council of Europe (1985) have been incorporated into the aims of educational reform in Hong Kong (Fok 2001) and there were individual teachers working very hard on it (Tsui 1999), there has never been any systematic human rights education program in schools. Basically the implementation is poor (Fok, 2001). In addition to the lack of governmental intention and policy for implementing human rights education programs, as shown by decades of poor implementation, human rights education has never been high on the agenda of schools. A survey by Oxfam Hong Kong and AIHK in 1996 reported:

While teachers and students generally understood human rights, many teachers valued social stability over people’s fundamental rights. And while teachers believed in basic human rights for everyone, most placed their personal interests above other people’s rights (Lee & Yuen 1999).

Moreover, most Hong Kong teachers have inadequate understanding of the fundamental concepts of human rights, such as, ‘inherent nature’, ‘universality’ and ‘indivisibility’ of human rights and the idea of ‘the limits of limitation’ in setting rules to limit students’ human rights. For example, they tend to consider student rights as being granted by the school authority and schools have the absolute power to limit student rights whenever schools want. This puts the students in a powerless position and at the benevolence of the school authority. Under such conditions, whenever students claim their rights, they will be considered as disobedient and fighting against the authority, and probably given punishment. The lack of understanding of ‘indivisibility’ of human rights has led to an interesting phenomenon. If teachers in schools are asked whether they have been respecting human rights and undertaking human rights education, most probably they will reply ‘yes’. It is fair to say that most schools have implemented some categories of human rights. But since they do not understand the ‘indivisibility’ of human rights, they tend to miss many rights unintentionally at the same time.

Using the three Ps (Provision, Protection and Participation) of the Convention on the Rights of the Child (CRC) as an example, Hong Kong schools have done quite successfully the ‘Provision’ and ‘Protection’ components. But for ‘Participation’, it is completely different. The rights to participate recognize the rights of children to make certain choices for themselves and communicate their ideas with others. These rights are particularly important as they acknowledge students as ‘here and now citizens’. Unfortunately, these rights are usually denied in schools. For example, according to Article 12 of CRC, students should be provided with opportunities and channels to express their views to influence school policies affecting their school lives. Though most secondary schools have some form of elected Students Councils, they are seldom empowered to have influence on school policies. They may be granted with

some power to handle some matters regarding students’ welfare and extra-curricular activities but seldom related to school policies. According to Article 13 of CRC, students are entitled to the rights to receive and express different views, ideas and opinions by any media they choose. Though most schools have students bulletins, most of them are censored tightly by school authorities. Students’ rights to information and expression of opinion are seldom seriously respected. By denying students’ ‘rights to participate’, their ‘here and now’ citizenship is denied as well. That is, students are treated as “not-yets: not yet knowing, not yet competent and not yet being” (Verhellen 2000). It should be noted that the rights to participate being denied are mainly civil and political rights. In fact, claiming civil and political rights is always perceived as threatening to people in power.

In addition, a few more reasons have been identified as unfavorable to the implementation of human rights education programs in schools. Professor Tai (1994) has identified ‘seven fears’ of teachers, namely ‘fear of confusion’, ‘fear of losing authority’, ‘fear of troublesome’, ‘fear of too heavy workload’, ‘fear of lack of understanding’, ‘fear of abuse of students’ and ‘fear of implementation’. In fact, under the present very stressful working conditions in Hong Kong schools, these ‘fears’ are understandable. Other hindrances identified include lack of teaching materials, professional training and time (Lee & Yuen 1999). Efforts and resources must be devoted to address all the concerns, if human rights education is to be implemented whole-heartedly.

How should we move forward?

a. Possibilities at the school level

As discussed, civic education in schools has entered the third stage of “Re-depoliticization of civic education” and all contents related to human rights and democracy have been put aside. Unexpectedly, in these very unfavorable

conditions, a new core and compulsory 'subject' called 'Liberal Studies' (LS) will be introduced in 2008, as part of educational reform. This new 'subject' brings hopes to the resurrection of human rights education in the school curriculum. Possibilities of incorporating human rights education can be found in the proposed aims, content and pedagogies. Some of the aims of LS at the senior secondary level are (CDI 2006, 5):

- (a) to enhance students' understanding of themselves, their society, their nation and the human world and the physical environment;
- (b) to enable students to develop multi-perspectives on perennial and contemporary issues in different contexts (e.g. cultural, social, economical, political and technological contexts);
- (c) to develop in students a range of skills for life long learning, including critical thinking skills, creativity, problem solving skills, communication skills and information skills;
- (d) to help students appreciate and respect diversity in cultures and views in a pluralistic society and handle conflicting values;
- (e) to help students develop positive values and attitudes towards life, so that they can become informed and responsible citizens of the country, society and the world.

It seems that the type of citizen expected from these aims is similar to those expected from a successful human rights education (Leung & Lau 1999). Hence, though human rights are not explicitly mentioned in the aims of LS, there is room for human rights education within the aims of LS. In the content of LS, though little has been said about human rights directly, there are themes, issues and questions within the units that can be used for human rights education. The basic curriculum framework of LS is listed in Table 1 (CDI 2006, 11):

Table 1: The basic curriculum framework of Liberal Studies

Units of Study	Independent Enquiry Study
<i>Area of Study: Self and Personality Development</i> Unit 1: Personal Development and Interpersonal Relationship	Students are required to conduct an Independent Enquiry Study on a topic along one of the following themes: <ul style="list-style-type: none"> • Education • Media • Religion • Sports • Arts • Information and communication technology
<i>Area of Study: Society and Culture</i> Unit 2: Hong Kong Today Unit 3: Modern China Unit 4: Globalization	
<i>Area of Study: Science, Technology and Environment</i> Unit 5: Public Health Unit 6: Energy, Technology and Environment	

Briefly, there are three Areas of Study, namely 'Self and Personal Development', 'Society and Culture' and 'Science, Technology and Environment'. In these three Areas of Study, there are six units, namely 'Personal Development and Interpersonal Relationship', 'Hong Kong Today', 'Modern China', 'Globalization', 'Public Health' and 'Energy, Technology and Environment.' For example, in the theme Quality of Life in Hong Kong Today, there are questions addressing how the quality of life can be measured, economically, socially, culturally, politically and environmentally (CDC 2006, 27). It is clear that the 'rights-based' concepts derived from various international human rights documents can be used as some kind of objective measures. In the theme Rule of Law and Socio-political Participation in Hong Kong Today, there are questions about rule of law, citizenship rights, responsibility and minority rights (CDI 2006, 28). In addressing these issues, the Hong Kong Basic Law, Hong Kong Bill of Rights and various international human rights documents

can be included. Similar to the Quality of Life in Hong Kong Today, there are questions in the theme China's Reform and Opening Up in Modern China, addressing living standards and ways of life in PRC (CDI 2006, 34). This again provides the opportunity to introduce international human rights standards. In the deliberation of PRC's participation in international affairs in China's Reform and Opening Up, the issues related to the signing and implementation by PRC of various international human rights instruments can be raised. Moreover, the shared concept of Multiple Citizens and Multiple Identities in Hong Kong Today, Modern China and Globalization can also be used to explore human rights as global ethics. Similarly, there are chances for inclusion of human rights in the units 'Public Health' and 'Energy, Technology and Environment'. The last but not the least, the requirement for students to conduct an Independent Enquiry Study on topics such as media, education, religion, sports and arts allows the inclusion of human rights.

Concerning the proposed pedagogies of LS, it emphasizes students' construction of knowledge and recommends the 'issue based approach' and 'experiential learning'. These approaches are also considered to be effective by human rights educators (Meintjes 1997; Tang 2006). In addition, LS teachers can involve human rights NGOs in the teaching of human rights issues because they are experienced in using experiential learning. In sum, we can conclude that with the introduction of LS as core subject in 2008, there are hopes that human rights education can be resurrected in schools as the content contains many human rights issues and its pedagogies are similar to human rights education. It seems that the school civic education of Hong Kong will be entering Stage Four, which can be named as Civic Education through Liberal Studies, where human rights education will have a place. But the critical issue is "are teachers prepared, in terms of will, and understanding of human rights and pedagogies?"

b. Possibilities of Human Rights NGOs

As noted earlier, human rights NGOs can help schools explore human rights issues in LS, especially in using experiential learning. Research has revealed that politically active NGOs are effective in helping schools use experiential learning for the cultivation of democratic citizenship (Boehnke & Boehnke 2005; Finkel 2003; Leung 2003, 2006). Similar results are expected from the involvement of human rights NGOs in human rights education. NGOs should be more proactive in providing service to teachers. But they should note and address the worry of indoctrination expressed by some teachers in working with advocacy NGOs (Leung 2003, 2006). It seems that a model of close cooperation between schools and NGOs in human rights education is expected. But are the NGOs and schools prepared?

Conclusion

The road to human rights in Hong Kong is long and winding. As an international city which has to implement fourteen international conventions on human rights, under the pressure of the United Nations, the HKSAR government has to do something to address the inadequacies in realizing human rights. But its sincerity is in doubt, as reflected in its continuing denial of Hong Kong citizens' basic rights to universal suffrage and of the request for the establishment of a human rights institution with adequate powers and functions. In addition, a decade's lack of human rights education has led to insufficient understanding of human rights in the educational and community sectors. This situation made the schools insensitive to human rights issues. As a result, the promotion of human rights and human rights education has never been high on the educational agenda. This created great difficulties in the cultivation of human rights culture.

The recent gestures of the SAR government in passing a few anti-discrimination bills and the HAB in paying more attention to human rights issues and community human rights education have shed some light to the deadlock. In schools, the new core subject Liberal Studies to be introduced in 2008 may open up opportunities to promote human rights education. The crucial issue is whether there are sufficiently well-prepared teachers. Unfortunately teacher education institutions are still quite insensitive to the issue.

But no matter how, all these potential measures are only be effective if the HKSAR government gives strong green light to human rights education and render sufficient resource support. Otherwise, they will only be window dressing events. But whether or not the government would give bright green light depends very much on the attitude of the PRC government on human rights. I wish, with utmost sincerity, that the most recent event of PRC being elected to the United Nations Human Rights Council as a member would help ignite the green light, and allow the more concerned parties to work together in kindling it ever more brightly for the betterment of our human communities.

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