

HUMAN RIGHTS EDUCATION IN ASIA-PACIFIC

VOLUME FIVE



HURIGHTS OSAKA

**HUMAN RIGHTS
EDUCATION
IN ASIA-PACIFIC**
VOLUME FIVE

Human Rights Education in Asia-Pacific—Volume Five

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Acknowledgment

WE EXPRESS our gratitude to all the contributors in this volume of our annual publication on human rights education. They all generously shared their time, experience and energy in preparing the articles in this volume. May they find this volume not only interesting but also useful in their respective fields that relate in one way or another to human rights education.

We also express appreciation for the key persons and participants in the 4th International Conference on Human Rights Education held in Taipei in November 2013 who subsequently contributed articles in this volume.

We acknowledge Jefferson R. Plantilla as editor of this publication.

We also acknowledge Fidel Rillo of Mind Guerilla for this publication's nice lay-out and cover design.

Foreword

THE ARTICLES in this fifth volume of Human Rights Education in Asia-Pacific provide color and depth to the promotion of human rights in the region. The articles also show the significance of using different avenues that contribute to the learning of human rights, from the promotion of right to play, to use of materials of historical value, to improvement of professional ethical standards, and to the development of appropriate educational policies.

It is not difficult to see the need to present human rights through various issues as well as activities in order to ensure that they are understood in their most meaningful senses. The articles in this volume inform us of relevant experiences in this regard.

We therefore need to continue searching for initiatives that promote human rights in order to share more of such experiences, materials and approaches to others.

I express our sincerest gratitude to all the contributors for their articles in this volume. May this publication honor them in its humble way.

OSAMU SHIRAISHI
Director

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Introduction

HURIGHTS OSAKA celebrates its twentieth year of existence in 2014. Its regional program contributes to this celebration by continuing the gathering and dissemination of information on human rights education initiatives in Asia and the Pacific. As a human rights center, HURIGHTS OSAKA promotes human rights in the region by highlighting human rights education experiences of various institutions. HURIGHTS OSAKA also promotes human rights in the region through other activities such as research, material development, training and consultancy.

The regional human rights education program of HURIGHTS OSAKA focused solely on the formal education system during the first twelve years of program implementation. Under this program, HURIGHTS OSAKA undertook research, material development and training activities in South, Southeast and Northeast Asia. Resource limitation prevented HURIGHTS OSAKA from undertaking activities in the Central and Western subregions of Asia and in the Pacific.

Its previous annual publication, *Human Rights Education in Asian Schools*, featured articles on programs, projects and other initiatives related to the school system. But since there were many more human rights education programs and projects outside the formal education system not only in Asia but also in the Pacific, HURIGHTS OSAKA decided to widen the coverage of the annual human rights education publication and launched *Human Rights Education in Asia-Pacific* in 2010.

This publication, on its fifth year, continues to cover as many human rights education initiatives in the region as possible and gives them the opportunity to be known by many educators in the region and beyond. It is meant to build a significant database on the state of human rights education in Asia and the Pacific. It aims to provide information on the story behind the development of human rights education programs, projects and other initiatives; the variety of experiences in their implementation; the support they receive from individuals and institutions that also largely shapes them; the contexts that define the challenges they face and have to face in the future; the results of their implementation that are lessons for other educators to learn from; and the indications of better respect, protection and realization of human rights in the family, school, workplace, and society that might

have arisen. And as expressed repeatedly in the volumes of this annual publication, the recognition of the people and institutions involved in these programs, projects and other initiatives on human rights education is needed in order to inspire their continuation and further development.

The continuation of this annual publication is very much dependent on the goodwill of the contributors. They all share HURIGHTS OSAKA's goal of promoting human rights in the region. Some contributors shared articles that have already been written sometime before, while others took time and effort to make articles based on existing documentation of their work. There are certainly many more possible contributors who should be included in this annual publication. HURIGHTS OSAKA will continue to search for them and make sure that whatever they are doing regarding the promotion of human rights are known beyond their respective circles and networks.

The articles in this fifth volume of the publication prove the success of the continuing search for programs, projects and other initiatives on human rights education. They consist of a mix of initiatives in the formal, non-formal and informal systems of education that paint what we already know as an eclectic situation of human rights education in the Asia-Pacific.

The articles in this volume generally cover five major themes: play, pedagogy, policies, professional ethics and political support. Each theme points to aspects of human rights education that need appropriate attention and support.

Play

Three articles dwell on the role of play in the life of children. All the articles express concern for the view that play does not contribute to learning and thus should be properly managed in terms of time and place. Two articles stress the lack of space for children to play due to greater concern for constructing buildings in urban areas in the name of urban development. These two articles also point to right to play as part of child rights.

Kathy Wong explains the factors that affect children's play in Hong Kong. They consist of children being made to play alone instead of being with fellow children, of parents having very little time to play with their own children, of children being given toys instead of letting them make their own materials to play with, of less opportunity to join children's programs (such as children's camps) due to financial constraints, and of play being an indoor activity instead of an activity done in open spaces outside buildings.

The key factor in this issue is the adults' view about the value of play to child development. They see play as hindrance to the "development" of children, which according to this view is possible only within the formal education system and other activities that are programmed to complement school activities (such as learning sports and playing musical instruments) and should occupy much of the time of children. As a result, children engage less in active forms of play outside the house, and pressured to study more instead.

Ms. Wong also points to the need to see play in various contexts such as play for children who can join community activities, play for those with special needs, and even play for children who are in hospitals. These varying situations of children do not mean less play for them, rather they show creative ways of making children enjoy play in their respective contexts.

Considering this situation, there is a need to make the public and concerned government officials reminded of the value of play in child development and of the need to adopt new ways of making children enjoy play under different situations.

The article of Usha Ajithkumar Malayankandy echoes the problems in Hong Kong regarding play. She points to the problems posed by the perception of the value of play by the parents and the teachers in India. The results of her survey indicate the tendency to support the role of play in the emotional, social and physical development of children by both parents and teachers. But the parents do not see play as important to the intellectual development of children as much as the teachers. And yet the teachers are not necessarily making the effort of using play in the learning process. The general perception of parents and teachers remains the same: play is for spare time, and should be enjoyed only after study.

The article of Gerry Lanuza, on the other hand, provides examples of play as means of socializing children on gender issues. His study of school children illustrates the manner by which children deal with issues affecting girls and boys, mothers and fathers, wives and husbands, and other situations of women and men. He also explains that while children play inside the classroom, this is done only when the teacher is not around or during break time.

The children also engage in play when they get bored in the learning process. This portrays play as a coping mechanism in boring classroom session.

Play must always be fun and has a role in children's processing of various issues regarding gender. Play socializes children on how they should behave as girls and boys; it allows them to treat gender issues in their own way – in their fun way. But play also exposes children to the experience of following rules in order to enjoy the activity. They do not enjoy play when the rules that they have agreed on are not followed.

Pedagogy

The comment of the primary school children in Mr. Lanuza's study about the lack of attraction to the teacher's use of play in the class reveals an important pedagogical issue. The children are not attracted to the plays used by the teacher because they are boring, i.e., they have less action and laughter. The "pedagogical plays" may also be difficult and thus not always replicated outside the classroom as ordinary play. His study indicates that even though play is employed as part of the learning process it may not be an enjoyable experience and thus not effective as a tool of learning.

For students in the secondary school, a different pedagogy is necessary. This is true in learning serious issues such as discrimination. The article of Daisuke Nojima explains the need for a pedagogy that allows students to understand the issue not merely from a personal standpoint but also from a structural perspective.

He explains the issue of discrimination against the *Burakumin*, those who belong to a section of the Japanese population who were relegated to the lowest rung in societal hierarchy several hundred years ago and yet still suffer the stigma of being segregated from mainstream society even at present. He suggests the use of the structural approach of analyzing the issue to provide the students the chance to think of solutions to the problems involved. And this can be done using the simulation method used by peace educators.

He also suggests the participatory manner of employing the simulation method to ensure the involvement of different people, and consequently the emergence of diverse views and suggestions.

The simulation method employed by Mr. Nojima has however been criticized by fellow educators for lacking empathy with those who suffer the discrimination. In one sense, the criticism is that the discussion of the serious issue has been converted into a game-like activity instead of a treating it as very serious personal tragedy.

The anti-*buraku* discrimination education program in Japanese schools put much emphasis on the personal feelings and thoughts of those who are suffering from discrimination and those who realize the gravity of the problems suffered by the discriminated. Thus writing notes and reading stories of the discriminated people are important parts of this pedagogical process.

On the other hand, the article of the Citizens Archive of Pakistan (CAP) provides another example of pedagogy aimed at students. It presents the experience of using various types of materials on significant historical events (such as films, spoken words and photography) that students discuss in interactive manner. Using the workshop format, CAP notes that students relate the human rights they learn to their personal stories and also see the cultural and societal barriers to stopping human rights violations. Their knowledge of the problems in society expands as a result, with the inclusion of human rights implications of these problems.

There is certainly a need for both personal and societal approaches in human rights education. Any participant in human rights education program or activity has to be affected emotionally and psychologically by the issues being discussed but also allowed to understand that the problems are part of the societal structure and require structural solutions drawn from “objective” analysis of the situation.

The article of Supattra Limpabandhu provides an example of how the human rights issues should be understood by adults participating in human rights education activities. She presents the experience of doing participatory workshops for adults who occupy important positions in society (as government officials, members of social organizations, staff of non-governmental organizations, etc.) and therefore have the opportunity to act on the human rights issues at hand.

The workshops aim not only to study the human rights standards but also to facilitate the creation of mechanism for collective action on human rights issues. Ms Limpabandhu finds the use of adult participatory learning method to be most effective to attain this aim. The participants are able to express their views freely that facilitate better understanding of the concepts being studied. To a large extent, the use of participatory adult pedagogy provides joy to the adult participants in much the same way that children appreciate their classroom activity if it is fun. The enjoyment of an educational activity is an important component of a learning process. Participatory activities, or plays or games for children, create the condition for better appreciation of the subject being learned.

The article of the Malaysian Human Rights Commission (SUHAKAM) presents the view that the best practices in human rights education are those that involve the active participation of students and teachers, and also school officials. Under the whole-school approach, the implementation of human rights education program requires student involvement in both curricular and non-curricular activities. Student activities comprise an important component that requires the students themselves to implement human rights activities within the school and the local community. Such participatory learning method however should link the curricular and the non-curricular activities. What happens inside the classroom under the different curricular subjects should support activities in the school grounds. This link is an important part of the whole school approach.

Policies

The best practices on human rights education in the school system are most likely to continue and be adopted by many more schools if they are supported by appropriate educational policies. The article of Tiffany Jones provides bases for the argument that there is a likelihood of human rights protection or less human rights violations in schools where students know the existence of educational policies supporting human rights. In her study of schools in several states of Australia, the existence of policies protecting the rights of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) students contributes to less discrimination, bullying and other problems affecting them. The awareness of students of these government and school policies comprises an important element in improving the situation of LGBTIQ students. And this awareness can only happen through human rights education activities including creating “supportive school environments through messages of inclusion and affirmation (supportive posters and displays, library resources, equal treatment of same sex partners at events, flexible options in gendered uniforms, and the dissemination of information about counseling.)”

Such policies should cover the development professional standards for teachers and school administrators. The incorporation of human rights principles in these professional standards should help in the teaching and learning of human rights in the school system.

Professional ethics

The article of Nguyen Thanh Hoan discusses the efforts to improve the professional ethical standards for Vietnamese school teachers. The proposed professional ethical standards incorporated various concerns, including provisions that relate to human rights. The proposed professional ethical standards guide teachers in their relationships with students, colleagues, parents and society. They stress respect for privacy, protection of students, support for the full development of students, non-discrimination towards the parents, and general protection of human rights (specifically, political, civil and other basic rights of the people).

The professional ethical standards for teachers and school administrators are important materials for learning human rights. They are important materials in teacher training and as well as training for school administrators (both pre- and in-service training programs) and also for human rights education within the school system. The whole school approach discussed earlier would benefit from teachers and school administrators who are guided by human rights-influenced professional ethical standards.

At the personal level, teachers who believe in human rights and try to incorporate them in their teaching embody the characteristics of human rights educators. Anamika's article cites several examples of teachers in Taipei whose belief in human rights influences their pedagogy inside the classroom.

Anamika's study of three Grade Six teachers in a Taipei school reveals that personal belief in human rights leads to "critical thinking, commitment and belief in human rights, belief in efficacy of human rights education, belief in democratic communication instead of giving instruction, zeal of a learner, facilitator not controller, observer, activist, ability to handle challenges, patience, and tolerance." These personal characteristics should by and large be the very same professional standards for teachers in general. Those who maintain these characteristics would be able to respect human rights of their students, their colleagues and the parents. They would also be able to effectively facilitate the learning of human rights by the students inside and outside the classroom.

Political support

Human rights education initiatives of teachers, individuals, schools and organizations in society (including non-governmental organizations) benefit from strong political commitment to human rights by the government. Such political commitment takes the form of laws on human rights; human rights institutions (human rights offices or commissions, human rights ombudsperson); national and local human rights policies, programs and projects; officials assigned to work on human rights; and funding for human rights.

The articles of Sev Ozdowski and Nina Burridge (in the case of Australia) and Anamika (in the case of Taiwan) provide examples of government support for human rights that benefit human rights education in general. The link of national initiatives on human rights or human rights education to the international initiatives (such as the United Nations Decade for Human Rights Education and the World Programme for Human Rights Education) is important. Such link provides international standards by which national human rights education initiatives can be developed and assessed.

In Australia, the absence of a national law on human rights did not stop the government from adopting several measures that support human rights and human rights education. There are laws on specific rights of people (such as laws on rights of people with disability, women, the aged, racial minorities, etc.) and national human rights institution that provide legal support for human rights education. The Australian government adopted the Australian Human Rights Framework and the National Human Rights Action Plan that clearly support human rights education.

In Taiwan, the government issued the 1993 blueprint on human rights education, supported the establishment of a Human Rights Education Committee in 2001, and provided funding to a number of human rights education conferences (local and international), workshops and projects.

These are examples of political support for human rights education from the government. As experienced in Australia and Taiwan, such political support helped mobilize people in the government, academe and the civil society, as well as made financial and other resources available, for a variety of activities aimed at institutionalizing human rights education.

The article of Nina Burridge and her colleagues, on the other hand, provides a reminder on the need to push for wider implementation of the existing political support for human rights education. The article discusses the

results of a comprehensive research on the extent of integration of human rights education into Australian school curriculums. The research results point to the need to use more curricular subjects and other aspects of the school system for human rights education.

Place for Children

This volume includes several appendices consisting of the declarations from the three conferences of the Child Friendly Asia Pacific Network. These declarations provide important guide on transforming the provisions of the United Nations Convention on the Rights of the Child into local government policies, programs, mechanisms, projects and activities. In 2009, the members of this regional network advocated for

Educating community through the implementation of public awareness campaigns on the specific issues and needs of children and the important role individuals, organizations, business and governments can play as [child] rights advocates.

In 2011, they agreed on the need to ensure that “all adults engaging with children are aware of, and secure the rights of children, including adults acquiring the knowledge and skills that best meet the needs of all children.” In 2013, they encouraged “education[al] institutions at all levels to implement child friendly curriculum programs and to adopt strategies for meaningful participation of children and youth in decision making at all levels of management of the institution.”

This Asia-Pacific network of child rights advocates play an important role in making local governments able to realize child rights within their local jurisdiction in very specific and practical forms. The role of education, from awareness-raising to training activities, is a given requirement in implementing the regional network ideas and suggestions at the local level.

Linking Initiatives

Despite the seeming weakening of international attention to human rights education, human rights education initiatives in the Asia-Pacific region remain strong. Some of these initiatives are not necessarily denominated as human rights education programs, projects or activities. They can be

programs, projects or activities that address specific issues relevant to specific societies or groups of people. As shown by some of the articles in this volume, issues regarding history, gender, play and even professional ethical standards have human rights implications. HURIGHTS OSAKA highlights the human rights components of the educational programs, projects or activities needed to put these issues into the mainstream consciousness of the people as much as make them part of government policies and mechanisms.

HURIGHTS OSAKA also facilitates the linking of these programs, projects or activities across geographical and other “borders.” However, HURIGHTS OSAKA should probably be more active in creating these linkages, making use of its networking capacity.

In celebrating its twentieth year, HURIGHTS OSAKA needs to see how to further improve its program for Asia-Pacific. In doing so, it needs to explore collaboration with different institutions on different issues and programs. But there is also value in strengthening old ties and looking at new initiatives with previous partners. A serious consideration of all these possibilities is probably the best way to celebrate two decades of HURIGHTS OSAKA existence.

JEFFERSON R. PLANTILLA
Editor

The Citizens Archive Pakistan: A Case Study on Human Rights Education

Zainab Imam and Ali Abbas Ahmed

HUMAN RIGHTS CONSTITUTE a complex issue in Pakistan. With an extremely large, diverse and economically disenfranchised population, human rights are often ignored in pursuit of basic survival. Although successive governments have enacted various measures to improve human rights awareness and counter violations that may occur, such violations remain. (Khan, 2012)

Courts and law enforcement authorities suffer from lack of funds, political interference and massive backlogs of trial cases leading to lengthy delays. Pakistan's status as an Islamic democracy also means that the legal system is made up of a mixture of both Islamic, and secular colonial laws which means that the interpretation of whether human rights violations are occurring is often on a case-to-case basis. Most observers and citizens generally agree that Pakistan's legal code and system is largely concerned with crime and national security, and less with the protection of individual or community rights. As a result a multitude of human rights violations occur with frightening regularity in Pakistan, ranging from the trampling of rights related to free speech and assembly, sectarian and religious intolerance, discrimination against minorities, illegal detention and enforced disappearances. (Human Rights Commission Pakistan, 2013)

Empowering the Community with Human Rights Education

The Citizens Archive of Pakistan (CAP) is a non-profit organization dedicated to cultural and historic assets preservation and operates in Karachi, Lahore and Islamabad. It seeks to educate the community, foster an awareness of the nation's history, and instill pride in Pakistani citizens about their heritage.

CAP focuses on the tradition of oral storytelling in Pakistan, emphasizing the importance of such narratives in a dialogue on national identity. It

has three main goals: to preserve and provide access to its archive; to build and support educational programs; and to develop educational products based on the testimonies collected.

It shares Pakistan's stories through educational outreach programs that aim to change perceptions among schoolchildren to prevent abuses from occurring, improve critical thinking and inculcate a culture where future generations have a greater awareness of the rights they are entitled to and respect the rights of others.

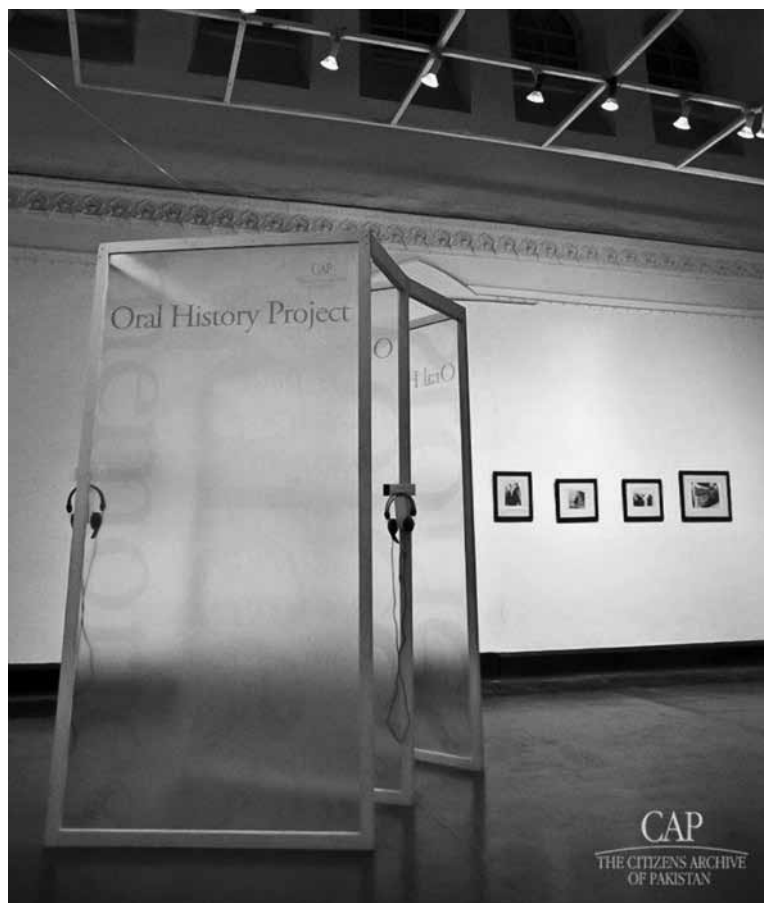
Programs

Our vision is to develop CAP as the foremost museum and heritage center of Pakistani history, photography, culture, literature, and historical documentation demonstrating the strength and spirit of Pakistan from the perspective of a citizen. Each exhibit and gallery will tell important stories about the country and provide an engaging and thought-provoking window into the nation's past, present, and future. We firmly believe that it is only through access to an unbiased version of history and introspection that a culture can be created where individual and community rights are not only recognized but also respected.

To achieve this objective, CAP launched its flagship Oral History Project (OHP). The stories emerging from OHP, the secrets behind old photographs and the personal experiences of our nation's rich and varied people feeds the material used in the School Outreach Tours lessons, the Shanaakht Festival, and several exhibitions. The OHP concentrates on collecting narratives from people about significant events in their lives during the early days of Pakistan, providing an alternative perspective to historical literature. The OHP works with different communities in Pakistan under sub-projects such as the Minority Project to educate the masses on contributions to Pakistan by members of minority communities thereby encouraging a greater respect for minority rights. The Minority Project also aims to archive and preserve various records such as letters, newspapers, refugee cards, official correspondences, and passports.

Promoting tolerance and acceptance of an individual's rights to religious and cultural freedoms is a central theme of CAP's Minority Project. Interviews are conducted with members of minorities about what it is like to be a member of minority in Pakistan, and religious and cultural festi-

vals are covered to highlight and promote cultural and religious diversity. This is especially important in a country where minority rights are regularly trampled upon, with discrimination and sectarian violence tragically on the rise. CAP seeks to foster a greater understanding and respect for cultural and religious diversity, and regularly disseminates archived material including interviews and photographs through podcasts, social media, newsletters and direct access to the archive upon request. Researchers, historians and writers regularly use materials from the Minority Project archives for their work. A notable example is journalist Haroon Khalid's ethnographic study on minorities in Pakistan *White Trail* (2013), which drew heavily from the Minority Project archives.





Holi celebration in Karachi (March 2013)

In line with CAP's belief that history and culture belong to everyone and should be accessible to all citizens, various free of cost, bilingual, multi-media exhibitions are organized every year in order to accommodate people from all walks of life. Some of these exhibitions include: Shanaakht Festival (Identity Festival); Birth of Pakistan; Dekho Pakistan (See Pakistan); This is My Story; Dialogue with Pakistan; State of Being so Divided; and Exchange for Change Exhibition. These exhibitions seek to educate the community as a whole, encourage honest introspection and critical analysis of one's surroundings, foster an awareness of individual rights, and inspire citizens to recognize and respect these rights.

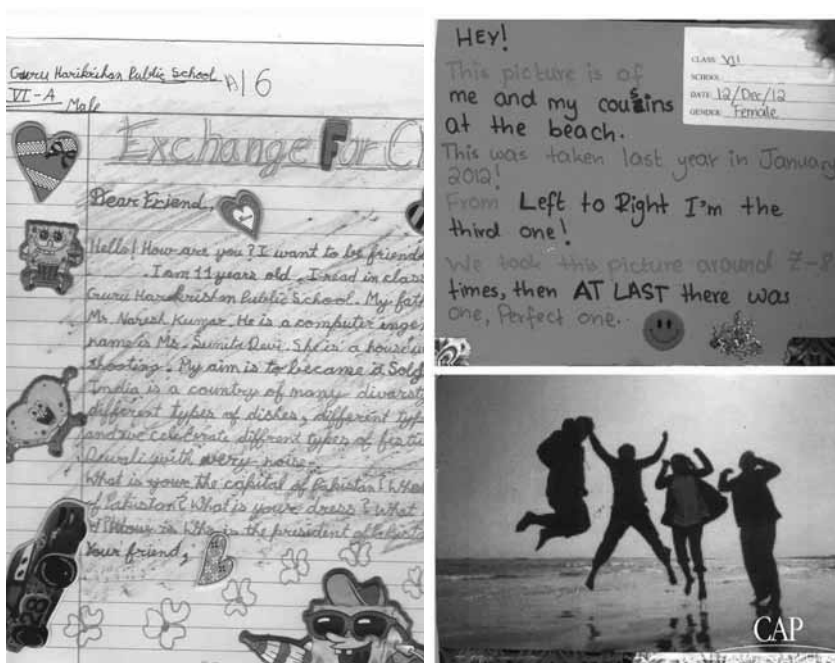
CAP launched the Exchange for Change (EFC) project in 2010 in an attempt to challenge stereotypes, encourage tolerance and a more inclusive attitude and discourage negative perceptions. EFC is an exciting initiative by CAP that aims at improving relationships between Pakistan and India through cultural exchanges and people-to-people diplomacy.

By initiating a dialogue this program seeks to help students across both borders realize that a civilized, mutually beneficial and friendly discourse is not just possible but sustainable too. Through cross-culture communication, students can have a clearer understanding of their own history, culture and lifestyles as well as of their peers. CAP believes that such interaction will

in turn lead to a positive change and eliminate cultural misconceptions and inter-generational conflict. A sustained exchange of letters, postcards, pictures, artwork and videos encourages children to form their own opinions, and the exhibitions of materials from these exchanges draw massive crowds, leading to the hope that such instances of people-to-people diplomacy will influence the community at large.

The EFC exhibition showcases materials collected throughout the project, including letters written by Pakistani and Indian students to their counterparts, picture postcards, oral histories of the students' grandparents and video exchanges. Participating schools, the media, parents of the students, and the community at large are invited to these exhibitions, to ensure a wider dissemination of the material collected and further promote cross cultural interaction and acceptance.





Exchanges between Indian and Pakistani students (2012-2013)

Similarly CAP's 2011 'State of Being so Divided' exhibition aimed to increase greater understanding of a period of widespread human rights violations and illuminate some of the events and personalities that shaped that time. An interactive timeline recorded the arduous train journey from Delhi to Lahore in 1947 and the beginnings of the new state of Pakistan. Videos, photographs, objects, advertisements and oral histories took visitors through the 1950s and 1960s in Pakistan and ended with another partition and the birth of the state of Bangladesh.

All the images and oral histories used in the exhibition were from CAP's archives, with a wide cross section of society invited to experience the exhibition in Lahore. The aim of holding free of cost, bilingual, multi-media exhibitions on a regular basis is to accommodate people from all walks of life, and informally educate the community about the past, encourage introspection, and increase awareness of individual rights in the hope that this will lead to a more tolerant and empowered society.



To date, CAP has digitized more than fifty thousand photographs from private and public collections. Its photography archive is open to researchers, students and universities. The archive contains comprehensive images

of cultural and social events of the Indian sub-continent from 1930 till present times and is one of the most extensive in Pakistan, offering one of the greatest selections of photography.

Empowering Students with Human Rights Education: The Human Rights Modules

In line with the mission to share heritage and culture on a mass scale, CAP uses information from its archive to influence future generations. Through CAP Outreach Tours Program, educational programs for low-income schools and colleges are held. The program is currently reaching out to over 8,000 students in Karachi and Lahore and the curriculum includes history, geography, and English Language with a strong focus on inculcating independent and critical thinking skills, and changing preconceived perceptions that may be held about minority groups, gender roles and Pakistan's creation.

CAP's lesson plans exceed the perimeter of basic knowledge and information. The lesson plans focus on History, Geography, English Language, and more importantly on character building with the introduction of subjects such as conflict resolution, gender issues, and minority rights. Aside from motivating each individual child, the emphasis is on encouraging communities towards thinking logically and promoting equal gender parity through the use of film, spoken word, and photography. With visual rendering as the foremost tool, various projects are designed to encourage the youth to think critically and humanely.

The College Outreach Tour (COT) workshops utilize materials from CAP's archive, promote civic sense, tolerance, democracy, constitutional rights, and invoke critical thinking as well as an understanding of the country's history and heritage. The program is bilingual and includes research-based interactive activities designed to inculcate a broader vision of Pakistan.

The modules developed by the COT curriculum development team focus on educating students about human rights and the importance of being entitled to and respecting these rights. The module titled "Human Rights" consists of three two-hour-long workshops that are carried out by our teachers in Karachi and Lahore. The techniques that these workshops employ range from multimedia presentations and handouts that introduce students to the basic concepts of human rights to activities and case studies that solicit responses from students to facilitate meaningful discussions about the subject

matter. Furthermore, because the modules are available both in English and Urdu, they vastly increased our reach by making them available to schools that cater to various backgrounds. See Annexes for modules and materials used in COT workshops.

What We've Learned

Before the workshops, the students were asked to describe what the term “human rights” entails, to which CAP teachers received very vague answers. Some students considered human rights to be so insignificant that they said they had “other issues” to worry about while some seemed to believe that such a category of rights did not exist. In a country like Pakistan, where human rights are trampled by violence, social injustice, and economic inequality, it barely comes as a surprise that human rights appear to be a completely new concept to these young adult college students.

However, these responses did not represent the students’ curiosity about the concept. Once the team provided them with a formal definition of human rights as defined in the Universal Declaration of Human Rights (UDHR), the students began to come up with their own lists of examples of rights that should be included under the umbrella of human rights.

As the discussion continued, personal stories emerged, which were the special yardstick that helped CAP measure the success and impact of its human rights education module. Upon learning that the right to marry according to one’s will was a human right recognized by the United Nations, one student reflected that he had forcibly been engaged to a cousin by his parents against his choice. Using the critical thinking abilities that have been inculcated through the curriculum, he said that the cultural and societal barriers in place in Pakistan have led to the usurping of human rights in the country.

Another one of the rights that the students seemed to be unaware of was the right to a free and fair trial for criminals. The teachers cited a particularly gruesome example of vigilante or mob justice in Pakistan – known as the Sialkot Lynching Case – in which two young boys, who were alleged to be robbers, were hung upside down and lynched to death by a mob. Using the basic concept of trial-for-all, the students brought up extrajudicial killings as an example of human rights violation, citing the incident where a

young boy who was shot to death in Karachi by a law enforcement official who claimed that the boy was a robber.

Interestingly, students linked abuse of power to human rights violations with the powerful in Pakistan exploiting their advantage over the poor and the helpless. Some students, mostly young men, said that their right to get involved in political activity was trampled regularly by political parties' student wings that wielded significant influence over university and college administrations, and forced students to attend the speeches of their leaders in order to show 'street strength'. If the students refused, they were threatened and sometimes physically harmed.

Changes in Opinion

Following the workshops, the students were asked to fill out feedback forms that asked questions to assess how they felt about key issues in light of the universal definition of human rights. 90 percent of the respondents believed that human rights violations were common in Pakistan, while a whopping 98 percent said that they believed that human rights awareness could promote peace and stability in the country.

There was also a meaningful discussion in the module on whether democratic governments or military regimes had better human rights records. As a result, 14 percent of the students said that human rights were granted only in military-governed countries but 78 percent of the students opposed that belief. 60 percent of the participants maintained that democratic states were more likely to endorse and preserve human rights.

When asked who they felt was responsible for ensuring human rights in the country, 56 percent of the students noted it was the responsibility of the government, 16 percent said society, 6 percent said religion, and 4 percent said rights need to and should be demanded. In response to the subjective questions, the students gave varied answers. When asked about the purpose of human rights, 38 percent believed the purposes was to provide justice for all citizens of the world, 14 percent said to provide security, 13 percent thought it was to provide equal opportunities for all, whereas 4 percent said to ensure peace of mind for all.

Perhaps the most encouraging statistic from the survey was that 93 percent of students recognized that the existence of human rights could promote peace and prosperity whereas their absence would lead to an unhappy

and disenfranchised population. This change signaled that the students had gained a greater understanding of the value of a society that respects individual rights through the content presented by the workshops.

Outlook on Major Issues

The section of the workshop that allowed students to reflect on their own experiences had a profound impact on the students' beliefs. 69 percent of those surveyed after the workshop felt that killing a human being without following the law was unjustified. Furthermore, 77 percent of the students felt that the law must not be taken into one's own hands, but 2 percent of the students noted that in a country like Pakistan where crime was rampant and law enforcement was weak, one must be able to defend him or herself even if it meant breaking the law. When asked specifically about extrajudicial killings, 85 percent of the students said that they thought that this practice did nothing to promote peace in the community.

Much of the module's content allowed for close examination of human rights issues prevalent in Pakistan, and it was evident that students had the chance to internalize those ideas with regards to their own experiences. On the subject of human trafficking, 80 percent of the students believed that it was one of Pakistan's biggest human rights problems. Bonded labor was another topic that was featured prominently in the workshop and the following survey showed that 75 percent of the students believed that bonded labor was modern-day slavery. This is in contrast to 37 percent that did not think that slavery existed in Pakistan. Moreover, 53 percent of the students were aware that there were two million bonded laborers in Pakistan.

When asked if underage children should be working in bangle industries, carpet weaving or tanneries or not, 56 percent of the students believed that it should be outlawed and instead these children should be in school. 15 percent believed that children were forced to work because their families owe money to their landlords, whereas 13 percent said that even if these children worked the government was responsible for devising policies to protect their rights. On the same line, 4 percent of the students felt that labor unions should amalgamate their resources to fight for the rights of child workers.

Female Empowerment and Minority Rights

One of the key changes that the Outreach Tour programs aim to cultivate is the shift from set ideas about gender roles and preferences. As a result of the workshop, 78 percent of the students believed that women and other marginalized groups tended to suffer greater apathy towards violations of their human rights. Nearly 85 percent of the students said that women must be allowed to contribute to the workforce. It was further heartening to see that of the proportion of students who supported women's right to work, 78 percent were young girls who said that they would like to pursue a career.

It was observed in the survey from another module on gender that an overwhelming 100 percent of respondents felt honor killings (*karokari*) were unjustified. This number was a striking increase of 73 percent from the baseline survey conducted before the module was taught. Such numbers help us gauge the significant and positive changes in attitudes that occur in response to the information and ideas presented in our workshops.

Religious tolerance, particularly towards minority groups who live in Pakistan, is also one of the major objectives of the Outreach Tours' curriculum. When asked if they thought Muslims had the right to kill a Muslim or non-Muslim who was deemed to have offended Islamic sensibilities, 92 percent of the students said they did not. 45 percent of the students also did not favor discrimination towards religious minorities while 45 percent of the students said that the law must treat Muslims and non-Muslims equally.

In addition, 93 percent of the students surveyed also agreed that all individuals regardless of caste, creed, ethnicity, gender or religion were entitled to basic human rights. This was a major increase from 69 percent from the baseline survey. It was also observed that 81 percent of the respondents from the post-feedback survey conducted after teaching the 'Minorities' module felt that nobody should be denied employment because they were part of a minority, up 29 percent from the baseline survey.

It is also worth noting that the concept of stereotypes garnered a strong response from students, with many of them pledging at the end of the session never to judge people based simply on their appearance or cultural prescription.

Future Prospects

Owing to the response received through the Outreach Tour programs, CAP recognizes a significant space for further development of educational policy in Pakistan. Not only does CAP hope to expand its network and increase the number of students benefiting from the Outreach Tours, but it also hopes to instil important values in the Pakistani youth, such as greater respect for human rights. Moreover, CAP hopes to influence curriculum development in the country so that more students in the country can develop a sense of social responsibility toward their communities and are equipped with tools to better their lives and the country as a whole.

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Annex A

Sample Materials

College Outreach Tours (COT) Workshop 3.2 “Human Rights” Homework assignment.

COT Module 3.1 Handout. *Universal Declaration of Human Rights*

COT Module 7 “Minorities” Handout. *Soldier Bazaar Temple Razed in Hurried Operation*. The Express Tribune. 2nd December 2012.

1. College Outreach Tours (COT) Workshop 3.2 “Human Rights”

Activity: Chits in the Hat

Options for Group leaders:

1. Minority
2. Sindhi woman displaced by floods
3. 8-year old son of a bonded kiln worker
4. Rich Muslim businessman
5. Minority sect like Shia, Bori or Ismaili

You are to discuss with your group members and evaluate the human rights temperature of the group that you belong to. Write down all the factors that affect your group. You may also suggest ways to overcome your difficulties and resolve any problems that you may face due to human rights violations.

Consider the following factors in your analysis in order to determine the human rights temperature in your society:

- Freedom to practice your religion
- Freedom of movement
- Freedom of employment
- Freedom to security of life and property
- Freedom to acquire education
- Freedom to acquire medical services
- Fair wages
- Behavior with employees
- Stereotypes
- Freedom of marriage
- Freedom of opinion and expression

- Freedom of peaceful assembly
- Limitation of working hours in proportion to wages
- Respect for private life, honor and reputation
- Freedom to have property
- Freedom to govern or participate in public service
- Preservation and practice of culture and traditions.

Homework Assignment

2. COT Module 3.1 Handout

Universal Declaration of Human Rights

The Universal Declaration of Human Rights, which was adopted by the United Nations General Assembly on 10 December 1948, was the result of the experience of the Second World War. With the end of that war, and the creation of the United Nations, the international community vowed never again to allow atrocities like those of that conflict to happen again. World leaders decided to complement the United Nations Charter with a road map to guarantee the rights of every individual everywhere.

(Text of the Universal Declaration of Human Rights)

PREAMBLE

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

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

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

by the rule of law,

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

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

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

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

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

(Following is simplified list of the rights in the Universal Declaration of Human Rights)

1. We Are All Born Free & Equal. We are all born free. We all have our own thoughts and ideas. We should all be treated in the same way.

2. Don't Discriminate. These rights belong to everybody, whatever our differences.

3. The Right to Life. We all have the right to life, and to live in freedom and safety.

4. No Slavery. Nobody has any right to make us a slave. We cannot make anyone our slave.

5. No Torture. Nobody has any right to hurt us or to torture us.

6. You Have Rights No Matter Where You Go. I am a person just like you!

7. We're All Equal Before the Law. The law is the same for everyone. It must treat us all fairly.

8. Your Human Rights are Protected by Law. We can all ask for the law to help us when we are not treated fairly.

9. No Unfair Detainment. Nobody has the right to put us in prison without good reason and keep us there, or to send us away from our country.

10. The Right to Trial. If we are put on trial this should be in public. The people who

try us should not let anyone tell them what to do.

11. We're Always Innocent Till Proven Guilty. Nobody should be blamed for doing something until it is proven. When people say we did a bad thing we have the right to show it is not true.

12. The Right to Privacy. Nobody should try to harm our good name. Nobody has the right to come into our home, open our letters, or bother us or our family without a good reason.

13. Freedom to Move. We all have the right to go where we want in our own country and to travel as we wish.

14. The Right to Seek a Safe Place to Live. If we are frightened of being badly treated in our own country, we all have the right to run away to another country to be safe.

15. Right to a Nationality. We all have the right to belong to a country.

16. Marriage and Family. Every grown-up has the right to marry and have a family if they want to. Men and women have the same rights when they are married, and when they are separated.

17. The Right to Your Own Things. Everyone has the right to own things or share them. Nobody should take our things from us without a good reason.

18. Freedom of Thought. We all have the right to believe in what we want to believe, to have a religion, or to change it if we want.

19. Freedom of Expression. We all have the right to make up our own minds, to think what we like, to say what we think, and to share our ideas with other people.

20. The Right to Public Assembly. We all have the right to meet our friends and to work together in peace to defend our rights. Nobody can make us join a group if we don't want to.

21. The Right to Democracy. We all have the right to take part in the government of our country. Every grown-up should be allowed to choose his or her own leaders.

22. Social Security. We all have the right to affordable housing, medicine, education, and childcare, enough money to live on and medical help if we are ill or old.

23. Workers' Rights. Every grown-up has the right to do a job, to a fair wage for his or her work, and to join a trade union.

24. The Right to Play. We all have the right to rest from work and to relax.

25. Food and Shelter for All. We all have the right to a good life. Mothers and children, people who are old, unemployed or disabled, and all people have the right to be cared for.

26. The Right to Education. Education is a right. Primary school should be free. We should learn about the United Nations and how to get on with others. Our parents can choose what we learn.

27. Copyright. Copyright is a special law that protects one's own artistic creations and

writings; others cannot make copies without permission. We all have the right to our own way of life and to enjoy the good things that art, science and learning bring.

28. A Fair and Free World. There must be proper order so we can all enjoy rights and freedoms in our own country and all over the world.

29. Responsibility. We have a duty to other people, and we should protect their rights and freedoms.

30. No One Can Take Away Your Human Rights.

Human Rights

3. COT Module 7 “Minorities” Handout

Soldier Bazaar temple razed in hurried operation

KARACHI:

In a hurried operation on Saturday, a builder demolished a century-old temple in Soldier Bazaar while the Sindh High Court was hearing a petition seeking a stay order. Apart from razing down the pre-partition Shri Rama Pir Mandir, the private builder also demolished three or four houses located next to it. Nearly 40 people became homeless as a result.

“They destroyed our mandir [place of worship] and humiliated our gods,” said an angry Prakash, pointing towards the huge debris of concrete, stones and walls of the temple. The demolishing team did place the statues of four Hindu deities on the side but the residents accused them of taking away their gold jewellery and crowns. Pointing to the bruises on his arms, Lakshman said that, “they hit me with their guns when I tried to stop them. I told them to kill me instead of destroying our holy place.”

Banwri recalled that the demolition teams arrived around 11 in the morning. She was preparing breakfast when she heard the thundering noise of a bulldozer. She rushed outside, only to receive instructions to bring her bed, cupboard and other essential items outside the house. “I watched my house go down in just minutes and I couldn’t do anything.”

She added that, during the demolition, the area was cordoned off by the police and Rangers with tents put up all around. Outsiders were not allowed to enter, she added. Saveeta was among those 40 people who lost her house. “The dowry that I had given to my daughter for her wedding is all buried here,” she said with tears. With her husband out of station, she and her three children would be spending the night under the open sky.

There are around 150 Hindus in the neighbourhood and nearly four families live in each of the houses that were destroyed, according to an elderly resident, Kaali Das.

"People were living in cramped houses, separated only by curtains. Over here, we live like animals," he said, adding that some of these houses were as high as three storeys.

Angered by the builders' actions, the crowd demanded the government arrange tickets to India for them. "If you don't want us, we will go to India," screamed a woman. Another man added that, "our temple is as sacred to us as your mosque is to you."

For their part, the police denied the existence of the temple completely. The police maintained that they had orders to remove the encroachments. DSP Pervaiz Iqbal of Nabi Buksh police station said, "There was no temple there. There were just Hindu gods present inside the houses and we made sure that they were safe."

The people were given plenty of time to remove their belongings out of the house, he said. "We did not injure anyone. In fact those people threw stones on us and our SHO Abid Hussain Shah was injured."

The residents managed, however, to fish out a plaque of the temple from under the debris. Maharaj Badri, who lived inside the temple, also denied that the land was encroached upon. "Our ancestors have been living here way since independence. We are not encroachers," he said.

Military Lands and Cantonment director Zeenat Ahmed insisted that the temple was "untouched" and denied that it was demolished. The operation was against illegal occupants, she said, adding that temples are old grant property (evacuee property).

"The builder had possession of the place since years and these people were encroachers, and encroachers have no religion," she added.

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Advocating the Child's Right to Play – The Hong Kong Experience

Kathy Wong

PLAYRIGHT CHILDREN'S PLAY ASSOCIATION (Playright) is a charity in Hong Kong advocating for the "Child's Right to Play." Twenty-seven years ago, play was very low on most people's agenda. Since 1987, Playright has been working hard to help people in all sectors appreciate the value of play. With the desire to reshape and improve play resources, opportunities and environments for children, Playright developed various play projects and service programs to raise community awareness. We are glad to see a growing recognition of the value of play, but are also aware of the challenges that we still have to meet in the years to come.

In this article, I discuss the play conditions of children, including their play time, playmates, play resources, and play space in Hong Kong. I also discuss the challenges and efforts to make changes for children. I hope that sharing our experiences would help draw further thinking and efforts into supporting children's play.

It is Playright's vision to build a society that respects, protects and fulfills the Child's Right to Play, and where children can enjoy their childhood.



Understanding Children's Play

Play for play's sake

What is play? Play is one of the ways we define childhood, and the natural way to grow. It is a process that is freely chosen, personally directed and intrinsically motivated (Play Principles Scrutiny Group, 2005). All children are born players. They have a natural inclination to play. They play all the time and anywhere. They play for play's sake, not for any other purpose or agenda. Play is essentially for and by children. It can be irrational and purposeless in the eyes of adults (Newstead, 2011).

Play with values

To make sense about children's play, the nature and values of play have been widely studied and promoted. Play benefits children's social, physical, intellectual, creative and emotional development. Play can enhance adaptive capabilities and resilience (Russell & Lester, 2009). Play is an essential component of children's development. It is a fundamental and vital dimension of the pleasure of childhood. It has been raised that the persistent absence of play will have harmful effects on children.

Play as a child's right

The United Nations Convention on the Rights of the Child (CRC) has recognized play as a discrete element in Article 31, requiring concerted efforts to support children's play (Committee on the Right of the Child, 1989). Play is affected by the socio-economic environment, cultural practices and societal values. Policies and practices in health care, education, welfare, leisure and even town planning also affect play opportunities and environments for children (Wong, 2007).

Children's Play Time

More structured learning activities and less free time to play

There has been a growing group of well-intended parents making a group of over-scheduled children. Other than normal schooling, it is not uncommon to find children heavily engaged with extra-curricular activities (ECA) or interest classes. The Chinese Manufacturers' Association of Hong Kong reported that over 45 percent of Primary 4 to 6 children join four to six

sessions of ECA per week. Over 22 percent of the children attend seven sessions a week (*The Hong Kong Economic Times*, 2011). A study conducted by the University of Hong Kong found that many children's only free time given by parents was on Sunday morning (*Ming Pao Daily*, 2009, September 26).

Even pre-school children's free time is already strained by attending interest classes and playgroups. The playgroup and learning center business has been gradually flourishing in the past two decades. Parents happily engage their children in these activities hoping that their children will have a head start over others. The introduction of the Pre-School Education Voucher Scheme has unexpectedly provided support to push this trend further. Some parents have started to enroll their children in two kindergartens, giving children less free time to play.

Children's Playmates

More solitary activity and less social play

How much time do our children play with others? Playright's study in 2008 found that children do not play with their neighboring peers. Of those who play with neighboring children, 14.2 percent spent less than two hours a week on this. What is more, the time children spent on TV and computer games is 11.6 hours a week (Tang, 2008a). Playmates in one's living environment are crucial for children's holistic development. Play can be an important medium for establishing peer friendships, which is important for mental health (Russell & Lester, 2009). Is our community planning supportive enough for children playing together?

Work and study patterns affecting family play

What about children and their parents? Play is an important medium for establishing attachments to adults, and for emotional regulation. The relatively safe context within family play is essential for building positive family relationships and emotional states. It was found that half of Hong Kong's families, however, spent less than six hours a week to play with children, and over 17 percent of parents did not have any time to play with their children. Over 60 percent of parents found this inadequate (Tang, 2008b). More than 60 percent of the parents stated that long working hours are the primary reason that keeps them from playing with their children and long study time is the second important reason.

Children's Play Resources

More toys but less play

Children play with whatever they can find - often with nothing. Any play tools, may it be toys or common household materials such as cardboard boxes or toilet rolls, may enrich the possibilities in the play process if children find it worth playing with. However, the play ability of children has been gradually weakened in an affluent society, like Hong Kong. Some children have “learned” to use play tools in the “right” way, can only use them when given instructions, or have even lost all interest to “play”. They are playing less, not because of lack of resources, but because their play ideas are belittled.

Limited access

For some children in extreme situations, such as illness, disability and poverty, lack of access to play resources, facilities, and opportunities can be an issue. The Forthright Caucus studied the summer program enrollment of children from low income families. About 95 percent of the interviewed parents find that summer programs are the basic needs of children, but 53 percent cannot arrange it for their children because of financial difficulties (Cheung, 2011). Besides, children suffering from illness or disability also need to play, but their play resources are often limited by the facilities available and attitude of adults around them. For instance, there are still very few public hospitals in Hong Kong that have a Hospital Play Program despite more than twenty years of Playright's advocacy and support.

Children's Play Space

Less outdoor and environmental play

Children play wherever they find themselves. However, many only play at home when actually preferring playgrounds (Yip, 1999). Parents were not aware of children's need to play outdoors. They also under-estimated the value of outdoor play in preventing obesity and promoting physical health, and thus made little or no effort to meet this need.

Calling for inclusive playgrounds development

Playright's earliest activities in 1989 focused very practically on Hong Kong's lack of inclusive playgrounds (Playright, 2008). Two decades later, we have to ask again, do ALL children enjoy quality play opportunities? The study of Wan (2009) found that 95 percent of parents of children with special needs think that their children need or very much need to play. Over 90 percent think that play is important or very important to their children's development. However, close to 80 percent think that the public playgrounds are inadequate or very inadequate, while close to 50 percent expressed difficulties in using public playgrounds (Wan, 2009).

To further understand the views of playground stakeholders towards the development of public playgrounds, Playright carried out a study in 2010. It was found that the most urgent agendas for playground improvement are about design and types of play facilities. About 98 percent of the respondents agreed or totally agreed that Hong Kong community's attention and awareness of the value of playground on children's development needed to be raised. The respondents considered that the most important ways to promote inclusive playgrounds were by developing guidelines for design, research work, and information access (Yuen, 2010).

Playright's Strategies to Make Change on Children's Play

To make Hong Kong a place where children can benefit from playing as part of their everyday lives, we need a wider perspective. Our mission is to advocate play and seek societal commitment to meet the play needs of every child at policy, planning and provision level. How?

1. by creating play opportunities at different settings to demonstrate the value of play;
2. by promoting good practice and empowering adults to develop appropriate play provisions as well as play-friendly environment for children;
3. by inspiring a play-accepting culture in community.

Creating play opportunities

For children in families, the HSBC Playright PlayScope (PlayScope) is a deliberate effort by Playright to strengthen the creative use of play resources and inspire play ideas for parents. PlayScope is also our first social enter-

prise to support family play. Through our versatile play space, play series and toy library service, families with young children can experience the many possibilities of playing. Furthermore, we have lately developed the Playful Parents Academy to empower the parents to play with their children.

For children in the community, Playright has been running the Play Mobile Project since 2005. We penetrate every community, turning vacant spaces into playgrounds that offer children new outdoor play experiences. The Play Mobile is also invited to kindergartens and special schools. It is encouraging to see the increased understanding on the problem of excessive sedentary and indoor activity, and that outdoor physical activities for children are becoming more popular. Recently, we further develop the Playborhood project that provides regular play opportunities at selected residential open spaces. We hope to actively engage local residents and partners, as well as to develop a sustainable service model.

For children in the city, Playright has launched environmental play since 2009. It focuses on opportunities for children to play freely with natural elements, in and around natural spaces. The start of environmental play is not without difficulties, as children resist getting dirty, have fear of wildlife, and parents worry about risk-taking. However, these difficulties are soon resolved once everyone becomes more experienced. Our family day outings to the countryside, community play days at public parks, and Forest School for kindergartens are very well received.

For children in hospital, we have the Hospital Play Services since 1994, helping children to reduce anxiety due to their illnesses and treatments at hospital. Through the play service, provided by trained Hospital Play Specialists, the children cope better with medical procedures and develop more positive feelings towards sickness and hospitalization. We are now providing the services in three public hospitals and plan to extend our reach to serve more children in need.

For children having special needs, such as physically or mentally disabling conditions or being at risk of or experiencing significant deprivation in other ways, we provide special help and resources. Often such children are denied their chance to truly play because play is merely regarded as a tool to achieve training needs, rather than an opportunity to enjoy real play. Playright thus collaborates with different special schools to develop the playful classroom project. We also develop a Pop Up Playground project

in deprived districts in Hong Kong, and play services in primary schools in Hefei, Anhui Province in Mainland China.

Promoting good practice for play

Creating play opportunities for children is important, but equally important is to support adults that have influence on children's play. It is about knowledge sharing and partnership. As a member of the International Play Association, Playright has gained access to international practices and standards. We are blessed to be able to act locally and think globally. At present, Playright has developed three professional hubs and offered workshops and training courses to support the development of children's play in Hong Kong.

On Play and Playwork , we have developed and offered the following courses:

- Playwork Induction Course;
- Foundation Certificate in Play and Playwork Course;
- Certificate in Playwork Course (partnered with Common Threads of UK); and
- Playwork Diploma Course (partnered with Common Threads of UK).



On Play Environments, we have organized the following courses:

- National Recreation and Park Association (NPRA) Certified Playground Safety Inspector Course & Exam (partnered with International Playground Safety Institute (IPSI) of USA);
- Playground Maintenance Course (partnered with IPSI of USA); and
- Playground Safety Induction Course.



On Hospital Play, we have collaborated with the University of Hong Kong - School of Professional and Continuing Education (HKU SPACE), to provide the Certificate in Theory and Practice of Hospital Play.

Of all the three professional hubs, we also offer tailor-made training or workshops for different professional groups. We organize conferences and symposiums to facilitate play knowledge sharing. The latest ones are the “PLAY FOR ALL” Symposium and “Designing play spaces for children of today”.

To empower adults to develop appropriate play provisions and play-friendly environments for children, our Play Environment Consultancy Services, Playground Safety Inspection Service, and many research projects, etc. have played an important role in promoting safe and inclusive play facilities to international standards. We hope that more and more Hong Kong

children, whatever their age, ability, background or ethnicity, can play freely and happily in an environment well suited to their needs.

Inspiring a play-accepting culture

Each child has the right to play, and we argue passionately for this fundamental entitlement to be supported and protected on all fronts. At the international level, the United Nations Committee on the Rights of the Child (UNCRC) adopted General Comment no.17, on Article 31 in February 2013. This provides us with a strong instrument to promote, protect and fulfill this essential right, which is often neglected. It is an opportune time for us to renew our efforts together for the promotion of play for all children at all times in all places using the General Comment no. 17 of UNCRC as the basis.

At the local level, our advocacy effort grows even stronger through advocacy campaign and partnership. On 17 November 2013, tens of thousands of children were accompanied by parents to join Playright's Cheer for Play event at Chater Road, Central of Hong Kong. This date was chosen to celebrate the Rights of Children in November 1989. The campaign also aims at inspiring mindset change and letting adults hear the voice of children. It has been Playright's annual flagship event to raise public awareness on the importance of play.



Building effective partnerships have maximized the impact of advocacy campaigns to lead changes to a wider community. For the past years, we have partnered with Disneyland Hong Kong to advocate for the Community Built Playground development. The impact has soon grown from a two-day play event to partnering with a government department in providing the same play experiences to a wider group of parents.

The partnership with UNICEF HK in advocating Inclusive Playground development in Hong Kong is also worth mentioning. The campaign has extended from a research project to the present education and design competition campaign that engaged major playground-related professional groups. We have yet to see the actual impact, but are glad to see a wider acceptance on children's play.

Conclusion

As a leading play advocate, Playright has continuously tried to change society's indifference to the importance of play and has genuinely placed the best interests of the child first. We are glad to see that play is a much more pervasive community issue now compared to the situation twenty-seven years ago. However, barriers to play still exist. Policies on planning, open space, housing and traffic, hospitals, schools and childcare have a direct effect on opportunities to play. We have to work hard collaboratively to foster environments and attitudes that support children's play.

When we value play, we value children. Let us put children's play on the agenda, and recognize that having time, resources and good places for play are of paramount importance to children, their families and our entire community.

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Professional Standards for School Teachers and Human Rights Education in Vietnam

Nguyen Thanh Hoan*

PROFESSIONAL ETHICS has been studied so far in many areas and in many countries. Professional standards for teachers have been concretized into criteria and indicators and made a requirement by law. This can be seen in the Philippines, New Zealand, Canada, the United States of America and other countries. It can be said that these professional standards guide teacher activities both inside and outside the classroom.

Rights of Children in Vietnam

In the process of building a state governed by the rule of law, Vietnam has been amending laws and the Constitution, and enacting new laws on national education management and development.

Child care, protection and education have long been enshrined in the Constitution and laws of Vietnam. The Law on Child Protection, Care and Education (2005) has provisions on child rights, including the respect and exercise of the child rights and severe punishment by law for all acts infringing upon the child rights and causing harm to the normal development of children. This law also stipulates prohibited acts:

1. Abandonment of children by their parents or guardians;
2. Seducing, enticing children to live a street life; abusing street children to seek personal benefit;
3. Seducing, deceiving, forcing children to illegally buy, sell, transport, store and/or use drugs; enticing children to gamble; selling to children or letting them use liquor, beer, cigarette or other stimulants harmful to their health;
4. Seducing, deceiving, leading, harboring or forcing children into prostitution; sexually abusing children;

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5. Abusing, seducing or forcing children to buy, sell or use violence-provoking or depraved cultural products; making, duplicating, circulating, transporting or storing pornographic cultural products; producing, trading in toys or games harmful to the healthy development of children;
6. Torturing, maltreating, affronting, appropriating, kidnapping, trafficking in or fraudulently exchanging children; abusing children for personal benefit; inciting children to hate their parents or guardians or to infringe upon the life, body, dignity or honor of others;
7. Abusing child labor, employing children for heavy or dangerous jobs, jobs in exposure to noxious substances or other jobs in contravention with the provisions of the labor law.”

This law, currently being modified, is planned to be amended by the National Assembly by the end of 2014.

The Marriage and Family Law of 2000 also provides for the basic principles on marriage and family; obligations and rights of parents; obligations and rights to care for and support and educate children; and obligations and rights of children. For example, Article 34 of the Law provides:

1. Parents have the obligations and rights to love, look after, rear, care for, and protect the legitimate rights and interests of their children; respect their children’s opinions; attend to the study and education of their children so as to ensure their healthy development in all physical, intellectual and moral aspects to become dutiful children of the family and useful citizens of the society;
2. Parents must not discriminate, ill-treat or persecute their children, or hurt their honor; must not abuse the labor power of their minor children; must not incite or compel their children to act against law and social morality.

The obligations and rights of children are included in Article 35 as follows:

1. Children have the duty to love, respect, show gratitude and piety to their parents, pay heed to the good advice of their parents, preserve the good traditions and prestige of their family;
2. Children have the obligations and rights to care for and support their parents;

3. Children are strictly forbidden to ill-treat, persecute or hurt the honor of their parents.

The Civil Code (2005) provides the legal status, legal standards for the conduct of individuals, legal persons, other subjects; the rights and obligations of subjects regarding personal identities and property in civil, marriage and family, business, trade, labor relations; obligations of guardians towards wards aged between fifteen years and under eighteen years; obligations of guardians towards wards who have lost their “civil act capacity;” management of property of wards. For instance, Article 65 of the Civil Code on the Obligations of Guardians towards Wards Aged under Fifteen Years stipulates “Guardians have the obligation

1. To take care of and educate the ward;
2. To represent the ward in civil transactions, except where it is provided for by law that wards aged under fifteen years can establish and perform civil transactions by themselves;
3. To manage the property of the ward;
4. To protect the legitimate rights and interests of the ward.”

Article 66 of the Civil Code on the Obligations of Guardians towards Wards Aged between Fifteen and under Eighteen Years provides: Guardians have the obligation

1. To represent the ward in civil transactions, except where it is provided for by law that wards who are aged between fifteen years and under eighteen years can establish and perform civil transactions by themselves;
2. To manage the property of the ward;
3. To protect legitimate rights and interests of the ward.”

The Labour Code of Vietnam (effective in May 2013) has a special chapter for underage employees (under eighteen years old) regarding their employment; the principle in employing them; employment of employee under fifteen years old; and the prohibited work and workplace for underage employees.

It can be said that the Vietnamese child-related laws provide the legal foundations that are strong enough to deal with any violation of child rights or any violation committed by the children themselves. Vietnam has a grow-

ing significant contribution to child protection, care and education by fully subscribing to the principles under the United Nations Convention on the Rights of the Child. Even so, the legal provisions on child protection, care and education and their actual implementation leave much to be desired.

In order for the new Constitution and legal amendments to cover all the legitimate expectations and rights of children, a national forum on children is convened every two years, starting in 2009, for children to have face-to-face dialogues with the leaders of the National Assembly, and the government ministries and organizations. The 2013 National Forum on Children entitled “Children Contribute their Ideas to Modifying the Law on Child Protection, Care and Education” was held on 8-9 August by the Ministry of Labour, War Invalids and Social Affairs and the National Assembly Committee on Culture, Education, Youth, Pioneers and Children in co-ordination with ministries concerned, UNICEF, United Nations Office on Drugs and Crime, Save the Children, PLAN, World Vision, Childfund and the Vietnam Association for Protection of Children’s Rights. One hundred seven-three children aged ten to sixteen years representing twenty-six million children in the whole country participated in the forum. This was a



good opportunity for children's representatives to express their ideas, wishes, and expectations regarding child-related issues to law and policy-making agencies.

Human Rights Education in Vietnam at Present and in the Future

The new Constitution (effective on 1 January 2014) and the laws of Vietnam, both existing and under deliberation in the National Assembly, are certainly of the people, by the people and for the people. To enforce and bring them to life, legal education in general and human rights education in particular in Vietnam at present and in the future should be provided in the following forms:

- a. As part of the activities, meetings, discussions, debates as well as propaganda campaigns of government agencies, professional associations, socio-political organizations, and social organizations such as youth unions, women's unions, children's brigades, pioneers' brigades, farmers' associations, veterans' associations - For example, human rights research and education in Vietnam were the primary subject discussed at a workshop held in Hanoi on 25 November 2013 by the Vietnam Academy of Social Sciences with the participation of many researchers and lecturers from universities and institutes nationwide. At the workshop, the participants noted that the teaching of human rights in Vietnam still has limitations. There are only five official educational establishments in the field nationwide. Documentation and training materials on human rights have not been systematized or designed especially for specific groups, while researchers' and lecturers' ability has not met the demand of the actual condition of education in the country. Moreover, the study of human rights has not delved into the details of theory, and the regional and international law and mechanisms. Urgent issues such as security, terrorism in relation with human rights; freedom of information and the press and human rights; climate change and human rights; development, poverty and human rights have not been studied deeply. Therefore, the participants stressed that the necessity of paying more attention to promoting human rights education at all levels in Vietnam. The participants suggested that Vietnam should build a network between domestic and foreign scientists and researchers in the realm of hu-

man rights study and education. They also called for greater efforts to share information among education and research institutions, state agencies, socio-political organizations and communities of scientists operating in this realm.

- b. The laws alone, however strict and strong, cannot solve all problems arising in life. The legal solutions are only meaningful and effective when based on economic, cultural and social solutions. Legal dissemination and education should therefore go hand in hand with moral education and job generation, and the organizing of work and learning activities.
- c. As part of the household or the so-called home-based moral and legal education - Moral and legal education in each home is of great significance in child personality formation and development. No other form of education can replace it. Parents and adults must set shining examples in abiding by the Constitution and laws for the young to follow. Economic measures should also be taken to improve the material and spiritual lives of the people, while creating more economic possibilities, to serve child protection, care and education, and intensify efforts in fighting and preventing crimes.
- d. In the official curriculums and extra-curricular activities of educational institutions - For example, the renewal of law teaching and education in educational institutions should be closely combined with lifeskills education for children, thus forming and nurturing in them a new sense of community and a new lifestyle in line with social morals and observance of the law. While future curriculums and textbooks would have radical changes in content, the content of human rights education would surely be further deepened.
- e. In national programs and projects launched by the Government, ministries or non-governmental organizations - Specifically, the implementation of the National Child Protection Program for the 2011-2015 period to create a habitat where all children, especially children in special circumstances and highly vulnerable children are protected and given equal opportunities to reintegrate themselves into the community and develop themselves physically, psychologically, cognitively, emotionally, sentimentally, morally and socially.

Professional Ethics for Teachers

Vietnam has just experienced the thirty-year period of renewal known as *Doi Moi* with a lot of changes made in the image of the country, its social life and even in education. Vietnamese education is also undergoing radical and comprehensive changes under the leadership of the government and direction of the Ministry of Education and Training. For various reasons, one of the burning issues of primary concern for teachers and educational personnel at all levels of education in particular and all strata of people in society in general is the professional ethics of teachers. In fact, the ethics-related issues are enshrined in legal documents such as the Education Law of 2005 in which Article 70 specifies the indispensable criteria the teacher must have; Article 72 stipulates the duties of the teacher; and Article 75 lists all the behaviors that the teacher is prohibited from doing. In addition, the professional ethics of teachers is also clearly specified in the *Constitution of Lower and Upper Secondary Schools and Multi-level General Schools, Decision No. 06/2006/QĐ-BNV* and *Circular No. 07/2004/TT/-BGD&ĐT* as well as in the *Professional Standards for Teachers at All Levels of Education*. It is reflected to the fullest by the *Moral Stipulations for Teachers*. All these legal documents provide the ground for appraising teachers by the public and the government.

The above-mentioned theoretical and legal foundations together with what is morally acceptable in the contemporary society specify a number of the most important values needed for all Vietnamese teachers nowadays such as justice, loyalty, democracy, courage, impartiality, fairness, tolerance, generosity, cooperation, obligation, goodwill, unity, integrity, self-respect, modesty, simplicity, honor, and industriousness.

Professional Standards of the Teacher

Although the professional ethics of the Vietnamese teachers is mentioned and enshrined in laws and other legal documents, it has not yet been included in a separate law. For this reason, teachers, educational personnel and managers have difficulty studying and abiding by it.

The professional standards, their criteria and indicators should be arranged in various sections and articles in a law or codes of professional con-

duct for teachers as done by such countries as the Philippines, New Zealand, Canada and the United States of America. By the same token, in our study, we have arranged them into key moral requirements as can be seen below:

Requirements for Political Qualities and a Sense of Obedience to the Law

Requirement 1: Implementation of Civic Duties

1. Strictly abiding by the lines and policies of the Party and the Government and the State Laws, local regulations, plans, statutes issued by the education sector;
2. Being proud of, and treasuring, the fine traditions of the people and the country;
3. Actively participating in activities for national defense and national and local socio-economic development;
4. Motivating own family members and residents in the community to abide by the lines and policies of the Party and the Government and the State Laws, local regulations, plans, statutes issued by the education sector.

Requirement 2: Having a Firm Political Stand

1. Having a proper attitude toward issues of national renewal and such global issues as peace, population, the environment, poverty, hunger, epidemics, and social evils;
2. Joining socio-political organizations to contribute to building a just, democratic and civilized society;
3. Defending justice and fighting against negative phenomena within the school, in the local community and society.

Moral Requirements in Relations with Colleagues

Requirement 1: Showing Love and Tolerance for Colleagues

1. Willingness to help own colleagues facing difficulties in their lives;
2. Being ready to protect own colleagues' legitimate interests, rights and justices;
3. Accepting the differences between the self and other people;
4. Not being biased against, victimize, and/or flatter own colleagues;
5. Not getting envious of own colleagues;
6. Having a moderate attitude and goodwill to solve disagreements or disputes with own colleagues.

Requirement 2: Respect for Colleagues

1. Being honest to own colleagues;
2. Keeping promises;
3. Respecting own colleagues' identities, not behaving or speaking in a manner aimed at hurting them.

Requirement 3: Modesty and Candor toward Own Colleagues

1. Being modest in learning from colleagues;
2. Being open to comments and criticisms of other colleagues;
3. Being candid in criticizing colleagues for the sake of mutual progress.

Requirement 4: Cooperation with Colleagues at Work

1. Being poised to cooperate and collaborate with colleagues at work;
2. Being ready to share work experiences with colleagues;
3. Being disinterested in helping and encouraging [instead] colleagues to work;
4. Being active in accepting disadvantages to cede advantages to colleagues.

Moral Requirements in Relations with Students*Requirement 1: Caring for, and Understanding, Each Student*

1. Understanding the students' circumstances to be able to give proper care and education to them;
2. Appreciating and sharing weal and woe with students;
3. Knowing and making it easier for students to bring into full play their strengths and develop their gift, talent, interest and hobbies;
4. Paying attention to preventing possible risks and dangers for students.

Requirement 2: Showing Love and Tolerance for Students

1. Being close, open-minded, and friendly to students;
2. Being ready to forgive students for their mistakes and grant them opportunities to correct their mistakes;
3. Being active in helping students who need help or face troubles.

Moral Requirements for Teachers in Their Work

Requirement 1: Having a Sense of Responsibility for Work

1. Being ready to do any task entrusted by the school and to overcome difficulties to fulfill the tasks successfully;
2. Strictly observing the labor disciplines, work style as stipulated by the school.

Requirement 2: Loving the Teaching Profession with Professional Conscience

1. Actively participating in professional activities to constantly improve own professional competency;
2. Profiting from work experiences to apply good experiences to teaching and educational activities;
3. Avoiding taking advantage of own position, functions and tasks to serve own illegitimate interests;
4. Being brave to take responsibility for consequences of own action caused to students, their families, and the school or colleagues;
5. Being conscious of self-study and self-training to incessantly update own professional qualifications and to cultivate own morality.

Moral Requirements in Relations with Parents

Requirement 1: Having Healthy, Equal and Friendly Relations with Parents

1. Being disinterested in relations with parents without taking corrupt use of these relations;
2. Avoiding discrimination against parents;
3. Avoiding prejudices against parents;
4. Willingness to help and encourage other people to help parents when possible;
5. Knowing own position properly and keeping a distance with parents;
6. Not taking advantage of the reputation and prestige of the school to mobilize parents' resources for contributions.

Requirement 2: Taking the Initiative to Coordinate and Collaborate with Parents in Children's Education

1. Taking the initiative to establish/maintain and develop relations with parents based on understanding students' family circumstances;

2. Having equal partnerships with parents in children's education;
3. Being modest in learning from parents and sharing with them good experiences in education;
4. Knowing how to exploit the strong points, creativity, energy and enthusiasm of parents to unleash all children's potential.

Requirement 3: Having an Exemplary Lifestyle

1. Treating parents in a cultured and polite way;
2. Keeping and protecting the reputation and prestige of the teacher, keeping promises in relations with parents;
3. Never laying the blame on parents or others for the underachievement or immoral conduct of students;
4. Making proper use of resources, especially funds openly contributed by parents.

Moral Requirements in Relations with the School and Its Organizations

Requirement 1: Being Actively Involved in Building and Developing a Strong School

1. Strictly abiding by, and motivating other people to abide by, the school's constitution/statute;
2. Being responsible for school work without being indifferent to it;
3. Being optimistic about school prospects;
4. Using own knowledge and skills, first of all, for the sake of school development;
5. Sharing weal and woe with the school leadership and colleagues to overcome difficulties in the process of school development.

Requirement 2: Being Active in Consolidating Unity and Coordination with the School's Organizations in Education

1. Actively supporting and coordinating with the school's social organizations to mobilize resources for student education and development;
2. Making a positive contribution to enhancing the quality and effectiveness of these organizations for the sake of the school's educational development;
3. Protecting their reputation and prestige without using them for personal benefits.

Requirement 3: Being Honest, Straightforward, Objective and Sincere in Relations with the School Leadership

1. Being straightforward in expressing personal ideas about school leaders' management-related problems;
2. Being objective in evaluating school leaders' management and administration;
3. Being brave to struggle constructively with negative phenomena in the school for justice and impartiality;
4. Knowing own position in the school community, and being friendly to the school leadership to understand its work better.

Moral Requirements for the Self

Requirement 1: Having a Healthy and Exemplary Lifestyle

1. Being polite and cultured in words and actions;
2. Having exemplary behavior and decent clothes;
3. Leading a clean and disinterested life.

Requirement 2: Being Self-Respected, Self-Esteemed and Treasuring the Quality, Dignity and Personality of the Teacher

1. Being modest without being highly self-dignified;
2. Being straightforward without laying the blame on other people;
3. Having proper attitudes and knowing how to control own emotions;
4. Having a self-reliant spirit [and not] dependence on others.

Requirement 3: Having a High Sense of Responsibility for the Self

1. Being severe on the self with high expectations;
2. Avoiding self-torment and self-destruction;
3. Knowing how to protect legitimate personal interests.

Moral Requirements in Relations with the Community, People and Social Milieu

Requirement 1: Being United with, Respecting, Helping, and Protecting the Interests of the People

1. Being modest, friendly and honest in relations with the people;
2. Respecting, listening to the people and learning from them;

3. Accepting the diverse values of the people without discrimination and prejudice;
4. Helping the people in need;
5. Protecting the interests, political rights, civic rights and basic rights of the people;
6. Being grateful to those people who have sacrificed all or part of their lives for the country or the shared benefits of the public.

Requirement 2: Being Active in Building a Healthy Social Community

1. Setting a shining and exemplary example for the public to follow and protecting the reputation, honor and qualities of the teacher. Leading an honest, healthy and moral life in the community;
2. Taking the lead in building a cultured, civilized and happy life;
3. Taking the initiative to reconcile conflicts in the community in a constructive way;
4. Committing not to violate the community rules or constitution. Being actively involved in community-building movements and building a “learning society” in the community;
5. Conserving historical and cultural relics, cultural identities and traditions of the community and motivating local people to do the same;
6. Putting the interests of the community and society above personal ones when they are in conflict;
7. Courageously fighting against amoral manifestations in the social community.

Requirement 3: Having Responsibility to Participate in Building Local Authority.

1. Having proper relations with the local authorities, political and social organizations;
2. Being active in contributing constructive ideas to the firm and strong development of the local authorities, political and social organizations;
3. Courageously fighting against problematic acts in the management and problem-solving behaviors of the local authorities, political and social organizations for the benefit of the public and local development.

Moral Requirements in Relations with the Natural Environment

Requirement 1: Protecting the Environment

1. Protecting the habitat and keeping it green, clean and beautiful by growing trees, reminding other people not to litter, to damage or pollute the natural environment;
2. Preventing all acts of damaging or polluting the natural environment and involving local people in doing the same.

Requirement 2: Committing to Treasure and Economize Resources

1. Undertaking to treasure resources for the sustainable development of the environment;
2. Using all sources of energy and other resources in a thrifty way;
3. Avoiding unauthorized encroachments upon resources.

Conclusion

All the above-mentioned professional standards and criteria have been developed on the basis of a number of legal documents as regards the professional ethics of the teacher; studied through the survey and questionnaires and interviews of students, teachers and educational personnel; and agreed upon by the overwhelming majority of respondents. Perhaps, Vietnam has a long way to go to issue a separate code of professional standards for teachers covering all the ethical aspects of the teacher as arranged above.

Comparing with the codes of professional conduct for teachers in some countries, we may add some such points as confidentiality, love arising between a student and a teacher, teacher involvement in business. However, this article only deals with some results of studies undertaken by our groups of researchers and highly valued and accepted by the Study-Evaluating Council. Surely, though not fully satisfactory, this set of professional standards can serve as a basis for teacher evaluation made by managers at all levels and by teachers themselves.

These proposed standards of professional ethics include a number of provisions directly linked to human rights in general and child rights in particular. These provisions are important bases in stressing child-friendly school education.

General principles of human/child rights can be seen the following provisions:

- Joining socio-political organizations to contribute to building a just, democratic and civilized society;
- Defending justice and fighting against misconducts and misbehaviors and other non-standards acts within the school, in the local community and society;
- Being ready to protect own colleagues' legitimate interests and rights;
- Accepting the differences between the self and other people;
- Not being biased against, victimize, and/or flatter own colleagues.

Child rights are promoted in these provisions:

Moral Requirements in Relations with Students

Requirement 1: Caring for, and Understanding, Each Student

- Understanding the students' circumstances to be able to give proper care and education to them;
- Appreciating and sharing weal and woe with students;
- Knowing and making it easier for students to bring into full play their strengths and develop their gift, talent, interest and hobbies;
- Paying attention to preventing possible risks and dangers for students.

Moral Requirements in Relations with Parents

Requirement 1: Having Healthy, Equal and Friendly Relations with Parents

- Avoiding discrimination against parents;
- Avoiding prejudices against parents.

Moral Requirements in Relations with the School and Its Organization

Requirement 3: Being Honest, Straightforward, Objective and Sincere in Relations with the School Leadership

- Being brave to struggle constructively with negative phenomena in the school for justice and impartiality.

Moral Requirements in Relations with the Community, People and Social Milieu

Requirement 1: Being United with, Respecting, Helping, and Protecting the Interests of the People

- Protecting the interests, political rights, civic rights and basic rights of the people.

The focus on professional ethics of teachers adds to the effort to realize human/child rights within the school system. Thus too educating the teachers on the human/child rights aspects of professional standards enhances the child rights education as a whole. Teacher training provides an important component in ensuring that teachers understand the human/child rights aspects of professional ethics.

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Participatory Techniques in Human Right Education: Experience in Thailand

Supattra Limpabandhu

MY DECADE-LONG WORK at the National Human Rights Commission of Thailand (NHRCT), during the 2005 – 2014 period, was fruitful and proved the truth of my belief: “Education is Change, Education is Growth.”

One of my responsibilities as the secretary of the Sub-Commission on Economic, Social and Cultural Rights of NHRCT was to organize activities to promote human rights awareness. The late Lady Ambhorn Meesook, then Human Rights Commissioner and Chair of the Sub-Commission, guided me and my colleagues in working on human rights cases and organizing participatory seminars on human rights.

Integrating educational theory and psychology with human rights education, we observed “change” and “growth” on the understanding of the human rights concept of our participants.

National Human Rights Commission of Thailand¹

The establishment of a national human rights institution in Thailand was originally provided in the 1997 Constitution. Two years later, in 1999, the Thai Parliament enacted the National Human Rights Commission Act,² and the NHRCT came into existence in July 2001. It is worth noting that the constitutional basis of the NHRCT is the so-called “People’s Constitution,” which was drafted with the participation of people in different parts of the country.

Section 75 of the 1997 Constitution states:

The State shall ensure compliance with the law, protect the rights and liberties of a person, provide efficient administration of justice and serve justice to the people expediently and equally and organise an efficient system of public administration and other State affairs to meet people’s demand.

The State shall allocate adequate budget for the independent administration of the Election Commission, the Ombudsmen, the National Human Rights Commission, the Constitutional Court, the Courts of Justice, the Administrative Courts, the National Counter Corruption Commission and the State Audit Commission.³

This provision makes the NHRCT an independent constitutional body. However, a new Constitution adopted in 2007 provides for two types of “Organs under the Constitution,” namely, “Independent Organs” and “Other Statutory Agencies.” The “National Human Rights Commission” is under the “Other Statutory Agencies.”⁴

The 2007 Constitution provides exactly the same provision on the human rights promotion function of the NHRCT as that found in the 1997 Constitution:

(3) To promote education, researches and the dissemination of knowledge on human rights.

However, the 2007 Constitution provides more powers and duties to the NHRCT and thus a new law has to be enacted to cover them. A draft bill⁵ on the NHRCT provides the following proposed provisions on human rights promotion:

Section 16. The Commission has the powers and duties as follows:

(1) To promote the respect for and practice in compliance with human rights principles;

xxx

xxx

xxx

(7) To promote, encourage and coordinate persons in general, government and private organizations for educational, research and the dissemination of knowledge and development of capacity on human rights.

The NHRCT has been undertaking human rights education activities since its establishment in 2001. The Sub-Commission on Human Rights Education, on one hand, has been working with the Ministry of Education in integrating human rights education into the school and university curricu-

lums. The Sub-Commission on Economic, Social and Cultural Rights (ESCR Sub-Commission) of NHRCT, on the other hand, has been implementing informal and non-formal human rights education activities for local communities, non-governmental organizations (NGOs) and government offices. A committee of the ESCR Sub-Commission implemented human rights education activities in five regions of the country. The activities emphasized the development of mechanism for sharing information on cases of human rights violations in each region, and invited the participants to join an ESCR network in each region.

Participatory Seminar

In 2006, NHRCT commissioners and staff members discussed effective educational systems that would enable people to know and exercise their rights. The discussion focused on learning techniques, human right principles and adult psychology. This was due to the fact that most of the target groups were composed of adults in the community, including community leaders, government officers and NGO workers in the five regions of the country.

The NHRCT adopted a plan to organize three-day seminars in the five regions during the 2006 – 2007 period.

The seminar, entitled “Participatory Seminar on Economic Social and Cultural Rights,” had the following objectives:

1. To organize the learning and sharing of experiences on human rights;
2. To prepare both government personnel and the public in the regions in understanding human rights and avoiding their violation;
3. To promote strong local/regional networks on economic, social and cultural rights; and
4. To jointly set guidelines on continuous coordination of the human rights promotion and protection activities with the regional networks.

In order to share experience on actual cases, the NHRCT studied the human rights situation in the country as viewed by the people in the five regions. Each region yielded different types of cases such as discrimination of minorities in the Northern region, land cases in the Northeastern region,

and conflict on natural resources in the Southern region. These human rights cases were discussed in each regional seminar.

The ESCR Sub-Commission formed a fifteen-member working group comprising of directors and staff members of the Human Right Protection and Promotion Bureau. The working group undertook the following activities:

1. Preparation stage
 - Gathered information on ESCR cases in the regions
 - Designed, developed and produced learning packages for the seminar
 - Invited, and cooperated with, the target groups
2. Seminar stage
 - Facilitated small group discussions
 - Undertook administrative work
3. Evaluation stage
 - Observed and advised participants on evaluating the seminars
 - Summarized the results of the evaluation process as input in improving future activities.

Activities in the Participatory Seminar

Each regional seminar had eighty to one hundred participants from all the provinces in each region.

The seminars start with expectation setting. The participants are asked to write on pieces of paper their expectations about the seminar. The pieces of paper, posted on a wall, are reviewed at the end of the seminar to check whether or not the seminar activities held met their expectations.

A brainstorming exercise follows with the participants exchanging experiences and learning from each other by answering the following questions:

- What are human rights?
- Have you ever violated the rights of anyone? How?
- Have your rights ever been violated by anyone? Who and how?

A highlight of the seminar is the participatory process of sharing knowledge among the participants. In learning basic human rights, six groups of participants visit six “stations,” with each station having one learning mod-

ule. In each “station,” the participants discuss the questions in the learning module. After fifteen minutes, each group moves to the next station to study another human rights concept until the six groups of participants have visited the six stations.

Modules

The six modules on the basic human rights concept are composed of the following:

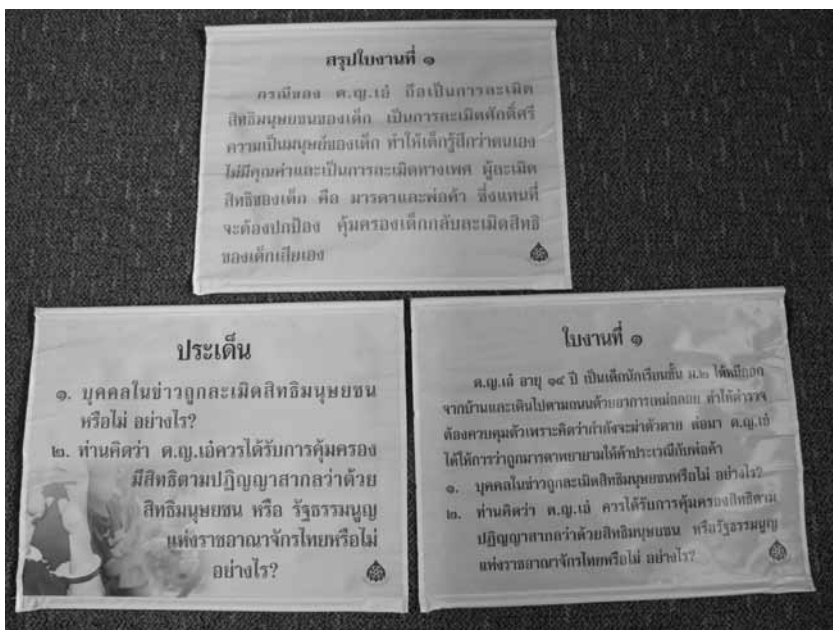
1. Human rights in our lives;
2. Human dignity;
3. Equality and non-discrimination;
4. Human rights cases;
5. Community rights; and
6. NHRCT protection mechanism.

Module 1. Human rights in our lives

Human rights mean the rights of the people; basic rights that everyone is born with.

In this module, the participants answer questionnaires, and write their answers on small pieces of paper that they post on a wall. They all help in grouping similar answers. Everyone is asked to comment on the answers. They summarize the comments together. Below are some of the questions:

1. As humans, what similarities do we have from the natural environment?
2. Which of these similarities relate to our rights?
3. What rights do we enjoy as a baby, a student, a worker, an elder, etc.?



Module 1: Charts of questions, content and activities



Participants discuss the human rights they enjoy in their daily life

The summary of the discussions may consist of the following:

- Rights from birth to death may be divided into issues or age groups: infancy, childhood, adolescence, youth, working age, etc.
- All human beings have basic human rights including the right to have the things that are essential to life, such as food, water, air, clothing, medicines, and house. They must receive medical treatment when ill, basic education at school age, and the right to choose a career at working age.

Module 2. Human Dignity

This module involves role-play on learning the concept of human dignity. It involves a set of ten cards containing signs about the status of people: 1) baby; 2) unruly person; 3) medical doctor; 4) journalist; 5) pregnant woman; 6) senior person; 7) foreigner; 8) monk/priest; 9) village leader; and 10) person with disability.



Status Cards

Ten participants are asked to do the role-play. Each participant is assigned one status as listed above.

They play the role of tourists who are traveling on a boat to go to an island. On the way to the island, the boat encounters a storm. The boat begins to sink. There is one rubber raft that can carry only five people. Those who cannot get on the rubber raft have to find a way to survive when the boat sinks. They risk being eaten by sharks. They discuss who will ride on the rubber raft and each tourist gives a reason why she/he has to survive and get on the raft. They have to quickly decide and vote to select who will be the five persons who will ride on the rubber raft and survive.

The participants who watch the roleplay are asked to quickly decide and vote to select who will be the five persons who will ride on the rubber raft and survive. Each survivor must be chosen by majority vote of the participants. The roleplay ends with the selection of five persons who will ride on the rubber raft.



A participant, as a person with disability, gives the reason to survive

The facilitator asks those who are not selected how do they felt since they all wanted to live.

The facilitator then asks the participants who watch the role play to give the reasons for deciding on each survivor. In most cases, the pregnant

woman, child and doctor are quickly selected by the group as the first three survivors, while the fourth and fifth survivors are harder to decide. The participants are asked to review the roleplay and express the lesson learned by answering the following questions::

- In real life, can we judge who will live or die?
- Are we sure about the choices we make?
- Can any doctor be selected even if the person was a murderer?
- In human terms, are the doctor and the thief equal?
- Regarding those who were not selected, do they have the right to

live?

The discussions among the participants are expected to include the following:

- Human rights: the rights and liberties of the people should be protected; everyone has an equal right to survive;
- Learning process: since the participants are required to learn about abstract content, the use of role play to get everyone's participation makes the learning process more fun and natural. The participants appreciate the importance of their roles in the learning process. They see the value of having all information made available before making any judgment about other people. This means that everyone is important in every society: doctors help the patients; priests or monks help people gain peace of mind; children are the future of society; the elderly with their long experience are relied upon by the younger generation. In real life, one cannot judge who is going to live or die. Everyone is aware of human dignity.

This activity provides the participants the opportunity to be engaged in sharing and learning together. The participants in the seminars commented that they learned quickly, understood the human rights concept and would remember the ideas for a long time.

Module 3. Equality and Non-discrimination

Section 30. All persons are equal before the law and shall enjoy equal protection under the law. Men and women shall enjoy equal rights. (The Constitution of the Kingdom of Thailand, 2007)

This activity aims to make the participants understand the meaning and concept of “equality” in society and realize the difference between the sexes. Cards with words describing people – men and women – are randomly spread on the floor. The cards have words such as long hair, short hair, wearing sarong, pretty, sweet, grandfather, high heels, gossip, caring, etc.



The cards

The participants discuss the arrangement of the cards according to sex. First, they arrange the cards into two lines – one for men and another for women. Second, when members of the group say that some cards are applicable to either sex, they rearrange the cards and make a third line (middle line) of cards. They discuss the reasons why some cards (e.g., gossip, caring, high heel, wearing sarong) should be in the third line.

It is expected that the third line, the middle line, for both sexes will turn out longer than the other two lines.

This activity emphasizes the knowledge and experience of the participants. Everyone is given the chance to give reasons for the views espoused. The participants debate on the beliefs and cultures involved. The views of the young and the older participants mutually contribute to better learning. The media employed (cards) are simple yet effective in evoking reactions from the participants.



The longer middle line

The main points of the module consist of

- Understanding the difference between the male and the female as merely in the physical sense, and both are equally talented in everything.
- Law supports the equality of the sexes, as well as of groups of people such as the poor, the sick, persons with disability. All groups should receive equal protection under the law, with equal rights for all people.

Module 4: Human rights cases

Human rights violations occur in the daily life of people, both intentionally and unintentionally (because of ignorance or lack of knowledge).

The activity deals with examples of problems that occur in society as exposed by the media. The facilitator distributes newspapers and asks the participants to select news regarding human rights violations.

The participants analyze in different groups the problems and think of ways to resolve them. The groups analyze the stories in the newspapers and think of violations/abuses that exist relating to the people involved in the news stories. They explain the violation of human rights regarding various issues, such as problems relating to labor, land, environment, that affect the lives of the people. Learning about human rights violations and finding the correct solution is essential.



Group working on the cases

Module 5. Community rights

Community rights are human rights phenomenon in Thailand. There are substantial issues in the management and use of natural resources that directly impact on the state of civil liberties and the lives of most people in the rural areas (and also the communities in large cities, which are called “urban poor”).



Reporting on group discussion

The objectives of this module are:

1. To facilitate the awareness of the participants on development issues in the communities;

2. To allow participants to exchange opinions on the participation of people in, and their right to, development.

The facilitator provides a case study regarding the development and implementation of state policies affecting local communities, especially their huge impact on the communities. The case study refers to the project to build a deep-sea pier. Two photos are compared:

1. A jetty used by the villagers for a long time, and
2. State Project: the construction of the new jetty.

Issues for discussion:

- Do you think the local communities should participate in government mega projects? Why?
- As members of the local community, do you think you should take any action or not? Why? How?

The participants are divided into two groups, one in favor and another against the project. The participants discuss the issue by giving the reasons supporting or opposing the project. The facilitator may choose images on events that happened in the community in order for the participants to get a clearer picture. The use of photos of actual incidents should encourage everyone to understand, comment and exchange with other participants the ideas involved.

The participants discuss and analyze the right of the local people to develop their own communities. They cite many reasons for the need to develop the communities: environmental problems like toxic wastewater, etc.

They also discuss the idea of participation of the local people in state programs, especially those relating to the environment. They discuss how the local community can engage in dialogue with government officials, and identify activities such as public hearings where the representatives of the community can give comments to the government officials before the construction of the public projects begin, and so on.

The participants discuss how community rights affect the lives of everyone in the community. They also discuss how each community represents a different case from other communities.



Deep-sea pier project versus the daily life of fisherfolk

The participants draft joint conclusions and proposals that the community can implement.

Module 6. NHRCT protection mechanism

The National Human Rights Commission of Thailand (NHRCT), an independent organization, is responsible for monitoring the acts and omissions by state authorities that lead to violation of human rights, and for promoting and protecting the rights and freedoms of the people.

This module aims to make the general public become aware of the human rights mechanism that serves to promote and protect human rights.

The participants put together a jigsaw puzzle on human rights mechanism. After completing the jigsaw puzzle, they discuss each step in the mechanism.



NHRCT Human Rights Mechanism

Network building

After completing the six modules, the participants are divided into several groups according to province and human rights issues in their respective areas (such as right to education, the rights of ethnic minorities, right to natural resources, etc.) They discuss their cases and make an action plan on promoting and protecting human right issues in their respective areas. They also establish an Economic, Social and Cultural Rights (ESCR) network with both public and private organizations as members.

To strengthen networking on human rights issues in the five regions of the country, NHRCT coordinates with the government agencies, civil society organizations and communities to join the net-



Reporting on NHRCT protection mechanism

works and discuss the human rights situation in their respective areas. Since the seminar focuses on participation, the important role of participants in promoting and disseminating the concept of human rights is emphasized. As a result, people in the five regions of Thailand who join the participatory seminars are able to appropriately promote human rights in their respective areas.

Lessons Learned

Human rights work requires the cooperation of all parties involved. The seminars provide several lessons learned:

1. The varied backgrounds of the participants, in terms of knowledge, experience and career, contribute to fruitful discussions in the seminar. But there are also limitations for some of the villager-participants;
2. The learning process creates conditions that allow both the individuals and the groups to exchange ideas and to fully enjoy the seminar program;
3. Creating awareness about participation in the development process (right to development) is absolutely essential in the seminar that

leads the participants to eagerly share ideas and show willingness to join the ESCR network in their area;

4. The seminars provide the opportunity for the National Human Rights Commission commissioners and staff to learn about the current situation in the communities and the private sector, and broaden their perspective.
5. The participants are expected to organize human rights promotion activities with the support of the NHRCT's media and personnel resources. This is a voluntary action of hosting and strengthening the ESCR network in the area.

The evaluation of the "Participatory Seminar" in the five regions shows that most of the participants express more confidence in sharing their knowledge on the human rights situation. Their behavior has changed and they feel that they are still "growing" well. The "Participatory Seminar" confirms my belief that "Education is Change, Education is Growth."

Endnotes

¹The discussion in this section is based on constitutional and legal provisions existing in Thailand as of July 2014. In view of the political situation in Thailand in mid-2014, the constitutional and legal provisions relating to the National Human Rights Commission of Thailand might change in the following year.

²The full text of this law is available at the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

³Text taken from the file of the 1997 Constitution in the website of NHRCT on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

⁴Along with the National Human Rights Commission, the Office of the Public Prosecutors and the National Economic and Social Advisory Council are listed under the "Other Statutory Agencies" provision of Chapter XI, Organs of the Constitution, 2007 Constitution. The full text of the unofficial translation of the 2007 Constitution is available at the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

⁵The full text of the draft bill is available on the NHRCT website page on legal materials: www.nhrc.or.th/2012/wb/en/contentpage.php?id=73&menu_id=2&groupID=7.

Anti-discrimination Education in Japan: Buraku Sabetsu Simulation*

Daisuke Nojima**

THE STRUCTURAL STUDY of discrimination using the simulation method in school setting has pros and cons. This is true in the study of discrimination of a section of the Japanese population known as *Burakumin* (*Buraku* people). A famous Japanese professor on international education warned me against writing reports on this issue for a thesis-writing contest. He was apprehensive about the possibility of the institution that held the contest facing difficulties in case my thesis won.

His warning was based on the experience of researcher-friend who was unable to continue his research on the subject after receiving severe criticism from the *Buraku* liberation movement.

A school educator who used traditional pedagogy criticized the simulation method I used as too objective and not on the side of discriminated people. However, many participants in the 2009 International Institute on Peace Education held in Budapest, Hungary provided very positive suggestions on my research. One suggested the addition of the gender perspective in the research since behind the phenomenon of discrimination was the gender issue.

I have been using the simulation method in discussing the *Buraku* issue in my classes.

Considering the suggestions, particularly the gender perspective, I present the use of simulation method in human rights education activities that focus on *Buraku* discrimination.

*This is an edited version of the article that first appeared in *In Factis Pax*, 3(1) (2009): 112-125.

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Vignette: Family Context

In marriage, the father in *Burakumin* family would often play the most decisive role. The situation differs depending on whether it is a marriage between a *Buraku* woman and a non-*Buraku* man or a *Buraku* man marrying a non-*Buraku* woman. Therefore, I develop the opening dialogue between Father and Son to suggest the existence of a gender problematique.

Here is a sample vignette about a father and a son who are in conflict about the possible marriage of the son to a woman from the *Buraku* community. The family is faced with a dilemma between love and established practice. This vignette is based on a book authored by Nobuhiko Kadooka, who declared that he was a *Burakumin*. He wrote the book entitled *Hisabetsu Buraku no Seishun* (Youth in Buraku Community).¹

Volunteer performers are asked to read in a skit style the following vignette, as an introduction to understanding *Buraku* discrimination (*Buraku sabetsu*) problem in Japan:

Son: Father, I would like to marry...

Father: Oh, yes! It's a good news! Is she your nice girlfriend, Hanako?

S : Yes!

F : She is a good lady! You're lucky! What a good news!

S : Father, and...I have to tell you, about...

F : What?

S : ...About her origin.

F : What is it?

S : She's from *Buraku* community.

F : ... Oh, no, my son!

S : She says she wants you to know it, before our marriage.

F : No, it's impossible!

S : Why impossible?

F : It will damage our family's reputation! Absolutely, no!!

S : Why does it damage our family?

F : Because our family blood cannot be mixed with theirs!

S : It's an old-fashioned way of thinking. Wrong belief!

F : ...Though I would say OK, our relatives must be angry! It might damage their reputation, too. Do you want to cause any disadvantage at your cousin's marriage and employment?

S : You cannot predict it!

F : No, the public is not easy. And I know *Buraku* people have strong human rights movement, and I hear some of them have

very strong stance. I don't want our family to be involved in such complicated matters!

S : Well, give us time. We didn't think you would become furious.

F : Mmmm..., who on earth keeps such silly discrimination system?! We are annoyed!

S :Father, it's you!

Through this vignette, the facilitator encourages the participants to think about *Buraku sabetsu*. The facilitator asks the participants to think of the possible results that can arise in the case. Some possible results are the following:

- To overcome the difficulty, they marry with the full support of his family. This can be the happiest solution, but they all need to stay strong.
- They marry, but keep her origin secret from his relatives; being afraid of the disclosure. Kadooka's book presents an interview regarding a similar case; the people involved were superficially happy, but there was no complete solution.
- They marry and break off the relationship with their respective families. They became very independent and decided to stay away, but their families could not support them.
- Semi-gathered marriage ceremony (wedding ceremony with only the family of either the bride or the groom). The famous enlightening movie "*Hashi no Nai Kawa (River without a Bridge)*" demonstrates this sorrowful scenario.
- Separate ways - Probably, most cases have ended under this category.
- Judicial action - A coming-out reporter told her own case in court in a publication.
- Runaway, Suicide, ... etc.

These sad cases still happen.

At this point, the workshop defines *Buraku sabetsu* as discrimination against people from "Outcast" community in Japan.

This type of discrimination occurs at personal and social levels. At the personal level, it is mostly found in cases of marriage and employment. At the social level: those discriminated bear much difficulty in terms of social burdens and relegation of role to tasks not wanted by many people.

Simulation: Community Context

To realize the social structural context of discrimination, participants are asked to do a role-play of an imaginary community. This is a simulation of group negotiation and decision-making in a community about burden sharing, which are necessary to keep modern living standards.

In this simulation, fifteen cards are prepared for fifteen participants:

For Stage 1: Nine Serene Cards, and six Burden Cards are prepared and distributed through lottery. A Serene Card means the person has the privilege of living without being asked to carry any social burden. On the other hand, the Burden Card indicates living in 1) an isolated area of the town or city, 2) near a Nuclear Powerplant, 3) Humble House, 4) 3D-jobs (difficult, dirty, and dangerous jobs), 5) No Chance of Higher Education, and 6) Garbage Disposal Facilities. All the fifteen cards have similar design and color.

For Stage 2: two Elite Cards, ten “Happy?” Cards, and three Change Cards are prepared to construct social classes.

The simulation activity has three stages.

Stage 1: Fair Burden-sharing Community

At the first stage, everyone in the community draws a card. The card can either be the “Serene” card that ensures that the person will live in calm and “normal” life, or the “Burden” card that requires a person to bear some kind of burden that is necessary for the community (such as living in a place with “Garbage Disposal Facility,” “Isolation Ward,” “Crematory,” “Nuclear Powerplant,” etc.). People are requested to sit together in two groups – Serene Group and Burden Group.

Stage 2: Community with Social Class

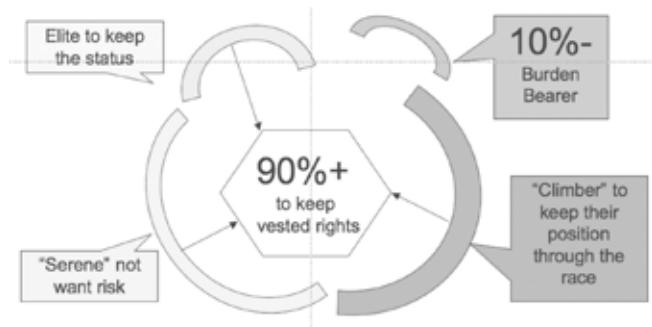
In each group, people are asked to compete with each other using the paper-rock-scissors game to get the Elite Card and Change Cards. People with the “Serene” card automatically earn the “Happy?” card, which symbolizes living happy life (without sharing social burden).

The Serene Group selects two elite people, who are responsible for managing the whole community. The members of the Burden Group race to get the “Change” card, which ensures changing the “Burden” card into “Happy?” card. The winner earns the second chance to live without social burden, while the loser gets more “Burden” cards, which are given up by the

winner in this group. As a result of the races in the two groups, the whole community is divided into four social classes:

1. Elite with Elite Cards and “Happy?” Cards
2. Serene (“Normal” citizen) and “Happy?” Cards
3. “Climber” with Change Cards and “Happy?” Cards
4. Burden bearers.

Chart 1



The people are required to make a decision as a community on whether to go back to Stage 1, where all social burdens are shared by lottery, or keep Stage 2 with the four social classes. Everybody votes to decide on what should be adopted. Other proposals or suggestions can be discussed also.

During the negotiation before the final vote, the Facilitator asks some key questions. Examples of possible questions are:²

- Who seems to be the most responsible among the members of the community?
- Who has the power to change?
- Do members of each social class share common opinion within the class?
- Why is this situation kept?
- Who gains from the system?

Stage 3: Community with Fixed Social Classes (the social classes remain forever, even for descendants)

Whatever the community's decision is, the Facilitator asks everybody to imagine that the social class era continues into the future for many centuries. Further, the Facilitator asks them to express what they feel about it.

The central aim of the role-play is to realize the structural dimension of *Buraku sabetsu*. The imaginary community is a metaphor of one of the most serious and historic discriminations in Japan. There are many excellent teaching practices that encourage empathy in individual learners; however, *Buraku sabetsu* has become more invisible in the Japanese social framework due to reasons discussed below.

Therefore, we need resort to structure-oriented simulation studies, as well as moral education to transform this severe discrimination.

The Facilitator proceeds to discussing the *Buraku* discrimination history, the situation of the *Burakumin*, the current forms of *Buraku* discrimination, the anti-discrimination movements, the government responses and other issues. The Facilitator uses different audio-visual aids and other teaching-learning materials for this purpose.

I. Buraku Sabetsu - Origin and Status

A. *Kegare* (穢れ: Impurity in mind)

To realize the deep structure of *Buraku sabetsu*, the concept of *Kegare* should be understood. There are many theories analyzing its origin, but they agree at least on the following: in the 8th century, noble people privatized the land and social classes were created. Until modern age, “*Kegare*” exists in the deep structure of Japanese people’s minds that forms a kind of deep culture. “*Kegare*” means impurity in the mind, which can never be purified by physical actions. For example, while a container that had cow feces and urine could be washed and disinfected a thousand times, Japanese people might still think that impurity remains in it. The idea of *kegare* results in prejudice against people with specific occupations, such as funeral workers, executioners, sweepers, leather producers, and drum makers. People with those occupations are regarded as impure, since they touch the dead people or animals, or dirty things like feces or skin of dead animals.

B. Fixed Social Classes

The 17th century *Samurai* Shogunate fixed the social hierarchy: *Samurai* (Warrior), Farmer, Merchant, and Craftsperson. It also defined outcast people: “*Eta* (extreme filth)” and “*Hinin* (non-human)” classes. The Shogunate fixed the social classes in order to maintain the *Samurai*’s privileged status. Outcasted people were regulated in terms of social manners and communication with other classes.

C. Social Structure

Chart 2

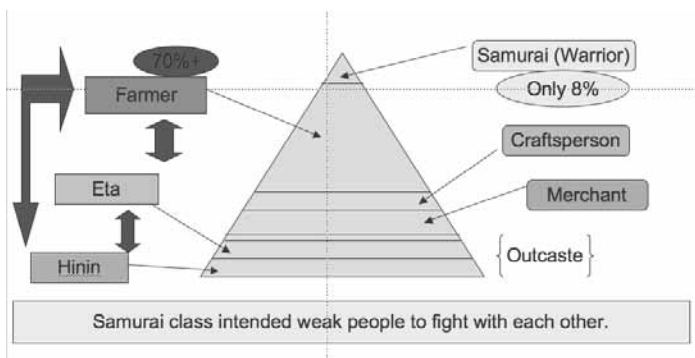


Chart 2 indicates how the *Samurai* (warrior) class designed the social hierarchy. The Farmer class had the absolute majority, and the critical point was how the Warrior class, constituting only 8 percent of the population, would control society. The people with power utilized the prejudice against the outcast classes (*Eta* and *Hinin*) to preserve this unstable hierarchical pyramid. Perhaps, many discriminatory systems in the world share common characteristics with the *Edo* class system.

D. *Kegare* Impurity Lasts Forever

Buraku people were discriminated against even after they passed away. For example, their gravestones show discriminatory posthumous names such as letters for animals or slaves' names. Buddhist priests record posthumous names called *kaimyo* (戒名), which means spending time after-death in another dimension of space, that are discriminatory to *Buraku* people.

E. Potential of Continued Discrimination

In the 19th century, the new Meiji Government prohibited any social class ranking, however class discrimination continued. In the era of capitalism and industrialization that followed, capitalists required cheap labor, and weak classes were forced to compete with each other. The idea of "*Kegare*" was even strengthened with the introduction in this period of then new western concepts of hygiene and eugenics.

F. The Enforced “Role” of Accepting Social Disadvantages

In the 20th century, in the era of modernization, social burdens such as garbage disposal facilities, isolation wards, crematories, and nuclear powerplants were often constructed in or near the *Buraku* areas. “3D-jobs,” unemployed persons, humble houses, people with no formal education, etc. were often found in *Buraku* communities. To explain the situation in another way, the modern government utilized *Buraku sabetsu* to put social burdens on this group of people. If, for example, 10 percent of the population automatically accepts those social burdens, the majority (90 percent) of the population could live without any risk of having social disadvantages (as shown in the simulation activity at the beginning of this workshop).

G. “Invisible People” - Why does it continue over the centuries?

The *Buraku* people are “invisible” in a certain sense, and yet they are still discriminated against. There are no distinctive physical features that distinguish them from other Japanese people. *Buraku* people cannot be identified in normal communication, and foreign observers often ask why this discrimination is possible. This discrimination is neither the remains of past bad legislation, nor the habit of the past feudal era alone; it is being reproduced even in the current modern era.

What explains this discrimination? It is caused by the perceived need of modern society to sacrifice the good of a minority for the benefit of society. It is a utilitarian calculation wherein the overall benefits to society outweigh the harm done to a minority. If a fixed group of people carried social burdens, the others would feel safe from the risk of carrying them.

There are three ways through which discrimination is sustained: *Koseki* (戸籍: family registration system³), *Buraku Chimei Soukan* (部落地名総鑑: underground publication of Buraku community address lists), and *Koshinjo* (興信所: private detective agencies). The first one, *Koseki*, a Japanese custom, identifies the Buraku people. Northeast Asian societies have the legal custom of permanent address registration, with the *Koseki* as its equivalent in Japan. Though people move away from their original place and change their residential address (*Jyuminhyou*), the *Koseki* remains unchanged. Second, the underground “Buraku list” publications were purchased by famous companies and ordinary people. The “Buraku list” indicates which permanent addresses are categorized as Buraku communities. Third, *Koshinjo*, private detective agencies search for people’s permanent address or family status. A law has been enacted to prohibit access to family records in local gov-

ernment offices, except by the members of the family or their authorized agents such as their lawyers. However, the discrimination has not totally been overcome.

II. To Learn Deeply from the Reality of Discrimination

To learn deeply from the reality of discrimination (「差別の現実」に深く学ぶ): *Sabetsu no Genjitsu ni Fukaku Manabu*) is a common slogan of anti-discrimination educators in Japan. *Buraku sabetsu* in the modern age takes the following forms: pressure on marriage, pressure on employment, bullying, harassment, graffiti, discriminatory description in internet bulletin boards, and so on.

A. Statistics

Unfortunately, the 1990s statistics still indicate the difference between the “average” people’s living standard and the living standard of *Buraku* people. For example:⁴

- Prolonged absence in school: Average - 2.4 percent, *Buraku* - 4.5 percent
- Entry into university and junior college: Average - 40.7 percent, *Buraku* - 28.6 percent
- Households on welfare: Average - 1.4 percent, *Buraku* - 7.0 percent
- Company executives: Average - 6.0 percent, *Buraku* - 1.9 percent
- Annual Income of less than 0.5 million Yen: Average - 4.7 percent, *Buraku* - 10.3 percent

These situations seem to have improved a little at present; however, the gap still stands.

B. Ms. Hatsue Kobayashi’s (a coming-out writer) Talk in a TV Program⁵

A sensational TV discussion program broadcasted the challenging topic of *Buraku sabetsu*, and a coming-out writer, Ms. Hatsue Kobayashi introduced how *Buraku* people were discriminated against. She cited many examples, such as:

- » Bullying of her child in school (being excluded from lunch serving duty, getting locked inside the toilet, etc.)
- » Newcomers desperately explaining that they have no relatives in the area

» A small girl taking her grandmother to Ms. Kobayashi's home and explaining how evil she is, by pointing at the doorplate.

At the same program, Mr. Kenzo Tomonaga, the then Head Researcher from the *Buraku Kaiho Kenkyusho* (部落解放研究所: Buraku Liberation Research Institute⁶) introduced a statistic: 70 percent of nuclear powerplants in Japan were located in or near the Buraku communities. Ms. Kobayashi revealed as well that other public facilities have also been constructed in Buraku zones, and there have been serious power struggles between Buraku residents and the government. Due to the public's power to oppress, the apathy of the majority of ordinary people, and the customs that regard self-help actions as crude, she found no way to ensure respect for the human dignity of people in *Buraku* communities.

C. Current Main Cases of Discrimination

Buraku sabetsu shows its face in the modern Japanese society, such as in the following examples:

(1) Purchase by around one thousand six hundred companies, including big and famous companies, of private information from two detective agencies (1998)⁷ Many companies had contracts with the two detective companies to check individual information such as place of origin, personal beliefs, and political activities, when they recruit new staff members. The information was sent by fax, and disposed of immediately, in order to destroy the evidence.

(2) Compulsion on students to rewrite job interview report (2005). To improve the recruitment by companies of students from *Buraku* communities, schools requested students to report what were asked at the interview. Questions about place of origin, landmarks near their home, personal beliefs, for example, were regarded as inappropriate questions. A teacher instructed students to make false statements in response to such questions in order to save them from discriminatory treatment.

(3) Computerized *Buraku* lists (2006). As technology developed, *Buraku* lists were computerized that made it more difficult for people in anti-discrimination activities to find such [inappropriate publication](#).

(4) Defamation in internet communication. The main method of bullying in school is in the internet or mobile phone e-mail communication. The attackers use fake names, and the bullied person cannot identify who has committed the humiliation. Bullying of *Buraku* people has also moved into

electronic communication. Many violent words are found on the internet bulletin boards, as well as bad words against foreigners and their countries.

III. Anti-discrimination Movements

The *Buraku* people, after a long struggle, started their own anti-discrimination movements.

a. Fruits of the Movements

A world famous declaration on human rights, *Suiheisha Declaration* (水平社宣言)⁸ was adopted in 1922 at the founding of Zenkoku Suiheisha (水平社: National Levelers League, 1922-1942). The declaration contained the principles of self-help, solidarity, being proud of one's self, etc. The flag of the movement (荊冠旗: Keikanki) had a crown of thorns design. The establishment of Zenkoku Suiheisha was an epoch-making event in the anti-discrimination movement history.

During the war period, Zenkoku Suiheisha faced extinction due to the unification of all parties in the war effort. At that time, they regarded unification as a significant opportunity to be recognized, by contributing to the effort to overcome the national crisis. It subsequently regretted this collaboration on the war effort. After the World War II, a National Committee for Buraku Liberation (部落解放全国委員会: Buraku Kaiho Zenkoku Iinkai, 1946-1955) was founded. Other organizations were also established as part of the movement.

b. Problems in Anti-Discrimination Movements

Unfortunately, the anti-Buraku discrimination movements faced some difficulties in recent decades. These difficulties are seen as having arisen from several factors:

1. Fragmentation of the movements that were supported by political parties.
2. Reports about alleged scandals involving a human rights organization and the administration of the human rights department in the local government.
3. Recent globalization of economy generated poorer people other than the *Buraku* people and focus seems to be weakening on the *Buraku* community.⁹

IV. Anti-Discrimination Laws

A. Special Legislation

Japan enacted in 1969 a special legislation (同和対策事業特別措置法: Douwa Taisaku Jigyō Tokubetsu Sochi Hou, Law for Special Measures for Dowa Projects) that mainly focused on the improvement of the economic status and living standards of Buraku communities, including the nomination of special areas and the provision of better social infrastructure. This law was amended several times that extended the period of implementation of the special measures to a total of about thirty years. In education, the Law for Human Rights Education and the Promotion of Enlightenment of Human Rights (人権教育及び人権啓発の推進に関する法律: Jinken Kyouiku Oyobi Jinken Keihatsu no Suishin ni Kansuru Houritsu) was enacted in 2000. This law was enacted in support of the United Nations' Decade for Human Rights Education (1995-2004). This United Nations' Decade gained support worldwide.

B. Problems - the End of Special Legislation in 2002

This Law for Special Measures for Dowa Projects as amended expired in 2002. The government seemed to have taken the view that *Buraku sabetsu* had become less obvious and the *Buraku* communities seemed to have improved at least in the economic field. Recent thinking maintains that there should have been a basic law on the liberation of *Buraku* people and community. After the expiration of the special legal measure, anti-discriminatory lectures were no longer mandatory in the teacher licensure programs at the university, and about 40 percent of new teachers in private schools in Osaka have not learned about *Buraku sabetsu*.¹⁰ The recently published book of Kadooka, a *Buraku* writer, tells us that though discrimination became less severe in general, it still exists and violations of human rights continue.¹¹

V. Anti-Discrimination Education¹²

The anti-discrimination education movement had made much effort in empowering and supporting Buraku students by developing such systems as literacy education (識字教育: Shikiji Kyouiku:), free school textbook (教科書無償化: Kyoukasho Mushouka), and changes in the philosophy of scholarship (奨学金基準の変更: Shougakukin Kijun no Henkou). Similar to the course guidance support material: the General Format of Curriculum Vitae

(統一応募用紙: Touitsu Oubo Youshi) required information on permanent address by writing the name of the prefecture only, and did not include other information such as identification of any ideology being supported, etc. The anti-discrimination education movement also carried out enlightenment education for the majority population.

Many teaching materials, reading materials, movies, etc., have been produced, and anti-discrimination educational programs have been introduced in the human rights education curriculum of schools. Recently, these human rights education initiatives have been linked to current trends in international education of using the Convention on the Rights of the Child, the Universal Declaration of Human Rights, the United Nations International Year of Human Rights Learning (2009), etc.

A. Education of Empathy with Literature

Among many human rights education-teaching materials, the book entitled *Ningen* (にんげん, Human) is widely introduced in the Osaka area. It contains various stories on different topics such as: People with visual disabilities, Hansen's Disease, Antipersonnel Landmine, Ainu (Indigenous people in Japan), Zainichi Koreans (Koreans living in Japan), People with Special Needs, HIV carriers, Okinawans, Buraku discrimination, etc.¹³ The discussion of these themes, mainly during homeroom period or in moral education class, aims to develop the students' empathy with minorities or people in discriminated situation. The book is distributed to many schools in the Osaka area, and has an established reputation. However, the book does not focus much on the structural aspect of discrimination. The issues in the book have mainly been taught from the standpoint of humanities, not in a social science context.

B. Problems in Anti-discrimination Education

The anti-discrimination education program faced some problems. First, official support for human rights education weakened due to reduced budget after the expiration of the special legislation for empowering *Buraku* people and community. The printing of *Ningen* stopped and forced practitioners to distribute photocopies instead. The Osaka governor in late 2000s adopted the policy of minimizing the expenses of the Osaka prefectural government that led to reduced support for educational activities. Second, the expiration of the Law for Special Measures for Dowa Projects also contributed to the teachers' lack of knowledge about the *Buraku* issue, since university study

of the issue was no longer a mandatory requirement to obtain a teacher's license. Third, with many non-*Buraku* issues considered under human rights education, the *Buraku* issue was thereby de-mainstreamed. The expansion of the coverage of human rights education has many merits. Traditional anti-discrimination education practitioners regretted that the *Buraku* issue has come to be seen as much less important.

VI. Trial of the Structural Approach and the Viewpoint of Transformation (Simulation Study)

The anti-discrimination education program mainly employed humanistic ways of teaching that have good effect on students' reflection on their daily lives, and on mindset affected by prejudice.

But considering the issues involved, human rights education on *Buraku* discrimination requires more effective ways of teaching. The social-scientific view should be emphasized to overcome difficulties that still lie behind the superficial improvement in the understanding of the *Buraku* issue. While traditional education mainly focuses on the cultural violence aspect of *Buraku sabetsu*, there is a need to focus on its structural violence aspect under the new human rights education programs. People's actions and reactions around *Buraku sabetsu* must be included to uncover the structural violence aspect of the issue.

To observe the structural contradiction of conflict, simulation-styled class becomes prominent. In the structural approach of learning, the simulation of the *Buraku* issue discusses four social classes and explores the possibility of social change. The discussion stage re-evaluates the traditional society. The community discusses the important decision-making issues, including whether to go back to the stage of burden sharing or not. Other plans are of course welcomed. Human rights, especially regarding the *Buraku* issue, should be taught not just as a matter of personal ethics but also as a transformation of social structure, using the peace education perspective. This participatory method of learning should also be employed in other anti-discrimination issues.

A. Review of IIPE 2009 Simulation

The session at the 2009 IIPE was the first time that the simulation method was introduced to multicultural participants. The paper-rock-scissors game was too difficult for some participants from different cultures; how-

ever, many people cooperated in explaining the process, which has never been seen in my classroom. The discussion before voting produced various solutions: everybody should own some parts of the social burdens; responsibility should be shared on rotation basis, and so on. In one notable instance, one participant voluntarily owned some of the burdens of others (friends).

After the simulation exercise, the main topic discussed was the possibility of simulation method in teaching discrimination or human rights issues. My proposal was still a prototype and needed improvements; however the majority opinion maintained that the participatory method of human rights learning was worth trying.

In exploring the simulation study of discrimination using the 2009 IPE theme (Human Rights Learning as Peace Education - Pursuing Democracy in a Time of Crisis), the tension regarding the sharing of social burdens among participants (modified from the real discrimination situation) was presented as a crisis, while also raising the question: "Whose crisis?"

In support of democracy, the process should involve 1) discussion, 2) finding solution, and 3) transformation in democratic ways. Necessarily, this simulation study should aim at learning how to protect minorities from structural violence, and how to transform the distorted structure into a peaceful one, through peaceful means. This method is especially meaningful in multicultural situations, with human rights as the common language among peoples from many cultures.

B. Reviewing My Class

My fifteen years of experience in using this simulation method provides a basis for some conclusions regarding its use and for a review of the learning gained in addressing social problems in Japanese society.

The students' conclusions in sessions using the simulation method vary by group. Some classes were very positive, and adopted almost a unanimous agreement to change the situation in Stage 1. Other classes were negative to changing the situation in Stage 1, expressing lack of sympathy in their decision. The young people's flexibility leads to the discussion of many alternatives. For example, there were several ideas for transformation: rotating basis for burden sharing (as seen in 2009 IPE), introducing compulsory human rights education for people with "Happy?" cards, cutting the burden into smaller pieces to be shared by everybody, abandoning some industries or economic progress goals, etc. In all cases, the facilitator helped the students gain a deeper understanding of discrimination, using the technique

of comparing realities, finding the same phenomena in real disputes, etc. While not expected, the effects of empathy education were revealed through the simulation study; for example, deeper understanding of the victimized people, stronger motivation to know the realities, and so on. On the other hand, the readings-oriented approach of humanistic studies has attracted only sensitive students in my class.

In the process of developing this structural approach, I asked two expert teachers outside our school to review it. A very traditional teacher with rich experience gave a critical comment: it could be a little rude to simulate real wrenching discrimination situation as a “game,” it would be dangerous if a *Buraku* student would play the role of a victim, teachers could not always expect fruitful discussion among very young students, etc. The other, a middle-aged teacher, thought that this approach was rather necessary in the *Buraku* community because advocating for an appropriate concept of understanding the real system of discrimination could help overcome the discriminatory situation. Both comments provide very efficient guide in reviewing this type of teaching. Further, I had a couple of opportunities to demonstrate the method at teachers’ workshops in Japan, and had many comments of encouragement, and a few criticisms (including the fear of the possibility that the discussion could unwittingly become very serious).

Considering all the comments, I added as an improvement a short warm-up game before the simulation exercise to stimulate shy students and raise enthusiasm. Also, through facilitation, there should be affirmative response to any contribution by students to the discussion.

I have not used this simulation study in the *Buraku* community. However, I have asked two well-known researchers from the *Buraku* community to do so.

Conclusion

Buraku sabetsu has been discussed mainly at the individual level. For example, the traditional methodology in anti-discrimination education sees the overcoming of prejudice as an individual challenge to the victims. However, the structural approach is necessary. People belonging to the mainstream society should be involved in the process of overcoming social injustice and transforming the social structure.

Simulation studies can evoke positive attitudes among many people, especially the silent majority. Students can realize that democracy needs a wise

majority, including the majority's respect for the human rights of minorities, and its understanding of what the entire social system produces. This approach has the same orientation as conflict resolution in Peace Education, which aims to find ideas for transforming the contradictions in the societal structure.

The traditional approach of human rights education in Japan has often utilized humanistic methods of appreciation of written works of minority people. It has aroused empathy for the victimized people and their situation. This approach aims to transform the individual's mindset, values and way of thinking through reflection and change of perspective. On the other hand, the structural method emphasizes the objective and comprehensive understanding of the structure of discrimination, and encourages students to think of ideas on how to transform the entire system of the society. To educate on overcoming structural violence, like discrimination or oppression, the structural approach is preferable. Through participation as a player, winner, loser, bystander, etc., the students have a chance to experience the victims' perspective. After the simulation, students have a chance to look at the whole system of discrimination.

There are some critics opposed to the participatory method of human rights education as a kind of indoctrination.¹⁴ However, the process of discussion can include all types of values. With the conclusion of each simulation session, students have a chance to review the whole structure. Further, I find that the structural approach also very much nurtures empathy with the marginalized people.

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Endnotes

¹This vignette is extracted from real stories described in a book, *Hisabetsu Buraku no Seishun* (2003), by Nobuhiko Kadooka who came out as a Burakumin.

²The "Inquiry" method, which raises neutral questions to students in order to seek deeper problematique, is often used as Peace Education pedagogy. See Betty Reardon, "In order to create peaceful world - Human Rights, Gender, and Education," paper presented at a workshop held at Seisen University, Tokyo, Japan, 16-17 May 2009.

³It is the registration system for births, deaths, marriages and divorces of Japanese nationals.

⁴International Movement Against All Forms of Discrimination and Racism (IMADR), IMADR-Japan Chapter, Buraku Liberation League (BL), and Buraku Liberation and Human Rights Research Institute (BLHRRRI), *Reality of Buraku Discrimination in Japan*, 2001. Full text of the publication available at http://blhrrri.org/blhrrri_e/Buraku_Reality/index.htm.

⁵"Jinken to Buraku Sabetsu [Human Rights and Buraku Discrimination]," 'Asa made Nama-Terebi (All-night Discussion TV series); TBS, 1989.

⁶The name of the institute has been changed to Buraku Liberation Human Rights Research Institute (BLHRRRI).

⁷This matter was not reported by the mainstream mass media since some of the mass media companies were also involved in the issue. Only the human rights movements reported this matter in their periodicals. Some local government leaders, for example the Minoo City mayor and chairperson of the municipal legislature, touched on this incident in their speeches at a public human rights overview meeting. The author learned about this from a veteran instructor of Shigaku Jin Ken (Human Rights) office.

⁸The full text of the declaration is available at BLHRRRI website (http://blhrrri.org/blhrrri_e/blhrrri/ebooksoo1.htm) and also at the HURIGHTS OSAKA website (www.hurights.or.jp/archives/other_documents/section1/1922/04/declaration-of-human-rights-in-japan.html).

⁹Information provided by a city hall staff from a local government in Shikoku area, interviewed at the workshop of Jinken Kyouiku Keihatsu Suishin Sentaa (人権教育啓発推進センター、The Center for Human Rights Affairs), 17 January 2008.

¹⁰This was revealed in a meeting for new teachers in the 2003 Shigaku Jin Ken, when the lecturer, Mr. Ninomiya Takashi, asked all the new teachers in Osaka Private Schools on the teaching of *Buraku sabetsu*.

¹¹Kadooka, op cit.

¹²This paragraph is mainly based on "Tomoni" and "Manabi" by Shigaku Jin Ken.

¹³Ningen Editing Committee, *Ningen: Hito, Kibou*, (2006). The publication of Ningen used to have the support of local governments until 2008.

¹⁴For example, Eiji Yagi and Osamu Umeda, *Ima Jinken Kyouiku wo Tou* [Now is the Time to Ask about Human Rights Education] (1999); Eiji Yagi and Osamu Umeda, *Jinken Kyouiku no Jissen wo Tou* [To Ask about Practices of Human Rights Education] (2002).

Human Rights Best Practices in Schools: SUHAKAM Program

Human Rights Commission of Malaysia (SUHAKAM)

IN LINE with the United Nations World Programme for Human Rights Education, the Human Rights Commission of Malaysia (SUHAKAM) made human rights education in primary to tertiary levels of education one of its priorities. By collaborating with different government agencies and private entities, SUHAKAM aims to increase knowledge on human rights as well as participation of stakeholders especially the policymakers and members of various pressure groups in making the importance of human rights well understood and ingrained in the education system.

This is a report on the schools' experiences with the Amalan Terbaik Hak Asasi Manusia (ATHAM) or the Human Rights Best Practices in Schools (HRBPS) program of SUHAKAM. This article examines the concept and stages of implementation of this program (until 2013) and presents the results of a study on its effectiveness. The study examined the participation, implementation, challenges and future plans of the five initial participating schools under the program.

Human Rights Best Practices in School Program

In order to carry out the vision of SUHAKAM of nurturing and exposing children to human rights at an early stage, the involvement of the Ministry of Education (MOE), schools, students and parents is necessary. In line with this, SUHAKAM adopted the HRBPS program in 2009.

With the cooperation of MOE, this program was initially carried out by five secondary schools. The schools were expected to integrate human rights education effectively into their school systems to benefit the daily lives of students.

To simplify the implementation process, the program was integrated into four areas including school management, curriculum, co-curriculum and student affairs.

Objectives of the Program

The HRBPS program has the following objectives:

- i. To encourage students and members of the school to be attentive and take necessary steps to practice human rights;
- ii. To develop a culture of respect and responsibility in relation to human rights and to practice this culture on a daily basis;
- iii. To increase understanding on human rights for the benefit of everyone;
- iv. To encourage students and teachers to pay attention to human rights aspects when planning and carrying out activities at school;
- v. To share experiences about human rights practice in school and the local community; and
- vi. To strengthen the relationship between students regardless of race, religion or gender.

Participation and Activities

The program started in 2009 with five secondary schools in the states of Selangor, Perak, Negeri Sembilan and Malacca. Later in 2011 the number increased to seventeen primary, secondary, rural and interior schools. In 2013, based on the success of the program, the MOE decided to include a further one hundred twenty-three schools into the program, or at least one school in every district in Malaysia.

Realizing that the current education system may be overburdened with the creation of new projects, involvement in the program was either through new projects or existing activities that are strengthened and expanded to include human rights elements.

School projects must include the following components:

- a. Provide human rights awareness to students;
- b. Strengthen ties and improve interaction among students regardless of race, religion or gender;
- c. Develop and increase knowledge of human rights and child rights through the activities being carried out;
- d. Develop a school culture which practices and values human rights; and
- e. Set an example for other schools to follow.

The participating schools decide on the projects they would implement under the HRBPS program. Each participating school must refer to human rights materials including the Universal Declaration of Human Rights (UDHR), Convention on Rights of the Child (CRC) and other documents deemed appropriate by the school.

The Human Rights-Friendly Schools Project

SUHAKAM supports school projects that adhere to the objectives of the HRBPS program. It promotes, for example, the human rights-friendly school concept and the whole school approach as bases of school projects.

The Human Rights-Friendly Schools project seeks:

- a. To promote the whole-school approach in the integration of human rights into the school system;
- b. To demonstrate that the approach is valid and effective globally and to create replicable models which will act as an inspiration to other schools and as a form of advocacy to governments.

Many schools that adopt the whole-school approach to human rights take as their foundational text either the UNDHR or the CRC. Secondary schools may find it more appropriate to take the Universal Declaration of Human Rights as their foundational text, since some of their students may no longer be children in the legal sense (under the age of eighteen years); many students of secondary-school age are aspiring adults.

What is the ‘whole-school approach’ to human rights?

A “human rights-friendly” school is a school that supports human rights. It entails the creation of an environment and a community in which human rights are taught, learned, practised, respected and promoted. This means ensuring that human rights are present in all major areas of school life.

The goal of the whole-school approach is to create a rights-respecting school environment, with members of school communities who are knowledgeable about and dedicated to the promotion of human rights, and with individuals who have not only the knowledge but also the values, skills and experience as effective activists on human rights issues. In short, it promotes a culture of human rights. For purposes of the project, the major ar-

eas of school life into which human rights should be integrated under the whole school approach are:

- a. Curriculum;
- b. Extracurricular activities and school environment;
- c. School governance;
- d. Student affairs.

In the **curriculum**, human rights are incorporated into themes, issues, perspectives and approaches in existing subjects and units. Subjects and units found to be particularly appropriate to human rights discussion are social sciences courses such as History, Economics, Geography, Literature, Languages, Arts, Civics and Citizenship.

In the **extracurricular** areas and school environment, schools often have more freedom and flexibility in developing activities than in integrating human rights into the school curriculum. Extracurricular activities can include establishment of human rights club; organizing of festivals (human rights festival, human rights film festival, human rights visual and dramatic arts festival); holding of commemorations or other events to mark specific international or national days related to human rights; campaigns against bullying, harassment or violence in the school or the wider community; development of safe-school program; undertaking child-friendly school activities, adoption of social service program with human rights focus for the surrounding community; and implementation of training program for students on campaigning and activism. The list is endless. The goal is not to do them all but to devise a realistic strategy of integrating human rights into areas of the school system.

In **school governance**, a chief concern is that not all stakeholders in the school community have a say in the decision-making process. In this area, opportunities can often be found in reviewing ways of managing the school with the support of the parent-teachers association or how school meetings are conducted. These activities can often provide opportunities to cultivate a culture of trust, respect and shared responsibility in the school community. Another area under the heading of school governance is the school policies on inclusion and integration, equality, diversity, anti-racism, anti-bullying, recruitment, enrolment, poverty and the disadvantaged, gender, the environment and healthy eating, and other issues.

In **student affairs**, quite often the key question is how to promote an atmosphere of respect and tolerance. A concrete measure is to make school and class charters or code of conduct through a participatory process so that all feel bound by a document that they helped make. An important aspect to consider here is how matters of discipline are to be addressed. Again, the ideal is that both staff and students agree on the rules and feel equally responsible for upholding them. In a human rights context, the ideal form of discipline is self-discipline, and a key means of promoting that is involving all community members in creating the rules by which they have to abide.

HRBPS Program Implementation Phases

The HRBPS program is implemented in several phases as shown in Table 1.

Table 1. Program Implementation Phases

Phase	Objective	Activity
Phase 1	Program introduction	Workshop to explain the project to the school Principals and Coordinators
Phase 2	Monitoring	Planning and consultation at the school level
Phase 3	Monitoring	Guidance and consultation
Phase 4	Evaluation	Assessment of projects in all the schools

Study of HRBPS Program Implementation

To support the development of the program, SUHAKAM commissioned Sultan Idris Education University (UPS1) to conduct a scientific study on the effectiveness of the program. The study started in May 2011 and was completed in October 2011. It used a mixed-method sequential exploratory design (Creswell, 2009) in soliciting qualitative and quantitative data. Both the qualitative and quantitative phases were connected sequentially as the items in the questionnaires were mainly based on the qualitative results collected at the first phase of the study.

In the qualitative research method, one hundred three respondents comprising of principals, senior assistants, HRBPS coordinators, as well as teachers and students, both involved and not involved in the planning and implementation of the HRBPS program, were interviewed using a semi-

structured interview protocols. Observations and documents were also analyzed during the qualitative data collection. In the quantitative research method, seven hundred ninety-eight respondents, namely one hundred forty eight teachers (including school principals, senior assistants) and six hundred fifty students participated in the survey, using questionnaires. It should be noted that not all respondents who were interviewed responded to the questionnaires and that majority of the respondents (namely the teachers and the students) in the questionnaires were not involved in the planning and implementation of the HRBPS program. Nonetheless their views, together with those who were involved in the HRBPS program, are relevant in providing useful information on the school experiences with the HRBPS program, and the future directions of the HRBPS program in creating a culture of human rights practices in the school system on long-term basis.

The qualitative data were analyzed and categorized for common themes while the quantitative data were analyzed using the SPSS software. The qualitative and quantitative data were then consolidated. Strength-Weakness-Opportunities-Threats (SWOT) analysis was used to summarize the strengths, weaknesses, opportunities and threats of the program, and a Best Known Model (BKM) on the HRBPS program in Malaysian schools was proposed. For purpose of confidentiality, the names of the five schools are not mentioned in this report.

Summary of Findings and Recommendations

Experiences with the HRBPS program as perceived by the teachers and students in the five schools were collectively summarized in an attempt to formulate recommendations for the development of the program. Their views were expressed in terms of the importance of the HRBPS program objectives, participation, school's intention on the program, challenges of the program, ways to overcome the challenges, ways in implementing the program, benefits, future plans of the program, and human rights education practices in other countries. It must be stressed that the recommendations in this study have taken into consideration the limitations of the study and the possibility of the HRBPS program being implemented in settings with similar local context.

Findings

The study has the following findings:

1. Most teachers, school administrators (principals and senior assistants), and the students agreed that all the HRBPS objectives were important. However, they indicated greater preference to instilling the importance of mutual respect, and strengthening relationship and interaction among students regardless of their race, religion and gender compared to the other HRBPS objectives. As to the HRBPS objectives on the integration of human rights practices, they showed greater preference to the integration of the program in the co-curriculum activities and school environment compared to integration in the class sessions and the local community. As both the teachers and the students generally agreed that all the HRBPS objectives were important, it is recommended that all the HRBPS objectives be retained.
2. The study found gaps in the dissemination of information on the HRBPS program to the schools prior to their participation, and to all the teachers and the students in the participating schools. The study indicated that the teachers' main sources of information on human rights and the HRBPS program were the local media and the internet, while the students' main source of information was their teachers. It was also observed that the information on the program were displayed in school bulletin boards or specially assigned areas in the school compound. In this context, it is recommended that more information and publicity on the HRBPS program be provided via the local media and internet to all schools and teachers, and that more information on human rights continue to be displayed in bulletin boards, along the school corridor, and in specially assigned locations in the school compound.
3. As the schools, particularly the school principals, agreed to participate in the program, the strong support and commitment by the school principals were important in ensuring the implementation of the HRBPS program in the schools. The important leadership role by the principals in all the schools indicated that the program was implemented as planned. In this regard, it is recommended that the principals continue to play active and leading role in disseminat-

ing information on the HRBPS program and human rights to all the teachers and the students and at the same time be role models in human rights practices in their schools.

The teachers perceived that the HRBPS program could be integrated into the school curriculum and co-curricular activities to improve student behavior, particularly discipline, and the school environment while the students perceived that the integration should be through a human rights education subject. Both the teachers and the students agreed that human rights could be integrated in the existing curriculum, co-curriculum activities and school environment. It is acknowledged that all the schools practice human rights through the existing curriculum, co-curriculum, and school environment prior to their participation in the HRBPS program. However, all the schools prior to their participation in the HRBPS program did not overtly implement current practices that subscribe to the UDHR and the CRC principles.

In this context, it is recommended that the whole-school approach practices that subscribe to the UDHR and CRC principles be overtly adopted by schools in the curriculum (in the school subjects), co-curriculum and school environment. It is further recommended that human rights education specifically on the UDHR and CRC be directly integrated across all the school subjects and the school environment.

4. As it was acknowledged by the schools that a lot of improvement could be done to increase human rights awareness in the school if all the different stakeholders worked together, it is further recommended that all stakeholders, both internal and external, cooperate and collaborate to improve human rights conditions in the schools.
5. In implementing the HRBPS program, the schools conducted special HRBPS activities or projects with the support of SUHAKAM. Although the respondents seemed to have neutral response regarding special activities in implementing the HRBPS program, they acknowledged that these specific HRBPS activities had increased their awareness and knowledge on human rights as well as their responsibilities in human rights practices. Since the schools are at the stage of familiarizing themselves with human rights while trying to integrate human rights in their school systems based on the UDHR

and the CRC principles, it is recommended that special HRBPS activities or projects be continued. Such purposeful and value-added projects that subscribe to the UDHR and CRC principles have not only created greater awareness and knowledge on human rights, but have benefited both the teachers and the students. It is hoped that the good human rights practices be entrenched in the schools on a long-term basis.

6. The findings also indicated that the teachers and the students who were directly involved in the planning and implementation of the HRBPS program activities seemed to have benefited more than the teachers and the students who were not directly involved in the program. This is explained by the responsibilities given to the former to lead in election of prefects, and organize co-curricular and special activities on the HRBPS program. Most of the teachers and the students seemed to have neutral responses to the question about the HRBPS program being a burden to their daily tasks and responsibilities in the school. In this context, it is recommended that the schools increase the number of teachers and students in the planning and implementation of the HRBPS program and encourage all teachers and students to practise human rights in their daily tasks and responsibilities.
7. The teachers and the students perceived that the most agreeable method in overcoming the barriers to the implementation of the HRBPS program is the involvement of all school stakeholders, namely, students, teachers and administrators, in program implementation. On this basis, it is recommended that every effort be made by the school authorities to promote a culture of human rights to all teachers and students in their relationship among themselves and to others on daily basis.
8. The teachers and the students were of the opinion that there was a lack of integration of human rights in the class sessions that could impede the whole-school approach in the integration of human rights in the schools. In this context, it is recommended that good human rights practices be given due consideration inside the classroom. Since the schools implemented the HRBPS program outside the classroom and also due to the time constraint, the study was not able to include classroom observation regarding human rights

practices in the class. In overcoming this limitation of the study, it is further recommended that a research study be conducted to identify the issues and problems in integrating human rights in the class environment.

9. Several constraints or weaknesses in the HRBPS program implementation were identified, namely, the time factor, the lack of knowledge and skills on imparting human rights among teachers and students, and the lack of support and commitment of all teachers and students in implementing the program. However, the teachers and the students were agreeable in collaborating with SUHAKAM, local communities and non-governmental organizations (NGOs) to promote human rights in their schools. In addition, they agreed that the practices of human rights education in other countries were important to Malaysia as well. In acknowledging that such constraints could be barriers to successful implementation of the program, it is recommended that the teachers and the students be given more knowledge and skills on human rights as well as opportunities to work in collaboration with various agencies, such as SUHAKAM, local communities, and NGOs pertaining to avocation of human rights. Workshops, seminars, and in-house training on human rights, particularly pertaining to the UDHR and CRC, can be conducted by various agencies for the school principals and administrators, teachers and students. In addition, human rights education practices in other countries should be made available to provide ideas and lessons on the implementation of HRBPS program in Malaysian schools.
10. The best known model (BKM) on the HRBPS program needs to take into consideration the experiences of the schools that participated in the program, specifically in relation to the program's strengths, weaknesses, opportunities and threats (SWOT). The schools acknowledged that the direct involvement of SUHAKAM at the school level ensured that the program was successfully implemented in the schools. In this regard, it is recommended that SUHAKAM continues its collaboration and direct involvement in program implementation at school level until such time when the schools have gained confidence to do on their own the integration of human rights practices in their school systems.

11. Although the results indicated initial apprehension on the part of the teachers about the HRBPS program as “extra burden” and “stressful,” both the teachers and the students perceived that the program might not be a burden to their daily tasks and responsibilities. Furthermore, they acknowledged that the program was important and should be implemented immediately by all and in all schools. There was also a suggestion that a special HRBPS unit be set up at the department of education at either state or district level to have one common or consensus HRBPS program for all. Such a suggestion would perhaps ensure that the schools could depend on the relevant authorities for support and commitment on long-term basis in establishing a culture of human rights in the schools. It is thus recommended that due to the importance of implementing the HRBPS program by all and in all schools, a special HRBPS unit be set up by the state education department or district education office to support the development of a culture of human rights in the schools on long-term basis.

Conclusions of the Study

In conclusion, the study suggests that the best known model (BKM) for the HRBPS program should be the whole-school approach or holistic integration of human rights in the existing school system. This is in line with the objectives of the HRBPS program. Good human rights practices can be integrated in the curriculum, co-curricular activities, policies on students’ behavior and discipline, provisions of learning facilities and services, and learning environment. Since the schools still needed to become familiar with human rights while trying to integrate human rights in their schools based on the UDHR and CRC principles, it is recommended that special HRBPS activities or projects be continued.

SUHAKAM’s continuing collaboration and direct involvement in the program would still be needed until such time when schools are confident in integrating human rights practices on daily basis in the school system. The suggestion that the Ministry of Education give serious consideration to the setting up of a special unit at the department of education at either state or district level in order to have a common HRBPS program for all would ensure that the schools can depend on the relevant authorities for support and

commitment on long-term basis in establishing a culture of human rights in the schools.

In sum, drawing from the findings in this study, the Best Known Model (BKM) on the HRBPS program is one on holistic integration of human rights in the existing curriculum, co-curricular activities, school discipline and learning environment. This whole-school approach in human rights practices in the schools should be overtly implemented as intended in the HRBPS program.

Conclusion

The HRBPS program was well received by the participating schools. It has helped many schools in handling problems such as truancy, poor academic results and problems on discipline. In short, the whole-school approach of SUHAKAM's HRBPS program and the United Nations World Programme for Human Rights Education seemed to be acceptable by the schools in Malaysia. This program is still at its infant stage and SUHAKAM would push harder for the implementation of the program in every school in Malaysia in pursuit of its aim of nurturing knowledge and practice on human rights at the early stage of children's development.

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Human Rights Education Pedagogy in Taipei Primary Schools: Perspective of an Outsider

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HUMAN RIGHTS EDUCATION is an emerging field, and it is all encompassing in nature. It addresses the developmental aspects of an individual in totality. It builds on cognition, attitude towards and skills required for establishing respect for human rights in a society. Human rights education contributes towards developing the ability to think and act critically. The social and humane skills inculcated by human rights education play a crucial role in assessing the circumstances of conflicts and possibilities of resolution. Human rights education helps establish harmony and unity in diversity. In a nutshell, human rights education helps individuals to feel the importance of human rights, internalize human rights values, integrate them into their way of life, and give a sense of responsibility for respecting and defending the rights of others.

A major responsibility of promoting awareness about human rights, developing pro human rights attitude and inculcating skills to protect and prevent human rights violation lies with primary school teachers. The teacher is the link between the curriculum and the students. No curriculum can attain its objectives unless the teacher is transacting the content of human rights as well as building on it by creating a human rights culture within as well as outside the classroom.¹ The development of human rights values, attitudes and skills cannot be an outcome of a mere transmission of the knowledge of the content of human rights, related regulations or legal texts or international conventions. For this, teaching must involve and establish a link with the daily life experiences of students and teachers. The present paper is aimed towards discussing the pedagogy of human rights education with a

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focus on the teacher as the main human agency involved in the educational process.

Human Rights Education in Taiwan

Human rights education in Taiwan received impetus when the process of democratization accelerated with the political reforms introduced by Lee Teng-hui from 1988 onwards. It culminated when Taiwan adhered to the United Nations Decade for Human Rights Education (UNDHRE) in 1997. The United Nations declared the Decade for Human Rights Education spanning the years from 1995 to 2004. UNDHRE led various initiatives to promote human rights education in different parts of the world, sometimes independently and sometimes in collaboration with the United Nations. Taiwan was a little late in joining the decade program but it gradually speeded up its efforts to catch up with other nations. The government, non-governmental organizations (NGOs) and academicians joined hands and consequently various international seminars, workshops, and training programs on human rights education came into being. There was a provision in the government policy which empowered school administrators to further develop human rights education in their school systems. As a result of this policy, a lot more freedom was given to the schools in developing human rights education. Following this some schools started teaching human rights as an independent but co-curricular subject. Realizing the vitality of human rights education, schools widened the scope of human rights by making it an integral part of their school curriculum as well as culture. The Taiwanese scholars expressed their unshakable faith in human rights culture and persistently contributed through their writings, teaching and training to interns as well as in-service teachers in creating and promoting the human rights culture based school tradition in Taiwan.²

Following are the major initiatives and institutions involved in the development of human rights education in Taiwan.

a. Workshop on Human Rights Education

In November 1997, Professor Meiying Tang of Taipei Municipal University of Education organized the Workshop on Human Rights Education funded by the Taipei Bureau of Education. The Workshop was planned on a weekly basis (usually on Friday afternoons so that teachers

could attend it after the school). Thirty teachers from primary and lower secondary schools either voluntarily or on the recommendation of their Principals attended the Workshop. The Workshop covered a wide range of topics including concepts and history of human rights, child rights, constitutional protection of human rights, and planning and revision of teaching materials.

A separate session in the Workshop was convened for the planning and revision of teaching materials. Fifteen teachers from primary and lower secondary schools formed four groups that performed different assignments ranging from translation of international documents into simple Mandarin to compilation and revision of teaching materials. One of the groups focused on the development of materials and activities from case studies drawn from their observations of students' experiences in schools³ The Department of Education, Taipei Municipal University of Education subsequently published *A Handbook on Human Rights Education* prepared by the group in accordance with Nine-Year Universal Compulsory Education to integrate human rights education into the curriculum.

In 1998, the Yang Ming University Crusades organized an "Education Camp for Lower Secondary School Students". The purpose of the conference was to spread the concept of human rights to villages and other remote areas. The issues addressed by the conference included smoking, drinking, chewing betel nut and taking drugs.⁴

b. National and International Conferences

In late 1998, the Ministry of Education, Chang Fo-Chuan Center for the Study of Human Rights of Soochow University, Taipei Municipal Teachers College and National Yang-Ming University jointly organized the International Conference on Human Rights Education in Taipei with the participation of educators from the U.S.A., Europe and the Asia-Pacific Human Rights Information Center in Osaka, Japan In December 2009, a two-day International Conference on Civics and Human Rights Education in Asia that took place at Taipei Municipal University of Education addressed various issues pertaining to human rights education and its relationship with citizenship education in China, Hong Kong, Taiwan and Japan. University scholars presented in the conference the theoretical framework of human rights education, while teachers from primary schools presented their class-

room experiences and the results of their action research on human rights education.

c. Human Rights Education Policy

The Ministry of Education (MOE) issued in 2003 a blueprint in the form of a report on human rights education promotion and development. The report has seven parts, of which four are discussed below. The first part discusses the need to promote human rights education. In this, then President Chen Shui-bian's commitment to promotion of human rights in Taiwan was reiterated. There was also an urgency to improve the human rights situation in Taiwan and change the perception of the world regarding human rights violations at home. How education could play a vital role in the promotion of human rights and lay the foundation for human rights culture was discussed.

The second part defines human rights education and delineates five principles on which it is founded. The five underlying principles of human rights education are:

1. Ability to espouse one's rights: the individual clearly knows what one's rights are in a variety of social settings, and having sufficient social skills and abilities, stands up for [one's] rights.
2. Willingness to espouse one's own rights: aside from knowing one's own rights and standing up for them, one must have sufficient motivation to push oneself to fight for those rights.
3. Ability to respect others' rights: the individual clearly knows the rights of others in a variety of social settings and accepts others' rights to espouse their rights.
4. Willingness to respect that others advocate their rights: the individual has the sufficient motivation to accept other people's advocacy of their rights.
5. Concern for a society's political, economic and cultural development that gradually tends towards social justice: the individual knows, is capable, and willing to care about all aspects of a society's political, economic and cultural development, so that it may gradually move in the direction of social justice.⁵

According to the report, knowledge, ability, willingness and responsibility are the four domains crucial for the success of human rights educa-

tion. They all work collectively. It is apparent that the absence of any of these would result in either partial or non-attainment of desired or expected results of human rights education.

The third part provides guidelines for the MOE, i.e., what can the ministry do? In the answer to this question, the MOU outlined the following targets for itself: establish a human rights education promotional working group, conduct workshops for human rights educators, establish a human rights education guidance group and a human rights education resource center, and prepare guidelines for conducting evaluation of human rights education. Many of them have been implemented by the MOE but it ought to be an ongoing task. For instance, workshop for human rights educators is not a one-time affair. It needs to be organized on a regular basis. It is a never-ending process just as the role the MOE has to be continuing also.

The fourth part is on expectations from the schools. There are many suggestions on what schools should do such as creation of a human rights education school environment including both hardware and software facilities, introducing human rights education into the school curriculum and evaluation of the schools' own human rights status.

In 1998, the cumulative effect of all these initiatives was MOE's decision to introduce human rights in the Grade I-IX Integrated Curriculum for Primary and Lower Secondary School Education. The integrated curriculum had two components: seven main learning areas and ten basic skills:

Main learning area:

Languages: Mandarin, Hokkien, Hakka, aboriginal languages and English; Health and physical education including sex education; Social studies including history, geography, civics, economics, law, and human rights; Arts: music, visual arts, and performing arts; Mathematics; Science: biology, physics, chemistry, earth science, environmental science, and life and information sciences; General activities: [use of] computers, club activities, scouting, outdoor activities, and home economics.⁶

Basic skills:

Understand self, and develop one's potential; Appreciation, expression, and creation; Life and career planning; Lifelong learning; Expression, communication, and sharing; Respect, compassion, and group cooperation; Cultural learning, international understanding; Planning, organization, and implementa-

tion; Use of science, technology, and information; Self-directed exploration and research; Independent thought and problem solving.⁷

The seventeen learning areas and basic skills together formed the integrated curriculum for nine years. In other words, from grade I all the above-mentioned learning areas and skills were to be taught and developed and every successive stage would advance it further. All nine stages were interconnected and not to be skipped. It was expected that the nine-year integrated curriculum would broaden the spectrum of learning. Incorporation of human rights as part of social studies learning area illustrates the widening scope of the curriculum.

The promotion of human rights education was ensured not only by incorporating it into the social studies learning area but also by making it part of extracurricular activities. The MOE urged schools to make human rights an integral part of their campus activities. For MOE, human rights and human rights education concepts are defined as follows:

[Human rights] are inherent rights and freedoms, regardless of ethnicity, gender, or social class. They are not subject to deprivation or violation on the part of any society or government; the opportunity for individual expression must even be positively provided in order to respect individual dignity and seek the perfect life. Therefore, in actuality [human rights education] is concerned with education as to the dignity of humanity, which helps us understand the basic physiological, psychological and spiritual conditions that we must enjoy...“that which makes us human.”⁸

The MOE's interpretation of the concept of human rights and human rights education is in accordance with Universal Declaration of Human Rights (UDHR). The thrust of human rights education is on human dignity that cannot be degraded by any authority. In other words, the purpose of human rights education is to sensitize and familiarize students about issues of human rights and encourage them to actively participate in restoration of human rights if they are violated in any form.

d. Human Rights Education Committee of MOE

The Human Rights Education Committee of MOE, established in April 2001, was chaired by the Education Minister and with twenty-four members from different areas including scholars, experts, NGO and human rights activists. In 2001, the Committee formed four sub-committees: 1) research, development and evaluation; 2) teacher education and curriculum planning; 3) social promotion and publicity; 4) campus environment. A study called "Guidelines for Evaluation in Each School Level" was commissioned to Professor Fong Chao-lin of National Chengchi University. Professor Lin Chia-fan of National Taiwan Normal University was assigned a project called "Campus Regulations vs. Students' Rights and Responsibilities: Perspective from a Study of Legal Cases in the US and Taiwan".

The Committee prepared guidelines to promote and protect human rights education and human rights respectively. It was committed to improving the school campus environment by making it conducive to human rights education. It also took initiative to conduct new researches in the field of human rights. Entrusted with the responsibilities of curriculum development and training in human rights education, it was also expected to cooperate and collaborate with international human rights education agencies. The Committee sought directions from international institutions in the arena of human rights education.

e. Center for Law Related Education, Judicial Reform Foundation

Despite political reforms, old social and cultural contentions hindered the practice of democracy in Taiwan. Three institutions - Chung Hwa Rotary Education Foundation, Taipei Bar Association and Judicial Reform Foundation - joined hands to combat this situation and promote democracy down to the grassroots level. In May 2003, they initiated a project called the Planting Seeds of Law-Related Education in Taiwan (PASLRT). Their goal was to develop a new kind of law-related education in place of old dogmatic pedagogies with the purpose of preparing enlightened and responsible citizens committed to democratic principles in theory as well as in practice.

The Foundation was highly inspired by the efforts of the Center for Civic Education (U.S.A.). The Center for Civic Education had developed a series for K-2 and 3-6 grades called "Foundations of Democracy: Authority, Privacy, Responsibility and Justice." The human rights literature for primary school children attempts to provide functional as well as theoretical

aspects of human rights to the young learners. There are four illustrated books on Authority: *Orb and Effy Learn about Authority*, on Privacy: *Jessica Fish Learns about Privacy*, on Responsibility: *The Zookeeper Learns about Responsibility*, and on Justice: *Fair Bears Learn about Justice*. In December 2006, the PASLRT translated the series into Mandarin and published fifteen thousand copies for K-2 grades and ten thousand copies for grades 3-6. The PASLRT trained two hundred forty-eight lawyers to help and introduce teachers to the Foundations of Democracy Series. PASLRT developed, adapted and replaced American laws into Taiwanese ones for 7-9 and 10-12 grades materials.

f. Taiwan Association for Human Rights

The Taiwan Association for Human Rights (TAHR) was founded on International Human Rights Day, 10 December 1984 to highlight the goal and purpose behind the establishment of the organization. In the beginning, TAHR's primary concern was to protect and promote the Taiwanese people's civil and political rights, mainly by freeing political prisoners and advocating scrapping of political blacklist (Taiwan Association for Human Rights, 2008). TAHR is truly committed to furthering the cause of human rights. It is fighting on behalf of all people regardless of class, race, gender, religion or nationality. It provides enormous help to protect the human rights of foreigners, most likely to be violated in the case of foreign labor from the Philippines, Indonesia and Vietnam. TAHR also ventures into human rights education by organizing human rights training sessions and volunteer training programs, issues Online Human Rights Weekly, publishes *Human Rights Quarterly* and *Annual Human Rights Report*, translates and publishes international publications on human rights into Mandarin, and organizes film festivals to promote human rights.

g. Chang Fo-Chuan Center for the Study of Human Rights

In December 2000, the Chang Fo-Chuan Center for the Study of Human Rights was established at Soochow University. The Center is named after Chang Fo-Chuan who was a political scientist well known for his work on human rights theory and history. The purpose of the Center was to facilitate the development of a human rights culture by encouraging research in human rights, peace and development, training teachers, developing human rights materials for primary and lower secondary schools; to train

human rights NGO workers; and to promote international exchange.⁹ The Center was involved in various activities pertaining to human rights and human rights education. For the first time in the history of human rights in Taiwan, it organized an “International Conference on National Human Rights Commissions”. The Conference was in line with other initiatives to fulfill a pending demand to create a National Human Rights Commission of Taiwan. Apart from organizing seminars, the Center also offers courses in human rights, peace and development with the help of experts in the field of human rights.

Study on Human Rights Education Pedagogy

a. Rationale for the Study

Human rights education is growing its roots and branches in Taiwan. More and more primary schools are joining the league of institutions where human rights education is an integral part of school curriculum and culture. Not much documentation and discussion is available on human rights education at this level. This study is an attempt to throw light on how human rights education is promoted and practiced at the primary school level by impassionate Taiwanese teachers. The premise of the study is that the pedagogical beliefs and praxis of a teacher are central to the successful implementation of human rights education at the primary school level. Researches have shown that inculcation of human rights should begin as early as possible.¹⁰ The role of the teacher in human rights education is paramount and needs to be perused as much as possible. This study attempts to document and share the findings of a research conducted to probe the role of primary school teachers in promoting human rights culture among adolescents that the wider academia can ponder and reflect upon. It also throws light on the praxis of the human rights educator.

b. Sample of the Study

The study involved three sixth grade teachers in Taipei. Their pseudonyms are Miss Zhang, Miss Ma and Miss Xie. The data for the research were collected from these primary school teachers. The information is directly attained from the subjects with help of interviews and classroom observations and formed the basis of the present study.

c. Research Methodology

The study employs critical qualitative research method, one of several genres of inquiry into non-quantifiable features of social research.¹¹ The basic premise of criticalist scholars is that inequality, oppression, and unequal power relations are the main features of all societies whether they are hidden or apparent. Hence, the purpose of critical qualitative research is not only to expose such disparities but also ensure social change through unbiased research. The application of critical qualitative research to study the pedagogy of human rights education can yield rich dividends.

In critical qualitative research, critical epistemology is used as a conceptual tool to conduct inquiry. Critical epistemology provides the principles for conducting valid inquiries into any area of human experience,¹² including the present one in which it provides the framework for a better understanding of the problem, conduct valid research, analyze data and produce effective results. A valid research is based on validity claim. Validity claim entails, first, the procedure followed to come to a claim, and, second, the acceptance of it by a certain social or cultural group. Carspecken categorized validity claims into three sets: objective, subjective and normative. The objective category includes existing things and events that are directly accessible to all; for example, classroom observation notes, recording or videotaping. The subjective category includes feelings, desires, intentions and states of mind that are directly accessible only to the subject-actor. The observer does not have a direct access to these and has to rely almost entirely on versions received from the subject. There is always a possibility that the whole picture is not presented by the subject. In the normative category, value claims play an important role.¹³ Value claims are a subset of normative truth claims because these are concerned with what is good, bad, right, and wrong, but include also ideas about what is proper, and what is appropriate; that is, what behaviors ought to be exhibited in which circumstances.¹⁴ The normative category includes consensus about an activity or event whether it is proper and appropriate. As claims, they impose on others by tacitly insisting that the other should conform to a certain convention. In the academic world, there is a broad agreement among scholars over value-based norms. In a nutshell, objective category denotes “the world”, subjective category indicates “my world” and normative category implies “our world.” On the basis of the three validity claims categories, five stages have evolved in critical qualitative research: (1) compiling primary record, (2) preliminary

reconstructive analysis, (3) dialogical data generation, (4) describing system relations, and (5) system relations as explanations of findings.¹⁵ These stages are flexible and circular in nature, and carry the possibilities of frequent referring back to the earlier or later stages while conducting research. The research questions have been substantiated with many more questions asked during interviews as well as in informal conversations with interviewees.¹⁶

Stage I: Compiling Primary Record

For the present research the primary data came from interviews, while the data generated by observations were used to substantiate and validate the findings of the primary data. The research began with an introduction with the teachers. The introductory interview was meant to probe their personal backgrounds as well as reasons for choosing the teaching profession. It is premised that those teachers who come into teaching profession by choice are more enthusiastic about innovation in their teaching practices and they enjoy their work more. On teaching of human rights, apart from commitment to them (human rights), it is also necessary for a teacher to enjoy her profession from the bottom of her heart.¹⁷ Interviews with the subjects of this study provided an opportunity to fathom the depth of the teachers' feelings, values and belief systems. It provided insight into the cultural background of the teachers. It also helped in reading the psyche of the teachers to the extent that one possibly could. I developed rapport with the teachers as well as a relationship of trust. As a result, I was able to establish a smooth line of communication with them. We were engaged in continuous dialogue around human rights and human rights education. It is important to mention that the subjects of this research were very comfortable with the questions that were put forward. Their answers were not one-liners; they were elaborating their statements, opinions and arguments as well as offering clarifications. An excerpt from Ms. Xie's¹⁸ interview illustrates the point:

There is very little material on human rights teaching available in Chinese. Almost everything on human rights is in English. This makes human rights very "alien" to Taiwanese teachers. There are two reasons to call it "alien". First it was never a part of Taiwanese culture, being born in western societies. Second, the literature pertaining to it is primarily available in English and European languages. There are a few attempts to translate the available content into Chinese. Some authors are writing on human rights in Chinese but it is not enough. I think

if adequate material on human rights can be made available in Chinese to the teachers this problem can be solved. As it comes down to us from the West, the examples, events, situations, and incidents mentioned in the literature are alien to us. I also try to correlate and contextualize human rights concepts, issues, and incidents to Taiwanese conditions. It is difficult but a challenging enterprise.

The above quotation is an excerpt from the interview transcript of Ms. Xie on the question of the problem she faces while teaching human rights in her classroom. She gave elaborate answers with reasons and explanations on the efforts she was putting to overcome the problems. The interview transcript served as primary record because it provided categories, patterns and themes for analysis. The importance of these interviews made careful transcription absolutely necessary.

The second level of the compilation of the primary record was of observation. By observing these teachers I tried to see whether they were practicing in the classrooms or not the values and ethos mentioned in the interviews. In stage one of the present study, various tools, such as intensive field notes (with all the details), observations, audio and video recording (with the permission of the teacher) were simultaneously used. The details of the context of all classroom observations and interviews were recorded in advance. Sometimes the context of observations and interviews was different from the previous meeting. The change was either subtle or significant. Such minor or major contextual changes are required to be incorporated in the compilation of primary record. These changes affected the teachers' pedagogic practices.

Stage II: Preliminary Reconstructive Analysis

Once a substantial amount of thick observation records was available, the process of inferring and reconstructing meanings out of them began. This deduction was inter-subjective in nature because inferences were based on the observer assuming the position of the subject and the third person (other than observer and observed). Taking various positions was not an easy task. I was aware of the moments when my personal point of view was influencing the analysis. I formulated a wide horizon of meaning field on the selected sections of transcription. The selection of main sections from transcription was based purely on research questions that I was interested in. At another level of reconstruction, I took into account the normative

factors that made these meanings possible. All social acts derive their meanings from the background sets of rules.¹⁹ In other words, normative factors provide validity and reasons (i.e., why certain meaning has been derived) to the reconstructed meanings. Stage II provided the foundation for the next stage of analysis when the subjects were also involved to further clarify the preliminary reconstruction.

Stage III: Dialogical Data Generation

In stage three, I involved the subject into the analysis process by giving her an opportunity to reflect on the various issues and meanings constructed in stage two. This was a more democratic process of analysis because the subjects had a voice in it. There are no fixed rules or time for the beginning of stage three. It primarily depends on the researcher and her sense of judgment. When the researcher is certain about the thickness of primary record, the third stage begins automatically. Without enough and firm grounding in the primary record, the third stage cannot be started. This stage not only generates dialogical data with the help of preliminary informal interviews and discussions but also provides conviction for the method on which research is conducted.

Stage IV: Describing System Relations

In the context of the present study, system relations denote the relationship between teaching and the teacher's cultural background. The subjects of this study are primary school teachers, who come from a wider social set up that functions in a micro school site, and who embodied beliefs, values, opinions and ideas about issues that are culture specific. When they enter the classroom, they do not put these aside and transform themselves into a different being. For example, if a teacher has strong opinions about race, gender, and class these will be reflected in her classroom teaching as well, overtly or covertly. Thus, the researcher needs to examine the full cultural settings of her subjects. To fully reconstruct the culture of the subjects, I spent time with the subject outside the classroom, in teacher's lounge, in assembly, etc. In one instance, the parent of her student came to the school to talk to her. I requested the teacher to permit me to sit and observe the meeting. The teacher allowed me to be a silent observer during the discussion. The session helped me to gather information about communication and problem solving skills of the teacher as well as values she believed in. After

they finished the discussion and reached a solution on how to deal with the problem, their conversation became informal. Interestingly, the informal talk gave glimpses of the social background and lifestyle of the teacher. She was speaking about her childhood experience. She told the parent how her parents especially her father was too sensitive toward his children. "He always handled the situation calmly. He believed in communication instead of imposing authority." She made it clear to the parent that by being strict with her son she could not eradicate the problem. She said her father could only win over his children with love and understanding. She thus suggested to the parent to be patient with the child and establish a line of communication first.

This was an example of how the teacher's family background guided her decision-making process. She was endorsing the ethos and practices she had experienced in her childhood and found to be favorable to the health of parent-child relationship. In this instance, the nature of the solution offered showed that she was trying to change the conventional authoritarian attitude of parents towards their child that sought solution in discipline and punishment. For her, the integrity of the child was important and for this reason she did not want the mother to do anything which would make the child feel culpable or guilty.

Stage V: System Relations as Explanations of Findings

This stage explains findings in the wider context of society. No qualitative study can be restricted to the classroom or the school. Since the present study is concerned with teachers and their pedagogy of human rights education, at this stage it would be relevant to ask the question whether or not there can be a general theory of pedagogy of human rights education that can be applied to various settings, first to understand its undercurrents and second to make its implications in a particular context more effective.

Research Setting

The primary school selected was located in Taipei County. The school had around three thousand students. The number of students in the school had started decreasing due to demographic change, a sharp decrease in the number of children in Taiwan. To make up for the shortfall, the school was working to attract students from distant places. Competition for students

among schools had ensured that they had something extra to offer to attract parents. This school was also not untouched by the problem of competition. In response, it had come up with a new idea of citizenship and human rights education. The aim of introducing citizenship and human rights education was to prepare good and just citizens for Taiwan in the future. The other notable features of the school life were sports and music. The aim of the school was to let students decide what they would like to do. "We try to let their creativity unfold. We believe every student has a special ability and our effort is to develop every student's special ability fully."²⁰ The school was getting funds from Taipei County Government. The infrastructure of the school was very good. Every classroom was equipped with a computer, video projector, LCD (liquid crystal display) screen, microphone, speakers, a small library (apart from the main library), comfortable desks and chairs, and other basic amenities.

The keystone of an institution is the head. The smooth functioning of any institution depends on the capacity, ability and leadership skills of the head. The principal of this school was a man of deeds. He was doing every possible effort ranging from infrastructural development to introduction of new courses (human rights education, citizenship education) to the development of teachers' potential through in-service training to giving them freedom to create and innovate in their respective fields. A very remarkable initiative started in his leadership was collaboration between the school and the community.²¹ More than a hundred parents were serving as volunteers, helping the school in various ways, such as helping students of the school in crossing the busy road in front of the school; parents taking classes when teachers were busy attending meetings; telling stories to the students; helping the school in preparing skits and other programs; and providing educational help to weak students of the school.

Grade six, the site of my research, consisted of twenty-five students. At the time I started my fieldwork, the teacher was teaching a theme on privacy. Thus, the observation was based on the delivery of the topic of privacy taught in the context of human rights and citizenship education. It took seven weeks to complete the theme. The topic had both theoretical and practical components. After discussing the issue of privacy in theory, a practical activity was conducted called public hearing. In the public hearing, students played different roles such as teachers, students, parents, officials, member of the police, member of an NGO and human rights activist. The audience

consisted of representatives from the community, parents and personnel of the Ministry of Education. The public hearing raised the issues of privacy from the perspective of human rights. It was a very enriching experience not only for students but also for everyone present there.

Pedagogy of Human Rights Education and Educators

The teachers represented in this study had their own definition of human rights that do not cover all elements of human rights espoused by the UDHR such as human dignity or equality. Zhang believed that human rights should be the basic principle of the code of conduct for teachers, students, administrators and all other members of a society. Ma said that, "Human rights are for human dignity what oxygen is for human existence." Human rights are necessary for the survival of any democratic society. Xie thought that human rights were vital to human existence and always came with responsibilities. All the three teachers perceived human rights differently according to their beliefs and value system.

Characteristics of Human Rights Educators

During this study the following characteristics were observed generally in all three teachers. These were: critical thinking, commitment and belief in human rights, belief in efficacy of human rights education, belief in democratic communication instead of giving instruction, zeal of a learner, facilitator not controller, observer, activist, ability to handle challenges, patience, and tolerance. Some of the characteristics were dominant in some teachers but all the characteristics were present in different degrees.

Now the crucial question is whether these qualities are specific to human rights educators or are they likewise present in other teachers. Answering this question is a bit difficult and the present study did not undertake a probe on this matter. But my own experience as a student and a teacher at a primary school offers some insights on the issue. Teachers who do not believe in human rights and do not practice them are not capable of respecting children's rights as human beings. Their classes tend to be more authoritative than democratic. They will seldom allow critical thinking to be a part of their pedagogy because it curtails their power and puts a question mark on their classroom behavior. Their classes are always quiet; in the

name of discipline, no discussion is required or allowed because the teacher's words are final.

Educators' Perception of Pedagogy for Human Rights Education

This is a subjective category and thus deals with the values, beliefs, attitudes, and ideals of teachers. Zhang argued that human rights education should be started from the very beginning of schooling. It should be sown early like a seed so that it could gradually grow into a plant. To create a culture of human rights in a society it is important that human rights education be introduced as early as possible. Zhang further substantiated this argument by stressing that human rights education was not only meant for students but for teachers as well. She found the concept of human rights education very abstract and imbued with legal precepts that require an understanding that can only be acquired by training. Ma believed that human rights education created a culture of respect not only for those who came from the same culture but for those also who were from other cultures, ethnicities, societies, or countries. Human rights education was also meant to destroy misconceptions that students form at home and bring to the schools as a matter of fact. Xie was extremely positive and optimistic about enculturation of human rights in a society with the help of human rights education. For her it was a never-ending process that had the potential to change the mindset of people in a society. In a nutshell, human rights education creates a culture that is founded on human dignity and also weakens and demolishes that culture which ignores or humiliates the dignity of an individual.

Human Rights Education Pedagogy in Praxis

The three teachers of the present study employed in different degrees various teaching-learning approaches and models. Their selection of the teaching-learning approaches and models relied on their perception of human rights and human rights education and their pedagogic beliefs and practices. Zhang believed in how to think, not in what to think. She did not believe in dominating the teaching-learning process. She denounced the traditional role of a teacher as an instructor. She provided with the required basic facts and information regarding the theme that was being discussed in the classroom. Her pedagogy of human rights education was based on re-

constructionist approach where the process of thinking was important. This approach perceives a phenomenon from a critical perspective. In addition, she based her pedagogy on accountability model too. It is a model founded on the legal approach and prepares the students to deal with human rights violations legally. In practicing the accountability model, Zhang's husband helped her. He was a law graduate and had a good understanding of the legal aspects of human rights. He would accompany Zhang in her classroom and make a presentation of law-related matters. Zhang's pedagogy also had an element of international standards and institutions approach. In this approach, the international human rights standards (mainly those adopted by the UN) are being followed. Zhang's human rights education pedagogy was always a process in the making and she visited websites of the UN to seek materials for teaching human rights.

Ma's human rights education pedagogy developed in phases. She started with environmental education and gradually moved to human rights education issues discussed in Social Studies. Later, she realized that Social Studies' classes were not enough to deal with human rights education. To fill this lacuna she integrated human rights education into her whole curriculum. With the integration, human rights education had no specific time or subject in the curriculum. Human rights concepts circulated throughout her curriculum from bottom up and top down as blood in the veins. Ma's human rights education pedagogy was based on transformational model that emphasized activism. Ma herself was a human rights activist. She always included documentaries or films that depicted activism of the lead character.

The "alien nature" of human rights shaped Xie's pedagogy. Her human rights education pedagogy heavily relied on multimedia to give human rights education a concrete as well as local touch. Her human rights education pedagogy also followed the historical approach, which studied human rights in historical context. History became the foundation of human rights education insofar as human rights were derived from and defined out of the lived history of human beings.²² Xie screened movies such as *The Diary of Anne Frank* and *The Color Purple*. These films have a historical background as well as lived experiences of an individual. Her human rights education pedagogy was based on value awareness model, which required teachers to engage their students through different forms of media to inculcate interest in human rights and human rights education.

Human Rights Education Content

In Taipei, the human rights education is done using Social Studies textbooks and content themes in co-curricular subjects. The themes include privacy, justice, democracy, authority, human world, family and raising boy and girl, society and country's responsibilities, global village culture, scientific revolution, industrial revolution, modern science and technology, science and technology management, united world, environmental problems, and international organizations such as Red Cross, UN, World Trade Organization (WTO), World Health Organization (WHO), Asia-Pacific Economic Cooperation (APEC). There were also themes on international law, institutions and environmental issues. The focus of the curriculum is in tune with the ideals of human rights education. Teachers directly teach these themes. Some other contents not prescribed in the curriculum but taught by human rights teachers consist generally of skills and attitudes, such as critical thinking, tolerance, patience, activism, problem solving skills and better communication skills. These skills are considered very important in the practice of human rights in society.

Problems and Challenges Faced

The teachers in the present study expressed the problems and obstacles they have experienced. Zhang showed utmost concern over the issue of the teacher as human rights violator. She also thought that a significant number of teachers in Taiwan were - knowingly or unknowingly - human rights violators. They were violating human rights in various ways. They were imbued with a sense of authority over students. They expected their students to follow them without questioning their authority. Zhang saw the Taiwanese examination system as the greatest violator of human rights, especially child rights. Education psychology has reached a level of maturity but it is still unable to convince people that every individual is different and has special abilities. If those abilities are recognized at the right time and developed in the right direction, the individual can attain greater success. On the contrary, every parent wants her/his child to become not less than a doctor, engineer or scientist. To attain these goals, the hurdle of examination has to be crossed. The realization of these cherished dreams depends on how efficiently and ruthlessly the examinations have to be passed by the students.

Another problem in implementing human rights education is availability of materials on human rights in the Mandarin language. It has been further accentuated by insufficient training of teachers in the area of human rights education. In Zhang's opinion, human rights concepts are not alien to teachers but how to teach them to primary students is altogether a different story unless they are thoroughly trained in it.

Ma was not very happy with whatever progress Taiwanese society had made. Improvement in economic arena had raised living standards but failed to bring ethical, moral, humane, judicious, and equality-based standards to the society. It had filled the income gap among the masses but failed to narrow down the gulf of gender inequality, class, race (aborigines vs. Hakka, Hoklo and Han), and color bar. On the other hand, the society was legitimizing them by endorsing them in various subtle ways. Ma held that teaching human rights is like waging war against the whole society's mentality that is weakening the ground for human rights. Ma saw the Taiwanese education system as an eyesore for human rights and human rights education since it was not in accordance with human rights at all. First of all, it was a teacher-centric system where teachers spoke and students listened. Second, there was no scope for innovation insofar as a teacher had to follow the curriculum mechanically. Insofar as human rights education is all about innovation, it is not a subject to mug up facts and regurgitate in the exams. Human rights education promotes a culture that questions the education system itself for not being human rights-friendly. The pressure of examination on students is increasing at an unprecedented speed. Another impediment is the absence of a comprehensive evaluation system of primary school teachers in Taiwan. Ma said, "In Taiwan, lots of teachers do not teach properly and nobody goes and check on them but they know what they are doing and still go on with that." When the general evaluation system is so feeble one can imagine what could be the situation of evaluation of human rights education.

Xie felt that Taiwanese parents were over protective of their children. This tendency affected the development of children in many ways. Taiwanese children are indeed highly dependent on their parents for every small or big thing. The parents took decisions for them regarding all matters. Xie asserted that the overprotective behavior of Taiwanese parents did not go well with the idea of human rights. When students learn about human rights they complain that none, other than their parents, has encroached upon their rights. Xie also felt that human rights education was a fairly recent

phenomenon in the Taiwanese educational arena. Being in its initial stage, human rights education is bound to be dependent on the outside world for various things ranging from subject material on human rights for teaching to how to teach them in a classroom situation.

Possibility of a Theory of Pedagogy of Human Rights Education

In social research the context plays an important role.²³ As far as the findings of the present research are concerned, they indicate that social context is actually quite important. For instance, in Taipei, teaching of human rights in English is not possible and the human rights content has to be translated into Mandarin. In addition, the examples used in English literature have to be reinforced with local examples because every example has a cultural and social context. Students would better understand those examples that are directly coming from their social and cultural milieu because they would be already familiar with the background. Successful implementation of human rights education, therefore, requires contextualization.

The eight principles of human rights are human dignity, equality, non-discrimination, universality, interdependence, indivisibility, inalienability, and responsibility. These principles provide a ground for general pedagogy of human rights education. These principles are the same everywhere and need to be practiced and upheld. For instance, human dignity is not different from that of a Taiwanese individual to that of an American or European individual for that matter. So, these principles can become a beckon light for human rights educators to guide their pedagogical beliefs, values and practices. In addition to the human rights principles, UDHR is another standard that needs to be followed by every nation.²⁴ The pedagogy of human rights education has certain approaches and models that present themselves as standard approaches and models. The beauty of these approaches and models is that they can be applied by any human rights educator in any context because they are guided by international human rights standards. In addition to that there are some skills and attitudes, such as critical thinking, commitment and strong belief in human rights, belief in efficacy of human rights education, belief in democratic communication, patience, tolerance, responsibility, and strength to fight for one's as well as others' human rights. These are applicable in any context because relationships are guided by power structure and herein lies a great possibility of violation of human

rights. Thus, it is conceivable to have a general pedagogy of human rights education that can be applied in any context.

System Relations as Explanations of Findings

This section explains the findings in the research on the wider context of society. No qualitative study can be restricted to classroom or the school. Since the present study is concerned with teachers and their pedagogy of human rights education, at this stage it would be relevant to ask the question on how external systems support or constrain the purpose, agenda, and cause of human rights education at the level of policy, content, pedagogic beliefs and practices.

Governmental Support/Constrain

In the case of Taiwan, the announcement to adhere to the UN Decade for Human Rights Education was part of an initiative to join the UN. By this act of the Taiwanese government, Taiwan was sending the message that it followed UN regulations, and accepted the importance of this international organization. All this constituted a subtle indication of its willingness to join the UN as a member-state. It is interesting to note that it was during the Democratic Progressive Party's (DPP) rule that Taiwan organized its efforts to promote Taiwan. Thus, the DPP's ideology is more in coherence with the idea of human rights. Ever since the Kuomintang (KMT) government came to power in 2008 human rights education projects have either slowed down or stopped.

NGOs and INGOS Role

International NGOs (INGOS) are nonprofit organizations with international perspective on development, education and human rights. They generally operate from Western nations. On the other hand, NGOs or domestic organizations function within a nation. Some are truly "grassroots" organizations.²⁵ Orlin notes that NGOs are the "Human Rights Gatekeepers" and rely on the human rights theory for legitimacy.²⁶ Boli and Thomas (1997) argued that INGOS form a "world culture."²⁷ They identified the principles of universalism, individualism, rationalist voluntaristic authority,²⁸ rational progress, and world citizenship as the central elements of "world culture."²⁹ These principles of INGOS are consistent with human rights, human rights

education and human rights culture. Hence, INGOs and NGOs play the role of catalysts in propagating human rights culture by promoting “world culture.” The goal of human rights culture is achieved especially through educational instruments and means, i.e., human rights education. In the case of Taiwan, NGOs are supporting the cause of human rights and human rights education because it matches with their purpose and ideology.

Teacher’s Authority and Power Relations

All relations are mediated by power.³⁰ The powerful tend to assert authority over those who are subordinate. In other words, there is a hierarchy of structures bound with power relations to dominate the downtrodden. In the education system the hierarchy goes like this: Minister of Education, education secretary, education officer, principal, vice-principal, teacher, and student. On this ladder, teachers and students are at the lowest level. The teacher has authority to wield only inside the classroom. In turn, classrooms also become the place for teachers to vent out their frustrations, and examples of this can be seen everywhere. But the present study found that this system relations was not reproduced in the classrooms of human rights educators. Human rights educators had a different relationship with their students. Their relationship with the students was almost on an equal plane. Human rights educators of this study did not believe in exercising their authority over children. They respected students’ rights as individuals. Zhang believed that a successful pedagogy of human rights education depended on the nature of interaction between the teacher and the students. Ma treated her students as responsible individuals. Xie advocated that a friendly, democratic, and trustworthy relationship between the teacher and the student was the need of the time.

Conclusion and Recommendations

When it becomes a program, hopelessness paralyzes us, immobilizes us. We succumb to fatalism, and then it becomes impossible to muster the strength we absolutely need for a fierce struggle that will re-create the world. I am hopeful, not out of mere stubbornness, but out of an existential concrete imperative. I do not mean that, because I am hopeful, I attribute to this hope of mine the power to transform reality all by itself, so that I set out for the fray without taking account of concrete, material data, declaring, “My hope is enough!” No, my hope is necessary,

but it is not enough. Alone, it does not win. But without it, my struggle will be weak and wobbly. We need critical hope the way a fish needs unpolluted water.³¹

The contemporary world is scarred with human rights violations. Exploitation of the downtrodden is rampant at all levels, individual, social, economic, cultural, and political. This dismal scenario may lead to hopelessness, but the pedagogy of human rights shows us a ray of hope reminiscent of what Paolo Freire mentioned above. The Universal Declaration of Human Rights purports to establish a human rights-based culture. Human rights education is an instrument for achieving empowerment that prepares the ground for human rights culture in a society. To bring the “hope” closer to reality, it is necessary to have a properly carved out educational program and passionate efforts on the part of those involved in this program. Carter and Osler have argued that it is only through education, both experiential and cognitive, that human rights education would be achieved.³² The community of teachers would undoubtedly play the most important role in the program of human rights education. A curriculum is only as powerful as the teacher using it.³³ Thus, it is not the content of human rights but the pedagogy of a teacher that will determine the efficacy of human rights education and promotion of human rights. This chapter concludes the present work with the “hope” shown by Freire that the reality would be transformed and the teaching community along with their students would restore degraded human dignity. The chapter also presents some recommendations to realize the hope to have a human rights-based culture.

Teacher as an Agency of Human Rights Education

Best (1991) stated that defending and promoting human rights education is largely a matter of education and it depends on the attitudes and efforts of teachers.³⁴ A human rights educator must be endowed with, or develop, abilities, values and beliefs that are essential for teaching human rights. A human rights educator must have a firm belief in the necessity and efficacy of human rights for bringing social transformation. A teacher must practice human rights in the classroom as well as outside of it. A human rights educator must see social disparities, inequalities, and discrepancies from a critical perspective. The critical perspective on issues prepares the ground for human rights implementation. Without the critical perspective, one cannot see the rationale behind things and the way they exist. For in-

stance, the presence of stark economic disparities is not God-given but a human-made situation and hence not sacrosanct. The critical perspective proposes that if it is human-made it can be changed. Thus, it is imperative for a human rights educator to analyze social conditions critically and instill the same ability among the students as well.

Institutionalization of Human Rights Education

During the UN Decade for Human Rights Education, the field was institutionalized through development of an internationally framed and produced curriculum and methodology supported by various governmental and nongovernmental human rights centers.³⁵ Institutionalization of human rights as a culture is not possible until national governments take up the issue seriously. In the beginning, the Taiwanese government showed a keen interest and devised a policy pertaining to human rights education. Unfortunately, now the government is largely silent about human rights education. It is extremely important to shake the indifference of governments so that they fulfilled their duties.

The UN is contributing to human rights education endeavor in many ways but the process is very slow and it does not reach all countries. Taiwan is not a member of the UN and due to this she does not have access to many human rights education resources, experts, or emoluments of the UN. Taiwan is working hard to curb human rights violations and to promote human rights education. Keeping this into consideration, the UN should provide its assistance and expertise for furtherance of human rights and human rights education in Taiwan. The UN announced the Decade for Human Rights Education in 1994 that led many countries to think about introducing human rights education in their school curriculum. The decade had certainly produced significant results in the realm of human rights education. The UN has to urgently think of practical interventions to mobilize and rejuvenate the slowing down of efforts in various parts of the world on human rights education.

After UN it is the INGOs and NGOs that should be looked at for reviving the spirit of promoting human rights education at rapid pace. It is true that whatever life human rights education program has is largely due to the interest shown by INGOs and NGOs. In Taiwan these organizations are contributing to the cause of human rights and human rights education. By providing resource materials, translating English sources into Chinese,

providing assistance in human rights education training for teachers, and spreading awareness among the masses, the NGOs in Taiwan are working in the direction of institutionalization of human rights and human rights education. This is an example that could be followed by other nations.

NGOs have tremendous potential, a wider base, direct contact with people, and can establish relations with the schools too. Human rights education program has to be implemented by these organizations. Amnesty International is working for human rights zealously. It has programs related to human rights education that need to be expanded further. It has online resource materials for teaching human rights but they have to be purchased. Amnesty International would have to think about it and make at least some resources if not all available for free.

Another segment of the society that can improve human rights education is academicians. Academicians tend to shift the emphasis from outcomes to the values that create and inform the outcomes.³⁶ They contribute in expanding the knowledge base of human rights education. They are working on almost every aspect of human rights education from theories to teaching methodologies; from approaches to models, problems, challenges, etc. Their work is scholarly but technical. If these scholars can communicate in a language and style that could be fully grasped by human rights educators it would produce better results. This would ensure that their work is used smoothly in the classrooms. This would enhance their contribution to the world of human rights education exponentially.

Importance of Training in Human Rights Education

Magendzo is of the opinion that many teachers not only lack the knowledge of international and national human rights instruments and institutions, they are also unprepared emotionally, pedagogically and culturally to teach human rights.³⁷ The biggest challenge in front of human rights education is to ensure proper and quality training in human rights education for prospective and in-service teachers. There is no program for this in Taiwan, only some training programs or workshops are being organized as sporadic efforts by NGOs or teacher educators in Taiwanese universities. The teacher is instrumental in human rights education and until she/he is trained for teaching human rights successful translation of human rights education is not possible. Sebaly prescribed that incorporation of human rights education in teacher preparation program will certainly help the teachers in incul-

cating human rights perspectives and skills among their students.³⁸ Teacher education colleges and institutes have to prepare a comprehensive blue print of training in human rights education. Incorporating concepts, themes, and issues of human rights into training syllabus is easier compared to the main challenge of providing these trainees practical or field experience. For this, the teacher training institutions need to liaise with NGOs in their areas and arrange for fieldwork. Association with NGOs would provide future teachers an exposure to ways of addressing human rights violations including providing comfort and justice to the victims. In addition, they have to carry the zeal forward into their classrooms and further to the society along with their students. It is a long drawn and difficult process, sometimes disheartening and tiring, but human rights educators must not compromise with their commitment to human rights.

Endnotes

¹Paolo Freire (1998) strongly put forward the view that teaching is a human act and the role of the teacher is more than transferring knowledge of the subject matter.

²For a discussion on this point, see articles on human rights education in Taiwan published in the various volumes of *Human Rights Education in Asia-Pacific*, available at www.hurights.or.jp/archives/asia-pacific/.

³Mei-Ying Tang, "Human Rights Education in Taiwan: The Experience of the Workshops for School Teachers," in *Human Rights Education in Asian Schools*, vol. 2, 1999/March, page 163.

⁴Mab Huang, "Human Rights in Taiwan: Current Situation and Future Challenges," in *Human Rights Education in Asian Schools*, vol. 9, 2006/March, page 76.

⁵Ministry of Education, "Human Rights Education: Promotion and Cultivation," (Taipei: Ministry of Education, 2003), page 9.

⁶Huang, op. cit, page 74.

⁷President Li cited in C.P. Chou and A.H. Ho, "Schooling in Taiwan," in G.A. Postiglione and J. Tan, *Going to School in East Asia* (Westport: Greenwood Press, 2007), pages 344-377.

⁸Ministry of Education, op.cit, pages, 15-16.

⁹Huang, op.cit, page 76.

¹⁰B.A. Reardon, *Educating for human dignity: Learning about rights and responsibilities* (Philadelphia: University of Pennsylvania Press, 1995).

¹¹See P.F. Carspecken, *Critical Ethnography in Education* (New York: Routledge, 1996), page 3.

¹²Ibid., page 8.

¹³Norms and values are distinct but internally connected.

¹⁴Carspecken, op.cit, page 82.

¹⁵Philip F. Carspecken, and Michael W. Apple, "Critical Qualitative Research, Theory, Method, and Practice," in M. LeCompte, W. Millroy and J. Preissley, *Handbook of Qualitative Research in Education* (San Diego, CA: Academic, 1992). For latest discussion see Carspecken, op. cit., page 84.

¹⁶Informal conversations generally centered on the various aspects of the research and were also documented.

¹⁷Nancy Flowers, "What is Human Rights Education?" text can be found on www.hrea.org/pubs/HREA=Research-in-HRE-Papers_issue1.pdf

¹⁸The surnames used in the paper are pseudonyms.

¹⁹Anthony Giddens, *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis* (London: Macmillan, 1979).

²⁰Inputs from a person in charge of in-service teacher education and curriculum development in the school.

²¹I found that this is increasingly becoming a common practice in Taiwanese schools.

²²See Reardon, op. cit., page 8.

²³Carspecken, op. cit., page 35.

²⁴Judith Torney-Purta, "Human Rights and Education Viewed in a Comparative Framework: Synthesis and Conclusions," in Norma Bernstein Tarrow, *Human Rights and Education* (Oxford: Pergamon Press, 1987), page, 224.

²⁵Hartmut Scharfe, *Education in Ancient India* (Leiden: Brill, 2002), page 70.

²⁶T. S. Orlin, *On Human Rights Education* (Utica, NY: Utica College, 1998), page 1.

²⁷John Boli and George M. Thomas, "World culture in the world polity: A century of international non-governmental organization," *American Sociological Review*, vol. 62(2), 171.

²⁸Rational Voluntaristic Authority is a model which holds that INGOs attempt to organize the world on the issue of human rights with the help of democratic processes such as debate.

²⁹Ibid., page 171.

³⁰Michel Foucault, *Discipline and Punishment: The Birth of the Prison* (New York: Vintage/Random House, 1979), passim.

³¹Paulo Freire, *Pedagogy of Hope: Reliving of the Pedagogy of the Oppressed* (London: Continuum, 1994), page 2.

³²Charlotte Carter and Audrey Osler, "Human Rights, Identities and Conflict Management: A Study of School Culture as Experienced through Classroom Relationships," *Cambridge Journal of Education*, vol. 30(3), 2000, 355.

³³Felisa Tibbitts, *Literature review on outcomes of school-based programs related to "Learning To Live Together,"* (UNESCO: International Bureau of Education, 2005).

³⁴Francine Best, "Human Rights Education and Teacher Training," in Hugh Starkey, *The Challenge of Human Rights Education* (London: Cassell, Council of Europe, 1991), page 140.

³⁵Sharon Sliwinski, "Thinking without banisters: Toward a compassionate inquiry into human rights education," *Educational Theory*, vol. 55(2), 2005, 221.

³⁶Flowers, op.cit, page 8.

³⁷Magendzo, op.cit, page 140.

³⁸Kim Sebal, "Education about Human Rights: Teacher Preparation," in Norma Bernstein Tarrow, *Human Rights and Education* (Oxford: Pergamon Press, 1987), page 207.

Developments in Human Rights Education in Australia

Sev Ozdowski* and Nina Burridge**

MODERN AUSTRALIA is a vibrant social democracy with one of the most culturally and linguistically diverse societies in the world. Historically the majority of migrants came from the United Kingdom and Europe with significant Asian and African minorities emerging in recent years. When we look at Australia's cultural heritage, over three hundred ancestries were separately identified in the 2011 Census. The most commonly reported were English (36 percent) and Australian (35 percent). A further six of the leading ten ancestries reflected the European heritage in Australia with the two remaining ancestries being Chinese (4 percent) and Indian (2 percent). Australia's Indigenous population is growing though figures are still small making 2.5 percent of the total population. Today Australians speak more than two hundred languages – this includes some forty Aboriginal and Torres Strait Islander languages. Apart from English the most commonly used languages are Chinese (largely Mandarin and Cantonese), Italian, Greek, Arabic and Vietnamese languages. There is also enormous religious diversity with some 61 percent reporting affiliation to Christianity in 2011 Census and 7.2 percent reporting an affiliation to non-Christian religions, and 22 percent reporting “No Religion.”¹

The evolution of Australia from a homogenous predominantly Anglo-Celtic nation that imposed restrictive immigration policies for non-white migrants, to the modern cosmopolitan representation of a global community is predominantly the result of the policy of Multiculturalism. To manage this diversity and to respond to the growth in wealth and political influence of non-British settlers, since the early seventies successive governments responded with bi-partisan support for multicultural policies. These policies sought to support new migrants in their transition to an Australian way of

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life and values emphasizing our egalitarian ethos and enabling cultural, linguistic and religious differences to exist within democratic structures.

Human rights play an important role in the management of this diversity. In fact, any culturally diverse society needs standards that determine working relationships between different groups and empower individuals especially in the current context when collective protections are weakened by global tension and the power of technology. This is because human rights provide an internationally recognized set of secular values that apply to all peoples regardless of their culture, religion or ethnicity. Human rights frameworks could be seen as providing the agreed minimum standards of human decency. Therefore the promotion of a culture of rights through human rights education programs is of particular importance in a diverse society.

Human Rights Education Internationally

Australian human rights education is strongly anchored in the international human rights system. Indeed, Australia was a leading protagonist in designing the 1948 United Nations Universal Declaration on Human Rights. It was steered through the United Nations (UN) General Assembly by Dr H. V. Evatt, eminent lawyer and Labor leader, as the president of the General Assembly at that time.

The Universal Declaration of Human Rights continues to be a key plank for education in schools and elsewhere with other key conventions, namely the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child providing practical platforms for the legal enforcement of rights and for the engagement of individuals and communities in discussions of topical rights-based issues.

The UN Decade for Human Rights Education (1995–2004) provided a global framework through its Plan of Action for nations to implement human rights education. However the lack of necessary reporting or monitoring mechanisms lessened its impact. In Australia, its impact was limited with the establishment of the National Committee for Human Rights Education being the most significant and long lasting achievement.

The implementation by the UN of the World Programme for Human Rights Education since 2005 had a greater impact. The 1st Phase (2005–2009) of the Programme emphasized the school curriculum and formal education, while the 2nd Phase (2010–2014) focuses on those who further mentor tomorrow's citizens and leaders, e.g. higher education institutions, government officials, the military. The 3rd Phase (2015–2019) is currently being developed with initial focus on media professionals and journalists, and an emphasis on education and training in equality and non-discrimination.

One important result of this emphasis on human rights education was the formulation of UN Declaration on Human Rights Education and Training which was adopted by the UN General Assembly in December 2011. The Declaration asserts that everyone has the right to know, seek and receive information about their human rights and fundamental freedoms and recognizes that human rights education and training is a lifelong process that includes all parts of society. This non-binding Declaration also defines human rights education and training as comprising “all education, training, information, awareness-raising and learning activities aimed at promoting universal respect for and observance of human rights and fundamental freedoms” and calls on all to intensify efforts to promote the universal respect and understanding of human rights education and training. (United Nations General Assembly resolution, A/RES/66/137, 19 December 2011)

The Need for Human Rights Education in Australia

The issue of human rights and education about our civic responsibilities and our rights as citizens have been in debate within Australia for decades. Australia is one of the few democratic countries that does not have a human rights framework embedded in its Constitution or in its legislation. Research illustrates that Australians, on the whole, have a poor knowledge of their human rights. Neither have human rights been solidly embedded in the school curriculum (Civics Expert Group, 1994, NHRCC Report 2009).

The Australian legal system does not avail itself easily to human rights education purposes. Australia, unlike all other western democracies, does not have a Bill of Rights, either constitutional or in a form of an act of parliament. In fact the human rights protected by the Australian Constitution are limited to the right to vote (Section 41); the right to a trial by jury in the State where the alleged federal offence took place (Section 80); the denial of

federal legislative power with respect to religion (Section 116); and the prohibition against discrimination on the basis of State of residency (Section 117). There are also two “economic rights,” Section 92 guarantees freedom of interstate trade; and Section 51 mandates payment on just terms for property acquired by the Commonwealth. In addition the High Court established some implied rights, e.g., parliament cannot pass laws that adjudge a person to be guilty of a crime, or restrict freedom to discuss in the context of an election.

But the Constitution is silent on the fundamental freedoms such as the freedom of association, freedom of movement, freedom of peaceful assembly, freedom of thought, belief and opinion, and freedom from arbitrary arrest or detention; the right to a fair trial or due process and equality of all persons in Australia before the law.

The lack of a national Bill of Rights in Australia is particularly relevant in light of evidence showing that the introduction of a Bill of Rights in the United Kingdom (UK) resulted in massive gains in human rights education, especially within the UK civil service. Similar educational value has been shown through the Australian Capital Territory and State of Victoria’s Human Rights Charters that have been introduced as ordinary acts of Parliament.

The importance of human rights education in Australia has an added relevance in the context of the declining importance of Common Law and the erosion of Habeas Corpus. For example, during the Hindmarsh Island Bridge Case (1998) exchange between Justice Kirby and Commonwealth Solicitor General, Justice Kirby asked, whether: “Under the “race” power of our Constitution, Nuremberg-style race laws or South African apartheid laws, if enacted by our federal parliament, would be binding?” The Solicitor General responded “Yes”. In other words, the federal parliament is free to legislate in a morally ambiguous way, so long as it stays within the Constitution’s head of power.

Australian Governments and Human Rights Education

Australia is a federal state with a national Commonwealth or Federal government and State governments having responsibilities for human rights enforcement and education. In this paper we concentrate on the human rights education initiatives at the federal level.

Most federal educational activities are associated with implementation of anti-discrimination legislation such as *Age Discrimination Act 2004*, *Disability Discrimination Act 1992*, *Equal Employment Opportunity (Commonwealth Authorities) Act 1987*, *Equal Opportunity for Women in the Workplace Act 1999*, *Racial Discrimination Act 1975*, *Racial Hatred Act 1995* and *Sex Discrimination Act 1984*.

A particular mention is warranted for the 2009 National Consultations on Human Rights initiated by the federal government and chaired by the well-respected lawyer and Jesuit priest, Fr. Frank Brennan. These massive public consultations consisted of sixty-six community round tables, three days of public hearings, received some 35,000 submissions and commissioned research, including a phone survey. In addition to the educational value of the consultations a formal report was produced with thirty-one recommendations and transmitted to the Attorney General on 30 September 2009.

The report recommended a range of measures to improve human rights education in Australia. Critically, Recommendations 1 and 2 named education about human rights as the highest priority for cultivating a human rights culture and ultimately improving the human rights situation in Australia. Other recommendations were also of direct relevance to human rights education. For example, Recommendation 4 called for a Human Rights audit of all federal legislation, policies and practices; Recommendation 6 called for a parliamentary statement of human rights compatibility to be required for all Bills; Recommendation 7 called for establishment of a new parliamentary Joint Committee on Human Rights to review all Bills; Recommendation 8 sought development of a whole-of-government human rights framework; and Recommendation 18 called upon the federal government to adopt a federal Human Rights Act. Here it is interesting to note that 27,888 submissions were in favor of the establishment of an Australian Bill of Rights and only 4,203 were against (NHRCC, 2009).

Australia's Human Rights Framework

In response to the Brennan report and Australia's international human rights obligations, the federal government established an *Australian Human Rights Framework* that outlines a range of key measures to further protect and promote human rights.

The framework is based on five key principles and focuses on:

- re-affirming a commitment to our human rights obligations
- the importance of human rights education
- enhancing our domestic and international engagement on human rights issues
- improving human rights protections including greater parliamentary scrutiny
- achieving greater respect for human rights principles within the community.

Specifically, the *Australian Human Rights Framework* put in place a number of practical measures that included over eighteen million Australian dollars for the implementation of government responses to the Report over four years; this included an allocation of almost seven million Australian dollars to the Australian Human Rights Commission to increase its educational activities to promote a greater understanding of human rights across the community. In addition, a new Parliamentary Joint Committee on Human Rights was established in 2012 to provide greater scrutiny of legislation for compliance with our international human rights obligations. The outcome of this means a statement of compatibility with our international human rights obligations may accompany each new Bill introduced into Federal Parliament. Interestingly, however, the government decided against the establishment of the Human Rights Charter because it proclaimed that such a charter would be divisive in the society and it did not proceed with the bill to consolidate the federal anti-discriminations law.²

National Action Plan on Human Rights

The Federal government also adopted in 2012 the 3rd National Human Rights Action Plan to outline what the Australian Government will do to improve human rights situations in Australia. It is worth noting that the concerns reflected during the National Human Rights Consultations and the outcomes of Australia's first Universal Periodic Review before the UN's Human Rights Council in 2011 provided an extensive evidence base for adoption of the Plan.

The Action Plan's key priority areas included establishing a National Disability Insurance Scheme; creating a new official position of National Children's Commissioner at the Australian Human Rights Commission

(AHRC); ratifying the Optional Protocol to the Convention Against Torture; strengthening the protection of rights of people with mental illness in the justice system; reviewing Australia's reservations under the international human rights treaties; introducing the Living Longer Living Better aged care reform; acknowledging the unique and special place of Australia's First Peoples and implementing the National Anti-Racism Strategy. These priorities form the basis of activities in the human rights field at the moment.

Australian Human Rights Commission Public Inquiries

The Australian Human Rights Commission (AHRC) is a statutory authority created by the Federal Parliament. One of its responsibilities is to provide human rights education and the AHRC website contains a range of materials available to school teachers. It also conducts public inquiries into topical human rights issues and the outcomes of these provide one of the best human rights education vehicles in Australia. Looking back, it is important to acknowledge the important educational role of such inquiries as the 1997 Bringing them home Report, known as the *Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*; the 1993 *The National Inquiry on Human Rights of People with Mental Illness*, and the 2005 follow up report *Not For Service - Experiences of Injustice and Despair in Mental Health Care in Australia*. All of these inquiries brought major human rights issues into the public domain enabling major government reform and allocation of resources to address the problems they identified.

A particularly good example of the human rights education value of these AHRC inquiries was the national inquiry into the children in immigration detention that was conducted by the then Australian Human Rights Commissioner, Dr Sev Ozdowski, between 2001 and 2004. It resulted in a detailed report entitled *A Last Resort? National Inquiry into Children in Immigration Detention*.³ The report was tabled in Parliament on Budget Day 2004 and found that the mandatory immigration detention of children was fundamentally inconsistent with Australia's international human rights obligations and that detention for long periods created a high risk of serious mental harm.

This inquiry took over two years. Its methodology was very comprehensive and included visits to all immigration detention centers, writ-

ten and oral submissions, public hearings, subpoenas of Department of Immigration, Multiculturalism and Indigenous Affairs (DIMIA) documents, and focus group discussions. What is of particular importance is that it was conducted in the public domain to alert Australians to the fate of children in long-term detention, to win their hearts and minds and secure the children's release. With the explanation of the extent of the mental health damage the Government was doing to children in immigration detention, Australians changed their minds and stopped supporting government policy of indefinite mandatory detention of children. In fact, public opinion shifted dramatically during the inquiry from about 65 percent Australians supporting government mandatory detention policies to 65 percent opposing children being kept in immigration detention because of human rights violations. Following the tabling of the report, the Howard Government released the approximately one hundred children still being detained in June 2004.

It should be noted, however, that the Australian Human Rights Commission has recently announced a further inquiry into children being kept in immigration detention centers as the Australian government has again commenced the practice of retaining children in detention centers.

Human Rights Education in Australian Schools

Studies of the implementation of human rights education in Australian schools indicate that Australia has still not achieved a systematic and integrated approach to human rights education. The transformative potential of human rights education to challenge existing systems and pedagogical practices remains largely untapped in the school environment of Australia. The important issue of child rights remains contentious, with some schools seemingly reluctant to teach students about their rights. In the absence of an effective integration of human rights education into the new national curriculum, Australian schools are likely to continue to find it difficult to prioritize human rights issues to the extent necessary to have a sustained impact on student learning.

The first national study of the place of human rights in the Australian school curriculum was undertaken by Associate Professor Nina Burridge and a group of researchers from the Cosmopolitan Civil Societies Research Centre, at the University of Technology, Sydney during the 2012-2013 period. The final report was launched in November 2013.⁴ The Report, *Human*

Rights Education in the School Curriculum, is the outcome of a review of curriculum documents in each Australian state and territory, as well as the new national curriculum which is currently being developed and progressively implemented. Roundtable discussions were also held with key stakeholders in each state and territory.⁵

The Report found that current opportunities to learn about human rights issues are fragmented and that implementation of human rights education initiatives are largely dependent on the interest and goodwill of individual teachers.

The Report authors noted that “[S]tudents are missing out on the opportunity to discuss what having the right to vote or the right to freedom of speech means and understand that we all have the right to live with dignity in our community.” Furthermore, “[T]eaching about human rights allows students to see that ...showing respect for all peoples – whether we are rich or poor, old or young or whether of differing cultural and religious backgrounds is part of being a good global citizen.”

The research confirmed that the obvious humanities-based subjects of History, Geography and Legal studies in the senior secondary years and Civics based subjects in the lower secondary years have explicit references to human rights in the curriculum. However, for many other subjects, including such important subjects such as English, while there is the perception that human rights exists explicitly within the curriculum, more often this is not the case. There is an implicit assumption that “it would fit in the section on...” but this is not backed up by explicit directions or descriptions in the syllabus content.

Therefore the overwhelming evidence is that there is a relatively narrow base of subjects in the curriculum spectrum across Australia that specifically offer rights and freedoms based learning opportunities for students. There exist opportunities for students to have related learning experiences in a more generalized sense about fairness and respect, but these are not couched in terms of rights issues and they are often localized to the individual committed teacher.

The Report found that in the absence of an effective integration of human rights education into the new national curriculum, Australian schools are likely to continue to find it difficult to prioritize human rights issues to the extent necessary to have a sustained impact on student learning. It is of particular importance not to miss opportunities to embed a human rights

culture in our education systems. The Report suggested a number of ways to help school educators move forward in the inclusion of a human rights discourse in school curriculums and in teacher professional development.

- **Embed a rights/freedoms framework in the school curriculum**

Education systems need to take the lead in implementing curriculum reform to teach about the history of human rights, and the evolution of democratic systems; to explore what constitutes human rights and freedoms for the ordinary citizens; and to discuss human rights violations both in a historical context and in the current context, nationally and internationally. For this to happen, a new mindset is needed among policy makers to ensure that new syllabus documents embed human rights education in the curriculum.

Given the current review commissioned by the Federal Government on the national curriculum, there is a timely opportunity to expand curriculum documents to embed human rights education perspectives in key subject areas. It is also possible to work with the Australian Curriculum and Assessment Authority (ACARA) to integrate human rights language and principles in the descriptions of the *general capabilities* and *cross-curriculum priorities* that currently exist in the national curriculum and explore the potential of including a specific capability related to understanding human rights and freedoms.

- **Professional teacher development**

Another way of achieving these ends is through a program of professional teacher development that provides teachers with opportunities to work together in exploring ways and strategies for teaching particular elements of our history and our democratic institutions as well as what developing a human rights culture really means.

- **Improved use of technologies**

Providing schools with the resources for improved communication using internet technologies can enable students and teachers to create national and international connections to assist schools to reach out beyond their own classrooms. In today's classrooms modern technology such as, social media pages, interactive whiteboards, 'Google Earth' and the latest Web 2 technology exposes children and young people to the myriad of cultures

that comprise the global village. Schools should be well equipped and teachers well trained to access these resources so that students from a very young age are able to engage in discussions on global issues.

- **Schools as learning communities**

Strategies for teaching about human rights should include closer collaborations between schools and civic bodies as learning communities. Schools could connect with elders in their local community, as well as local community agencies, other key government agencies, and in some cases local businesses, to provide students with a more holistic education. For example, bringing elders into schools as mentors for children and young people who do not have extended family connections often provides opportunities for very positive interactions for both groups. In these ways schools can more effectively promote universal values, intercultural dialogue and democratic citizenship. They will be able to develop processes where peoples live more safely and with more dignity in their communities.

Recently, the federal Minister for Education, the Hon Christopher Pyne announced a further review of the Australian School curriculum. The Minister has rightly noted in an article in the *Canberra Times* that:

[T]his nation's curriculum policy must not be captured by any fad, by any vested interest group, or by those pursuing political or narrow agendas. ... It must be balanced, ensuring students are exposed to a full array of ideas; up-to-date, relevant and help students develop the appropriate critical skills so they can make their own choices about what they want to believe or support.⁶

In fact, one of the key purposes of education, within Australian contemporary society is to develop in our children as they grow to become citizens of a democratic state the critical thinking skills that will allow them to weight up evidence to make valid judgments about issues that affect them in their everyday lives.

Let us hope that the review of school curriculum will acknowledge that understanding of democratic processes is a vital aspect of our education system. This includes knowing the history and evolution of our robust democratic systems from the signing of the Magna Carta, through to the various social and political upheavals of the last three centuries to the complexities of living in a globalized world. In this context it is our belief that students

must have an understanding of our rights and freedoms. Dr Ozdowski noted in his online opinion article that “[C]ivil liberties and freedoms, and in particular freedom of speech, play a very important role in modern society, adding to innovation, eliminating costly mistakes and giving modern societies their competitive edge.”⁷ (Ozdowski, 2013)

Other Players

Federal and state anti-discrimination laws that we have outlined earlier prohibit discrimination and harassment in employment, education and service delivery based on an extensive list of grounds such as race, color, descent, national or ethnic origin, ethno-religious background; sex; marital status and pregnancy.

They apply to a range of other players, in both the public and private sectors that contribute significantly to Australian human rights education efforts. A brief discussion of their focus and activities are noted below.

- **Public Employers - The Federal Public Service Commission (PSC)**

The Federal Public Service Commission has the responsibility of maintaining “[t]he principles of good public administration, [that] ...lie at the heart of the democratic process and the confidence the public has in the way public servants exercise authority when meeting government objectives.”⁸

The recommendations of the National Human Rights Consultations Report⁹ included human rights education in the public sector, such as the introduction of human rights action plans and the incorporation of language consistent with human rights values into the Australian Public Service (APS) values structure.¹⁰ The Australian Human Rights Commission, as part of the funding received from the federal government, has undertaken human rights education training of staff within the public service. As part of this process it introduced the Australian Human Rights Network for APS staff and produced resources for public servants such as *Human Rights at your Fingertips* (2012).¹¹ The Attorney General’s Office has also produced an e-learning model titled *Human Rights in your Hands*.¹²

Although this paper deals mostly with Federal matters it is important to note that some states and territories are pursuing their own Human Rights Act or Charter in the absence of national legislation. For example, The

Victorian Charter of Human Rights and Responsibilities Act of 2006 came into full effect in January 2008.¹³

The Charter stipulates that all public authorities and their employees must respect and promote the human rights set out in the Charter and as an employment principle; it means that human rights must be upheld in an employee's daily work (Victoria Department of Justice).

- **Private Employers**

The Australian government has rigorous legislative processes related to private employers' responsibilities for the implementation of anti-discrimination provisions in places of employment. The occasional breaches in employment of any-discrimination or occupational health and safety provisions result in court cases and associated publicity that contributes to public knowledge about human rights.

Furthermore, increasingly, good Corporate Governance is seen as an important aspect of a large private corporation social responsibility. For example, some large mining companies such as BHP Billiton Iron Ore or Rio Tinto Alcan Weipa have Indigenous mining and employment agreements and offer Indigenous traineeship programs. Such programs are also well known and given as examples of good practice.

- **The Higher Education Sector**

The University sector has a strong human rights governance focus and most higher education institutions are model employers when it comes to upholding human rights laws. Equity and diversity principles are an integral part of a university's character. Most universities have a department or unit dedicated to ensuring that the university complies with equity and diversity principles and supports these with programs and resources that promote workplaces that are socially just and accessible to all. These units provide specialist advice and support to all areas of the university on diversity policy development, program implementation and equity-related grievance resolution (Burridge & Walker, 2010).

In addition to these standard activities, many universities provide specialist programs, scholarships, affirmative action strategies and assistance to socially disadvantaged groups in the community. For example, scholarship assistance or special entry provisions are provided to certain university faculties for students from rural and remote communities. Also, many univer-

sities have designated policies following Equal Opportunity for Women in the Workplace Agency (EOWA)¹⁴ principles and are the employers of choice for women.

In terms of research and teaching, many universities have human rights law centers as part of their faculties of law. Some others teach human rights education courses as part of humanities, for example Centre for Human Rights Education at Curtin University or Centre of Peace and Conflict Studies (CPACS) at the University of Sydney.

- **Human Rights Education and Non-governmental Organizations**

Finally, let us not forget that Australia has a well-established civil society with a large number of non-governmental organizations (NGOs) involved in human rights. Many of them have well-developed human rights education programs, for example Amnesty International and Save the Children, and many church-based organizations have social justice or human rights groups such as Caritas Australia. There are asylum seekers resource centers and migrant organizations, law societies, disability organizations, gender and sexuality NGOs, trade unions and employee organizations concerned with unlawful workplace discrimination, bullying, work condition, charities, to name only a few.

The Australian Council of Human Rights Education

We now would like to present briefly the activities of the Australian Council of Human Rights Education (ACHRE)¹⁵ that focuses exclusively on the promotion of human rights education in Australia and internationally. Her Excellency Ms Quentin Bryce AC, CVO Governor-General of the Commonwealth of Australia is Patron-in-Chief of ACHRE.

ACHRE, formerly known as the National Committee for Human Rights Education, was established in 1999 by a group of committed and dedicated teachers, academics and community members to actively pursue human rights education in Australia in response to the UN Decade for Human Rights Education. Its members have extensive human rights education expertise, including academic research and project management; resource development; professional development and training and online learning.

Despite limited budget as a small independent NGO, the ACHRE has undertaken a range of important activities to promote human rights education

in academia, in primary and secondary schools, and the wider community. For example, in 2003 it was an important player in establishing the Centre for Human Rights Education at Curtin University, Western Australia with the generous donation by a Japanese philanthropist, Dr Haruhisa Handa. In 2007, ACHRE established the National Centre for Human Rights Education at RMIT University in Melbourne. In addition, ACHRE participates in international human rights education initiatives such as provision of human rights training in developing countries and participation in international forums and conferences.

ACHRE maintains a clearinghouse of online human rights educational materials for primary and secondary school teachers and community organizations as well as for government representatives and officials. In 2002 it launched the Australia-wide Citizen for Humanity Project at the Parliament House, Canberra. This project is focused on teaching about the Universal Declaration of Human Rights to school children. ACHRE awards 'Citizens for Humanity' certificates to schools that participate in educational activities based on the Universal Declaration of Human Rights.

ACHRE also collaborates with the federal and state governments and their various government departments and human rights bodies on the promotion of specific human rights programs or issues. It is an active lobbyist for human rights education and makes numerous submissions to Federal, State and Territory Governments on human rights education in Australia.

Most importantly, ACHRE has initiated and co-sponsored a range of national and international conferences, seminars and workshops bringing together academic scholars, teachers, students and human rights practitioners from around the globe to engage in debates and discussions about human rights and the importance of promoting human rights not just within our local communities but within the most vulnerable states. For example, it has been the leading organizer of International Conferences on Human Rights Education (ICHRE) held so far in Sydney, Australia (2010),¹⁶ Durban, South Africa (2011), Cracow, Poland (2012),¹⁷ and Taipei, Taiwan (2013).¹⁸ The fifth ICHRE will be held at the American University in Washington DC in December 2014.

The Way Forward - Opportunities for Human Rights Education in Australia

We would like to finish on an optimistic note. Despite the fact that Australia is the only modern democracy without significant constitutional protec-

tions of civil liberties, as would be provided by a statutory Bill of Rights, and maintains its capacity to pass discriminatory laws unimpeded by such a Bill, it has made significant progress in developing a culture of human rights and improving Australians' knowledge of such rights. However, there is room for improvement in a modern-day multicultural Australia, and further effort must be made to advance human rights education, with special focus on civil liberties and freedoms, and social justice for all.

Of enormous benefit to the advancement of human rights education would be the establishment of an Australian Bill of Rights that would define Australian human rights standards; provide for better "checks and balances" for interactions between individual citizens and their governments and assist in the development of our own jurisprudence. To achieve this, Australians need to learn that such a Bill is about reassertion of their individual liberties against domination by the political establishment that presently is resisting its introduction. Given that an Australian Bill of Rights is unlikely to emerge in the formidable future we therefore need to concentrate on other facets of the human rights discourse as outlined by the recommendations of the National Human Rights Consultation Committee that gave human rights education a major focus.

Therefore, in conclusion, we would make a strong argument for giving a higher priority to human rights education in our schools. As noted earlier in the Human Rights Education in the School Curriculum Report, while the humanities-based subjects of History, Geography and Legal Studies in the senior secondary years, and Civics-based subjects in the lower secondary years, have clear references to human rights in the curriculum for many other subjects, including such important subjects as English their focus is more diffuse. Therefore, the overwhelming evidence is that there is a relatively narrow base of subjects in the curriculum spectrum across Australia that specifically offers human rights-based learning opportunities for students (Burridge, et al. 2013, 65).

And while rights-based NGOs do work in schools, much of their work is project-based, requires committed teachers, and is not sustained in curriculum documents. In addition, teachers are not well trained to work with human rights issues and some of the controversies that surround them. For sustained change and to ensure quality pedagogical practices in the teaching of human rights issues, teachers need professional development support

and access to quality innovative resources that enable global perspectives and linkages that highlight human rights issues (Burridge, et al. 2013, 65).

We are now embarking on the Third Phase of the UN World Programme on Human Rights Education and there is a clear opportunity for Governments at all levels in Australia to encourage educational institutions through policy development and resources provision to embed human rights education within our national curriculum and our everyday practices in our schools and communities.

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¹For more information about Australian multiculturalism and its history see: Sev Ozdowski, "Australian Multiculturalism: The Roots of its Success" in K. Mazur, P. Musiewicz & B. Szlachta, editors, *Promoting Changes in Times of Transition and Crisis: Reflections on Human Rights Education* (Krakow: Ksiegarnia Akademicka, 2013). Available at www.akademicka.pl.

²For more information, visit the Australian Human Rights Commission, www.humanrights.gov.au/parliamentary-joint-committee-human-rights.

³*A last resort? Report of the National Inquiry into Children in Immigration Detention*. HREOC, Sydney, May 2004, www.humanrights.gov.au/sites/default/files/content/human_rights/children_detention_report/report/PDF/alr_complete.pdf. See also: "An Absence of Human Rights: Children in Detention," *Political Crossroads*, Vol. 16(2), pages 39-72, 2009. <http://sevozowski.com/wp-content/uploads/2012/05/An-absence-of-human-rights-Children-in-Detention-2009.pdf>.

⁴Burridge, N., Chodkiewicz, A., Payne, AM, Oguro, S., Varnham, S., *Human Rights Education in the Schools Curriculum Report* (UTS Printing Service, 2013). The full report can be downloaded at <http://cfsites1.uts.edu.au/ccs/news/details.cfm?ItemId=35498>. Short version of the report on page ____ of this publication.

⁵See Burridge, et al., 2013 "Human Rights Education in the Australian School Curriculum" in this volume. This paper contains short excerpts from this report's Executive summary pages 5-12.

⁶Pyne, C., "Politics have no place in curriculum review," *Canberra Times*, 20 January 2014, www.canberratimes.com.au/comment/politics-have-no-place-in-curriculum-review-christopher-pyne-20140119-312p8.html#ixzz2sbTRUFQb.

⁷Ozdowski, S., "Appointment of Mr Tim Wilson as Human Rights Commissioner," Online Opinion, 23 December 2013, www.onlineopinion.com.au/view.asp?article=15858.

⁸See Australian Public Service Employment Principles and Code of Conduct, www.apsc.gov.au/aps-employment-policy-and-advice/aps-values-and-code-of-conduct.

⁹For the full report, see Attorney General's Department, www.ag.gov.au/RightsAndProtections/HumanRights/TreatyBodyReporting/Pages/HumanRightsconsultationreport.aspx.

¹⁰The 2009 National Human Rights Consultation Report has the following relevant recommendations on pages 31-32:

Recommendation 8

The Committee recommends as follows:

- that the Federal Government develop a whole-of-government framework for ensuring that human rights-based either on Australia's international obligations or on a federal Human Rights Act, or both - are better integrat-

ed into public sector policy and legislative development, decision making, service delivery, and practice more generally

- that the Federal Government nominate a Minister responsible for implementation and oversight of the framework and for annual reporting to parliament on the operation of the framework.

Recommendation 9

The Committee recommends that the Federal Government incorporate human rights compliance in the Australian Public Service Values and Code of Conduct.

Recommendation 10

The Committee recommends that the Federal Government require federal departments and agencies to develop human rights action plans and report on human rights compliance in their annual reports.

¹¹This pocket guide for public sector officials is available at Australian Human Rights Commission, www.humanrights.gov.au/human-rights-your-fingertips-2012.

¹²See Australian Human Rights Commission, www.humanrights.gov.au/education/aps-human-rights-network.

¹³For the full text of the Charter, visit the Victorian Equal Opportunity and Human Rights Commission, www.humanrightscsmission.vic.gov.au/index.php/the-charter.

¹⁴The Equal Opportunity for Women in the Workplace Agency was renamed the Workplace Gender Equality Agency (WGEA) under the Workplace Gender Equality Act 2012 (WGE Act). See www.wgea.gov.au/about-wgea/our-vision-values-and-functions.

¹⁵Australian Council for Human Rights Education, <http://humanrightseducationaustralia.com/about.php>.

¹⁶Inaugural Conference - Sydney, Australia 2010, www.humanrightseducation-conference2010.com.au.

¹⁷3rd International Human Rights Conference – Krakow, Poland 2012, www.hre2012.uj.edu.pl.

¹⁸4th International Human Rights Conference – Taipei, Taiwan 2013, <http://scu.hre2013.org.tw>.

Human Rights Education in the Australian School Curriculum*

Nina Burrridge, Andrew Chodkiewicz, Anne Maree Payne, Susan Oguro, Sally Varnham and John Buchanan**

IN AUSTRALIA a number of initiatives - the *National Consultation on Human Rights* (NHRCCC, 2009) and the *Australian Human Rights Framework* (2010) - have acknowledged the importance of supporting education about human rights in schools. The Framework:

encompasses a comprehensive suite of education initiatives to ensure all Australians are able to access information on human rights. This includes the development of human rights education programs for primary and secondary schools, the community and for the Commonwealth public sector (Commonwealth of Australia, 2010: 7).

In an address to New South Wales (NSW) teachers in 2009, prominent human rights barrister Geoffrey Robertson argued strongly for the importance of human rights education:

.... they [human rights] serve to show that privilege is an anachronism, that dogma is destructive, that freedom is a birthright and discrimination is a wrong that should never be suffered (Robertson, 2009)

*This is a slightly edited excerpt of the 2013 research report by the same authors entitled *Human Rights Education in the School Curriculum*, published by the Faculty of Arts and Social Sciences, Cosmopolitan Civil Societies Research Centre, Sydney, Australia. For the full report, go to this url: <http://cfsites1.uts.edu.au/ccs/news/details.cfm?ItemId=35498>.

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The Australian Human Rights Commission (AHRC) in its own position paper noted that the goals of human rights education should include the acquisition of knowledge and skills about human rights; the development of respectful attitudes and changed behavior that reflects human rights values; and the motivation of social action and empowerment of active citizenship to advance respect for the rights of all (AHRC, 2010). Given the national and international developments in human rights education, there is an opportunity to meet Australia's international obligations under the *United Nations Declaration of Human Rights Education and Training* to build a culture of rights in our schools as well as in the wider community, engendering respect for individual and collective rights and encouraging collaborations between schools and civic bodies that enhance social cohesion in our neighborhoods.

Now is a timely opportunity to expand our teaching and teacher training efforts to establish human rights education as an integral part of school curriculum programs across the nation. What has been lacking is a comprehensive overview of what is contained in the curriculum in each state and territory and in the available national technologies and materials to support teaching about human rights.

State and Territory and Australian Curriculum documents were analyzed, using a conceptual framework that focused on the extent to which human rights issues and topics were *explicitly* or *implicitly* addressed in these curriculum documents. Qualitative feedback was obtained from key education stakeholders – curriculum bodies, education authorities, teacher associations and community organizations - who participated in roundtable (RT) discussions organized in each state and territory. This analysis provides valuable information on the extent to which Australian schools are engaging with human rights education.

Human Rights Education in the School Curriculum

A feature of Australia's education system is its complexity, involving separate national, state and territory educational systems, each with their own distinct administrative departments and curriculum authorities. The Northern Territory draws on the South Australian syllabus documents for its Senior Secondary Years curriculum.

At the state and territory level three distinct and separate school sectors - Government, Catholic and Independent - operate their own separate

teaching and administrative systems. Nationally across the 9,468 schools, among the 3.5 million students, 66 percent attend Government schools, 20 percent Catholic schools and 14 percent Independent schools (Gonski et al., 2011:3-4).

The role of the Australian Government in schooling has increased over time, taking on a greater funding and overseeing role, including in the curriculum. In 2009, the Australian Government provided an average of 15 percent of the Recurrent funding to Government schools, 57 percent to Catholic schools, and 33 percent to Independent schools. Of Capital funding the Australian Government provided 46 percent of the funding to Government schools, 49 percent to Catholic schools and 34 percent to Independent Schools (Gonski et al., 2011:15-16).

Curriculum - National agreement

The Australian Government has also taken the lead on standardizing the curriculum, with its Australian Curriculum initiative. Through a national education ministerial forum, the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), the Australian Government gained the agreement of all states and territories to develop a nationally agreed Australian Curriculum across eight main learning areas, as agreed in the Melbourne Declaration in 2008 (MCEETYA, 2008:13). Note that from 2012 MCEETYA was known as the Council of Australian Governments (COAG) Standing Council on School Education and Early Childhood (SCSEEC).

Australian School Curriculum

As mentioned earlier this study has been undertaken at an important transitional time when all states and territories are involved with the Australian Government in a staged process of developing and implementing a common national Australian Curriculum. At the start of 2013 some key Subjects had been fully developed and implemented, with a number of Foundation to Year 10 Subjects in place. They included the Stage 1 subjects English, History, Mathematics, and Science that had been developed by Australian Curriculum, Assessment and Reporting Authority (ACARA) and endorsed, with agreements in place for their implementation across all states and territories by the end of 2013.

The senior secondary curriculum for each of these four Subjects for Years 11 and 12 has been endorsed, and Australian Curriculum Assessment and Reporting Authority (ACARA) has been working with the states and territories to integrate the content and agree on a timeline for their implementation (ACARA 2013). However no Stage 1 Senior Years 11 and 12 subjects had been implemented and so separate state and territory subject curriculums remained in place.

General Capabilities statements

Part of the development of the Australian Curriculum included a set of agreed General Capabilities statements that were to be applied in the drafting of the curriculum for all Learning Areas/ Subjects. They included a specific focus on students learning about:

- Literacy, numeracy, Information, Communication Technology (ICT), critical and creative thinking, personal and social, *ethical understanding* and *intercultural understanding*.
- Although there was no specific statement related to human rights, the term was *explicitly* mentioned in the statement referring to *Ethical understanding* and human rights were *implicit* in the *Intercultural understanding* statement:
 - ◊ *Ethical understanding* – takes account of values, human rights and responsibilities, animal rights, and global justice, and mentions the first three as an organizing element.
 - ◊ *Intercultural understanding* - includes opportunities implicitly in the study of different cultural perceptions and practice and explicitly in the element of Recognizing culture and developing respect, and Reflecting on intercultural experiences and taking responsibility.

Cross-Curriculum priorities

The Australian Curriculum also outlined three cross-curriculum priorities related to what it called important issues in contemporary society that would help equip young Australians with skills, knowledge and understanding to engage in a globalized world and they are to be embedded across all learning areas (ACARA 2011). These cross-curriculum priorities are:

- *Aboriginal and Torres Strait Islander histories and cultures;*

- *Asia and Australia's engagement with Asia*; and
- *Sustainability*.

According to a number of roundtable participants the first two priorities were important - *Aboriginal and Torres Strait Islander histories and cultures*, and *Asia and Australia's engagement with Asia*. Neither priority contained an *explicit* mention of human rights, but both did have some *implicit* opportunities for addressing a number of specific human rights issues. The *Aboriginal and Torres Strait Islander histories and cultures* priority, in its second key concept, highlighted examining experiences through “historical, social and political lenses.” The *Asia and Australia's engagement with Asia* priority mentions study of the “social, cultural, political and economic links with Asia.”

Learning About which Human Rights?

An important aspect in identifying curriculum opportunities is to consider which human rights students should be learning about across their school years. The starting point needs to be consideration of the United Nations' *Universal Declaration on Human Rights* (1948) and subsequent United Nations human rights conventions and treaties and recent Australian human rights legislation. This suggests a focus on a set of specific human rights issues related to both individual and group rights that have been historically at the center of human rights discussions as well as newer contemporary and emerging issues. Drawing on the Victorian Charter and the Victorian Essential Learning Standards (VELS) document they could include:

- civil and political rights - rights to life, liberty, free speech, movement, political thought, religious practice, a fair trial, privacy, the right to found a family, to vote;
- economic, social and cultural rights - such rights to adequate food and water, health care, education, a clean environment, respect for cultural practices, welfare assistance;
- humanitarian rights - rights of those who are involved in, or affected by, armed conflict; the treatment of prisoners of war; of the wounded, sick or shipwrecked; of civilians; and of women and children in particular;

- various group rights - the rights of workers, women, children, minority groups, refugees, Indigenous peoples, people with a disability (VELS, 2009).

These set of rights are a starting point only. A curriculum paper would need to be drafted as a result of Australia wide - state and territory – roundtable discussions involving curriculum authorities, teacher associations, and community and non-governmental organization (NGO) representatives to help set out which specific set of rights would be addressed across each of the key school Learning Stages and apply to which subject Learning Areas.

Key Curriculum Dimensions

Given this set of human rights issues, it is important to analyze the extent of the school curriculum opportunities for students to learn about these issues. In doing so there are a number of key curriculum dimensions that also need to be considered. They include:

- Stages of learning – which school years, from Foundation/Kindergarten to Year 12
- Explicit or implicit topics - are human rights issues named *explicitly* and can they be specifically identified in the curriculum or are they *implicit* opportunities, where human rights issues can be implied from the curriculum documents?
- Compulsory or optional - are topics mandatory/compulsory or optional, and are they available as a subject elective?
- Curricular or other learning opportunities (extra-curricular) – while the primary focus of this study is on the curricular aspects (what the curriculum documents reveal), what are the important learnings taking place through other kinds of learning opportunities that may be subject and curriculum related or may be extra-curricular learning activities?
- School sector variations - what are the variations in subject offerings across school sectors (a few were highlighted in a number of Roundtable discussions)?

Curriculum Opportunities in School Learning Stages

This part of our analysis considered the opportunities available in the curriculum by school years. The analysis drew on state and territory round-

table discussions and relevant curriculum and syllabus documents and was greatly assisted by a few key staff from NSW, Victorian and South Australian curriculum authorities.

The opportunities noted have been categorized as:

- either explicit or implicit.
- by Subject and/or School Year/Unit.
- human rights issue/topic.
- the State or Territory where they are offered.

The rights issues or topics listed below were mandatory, except where a topic was optional or part of an elective and in that case we have noted the entry with an (E). While many states and territories are moving to an F-10 and 11-12 year syllabus grouping, in line with Australian Curriculum documents, this analysis has focused on the following *three* school learning stages:

- Senior Secondary - Years 11 and 12.
- Secondary - Years 7 to 10.
- Primary - Years F/K to 6.

Senior Secondary (Years 11 and 12)

Explicit

The Senior Secondary Subjects that *explicitly* addressed human rights issues in almost all states and territories were: *History*; *Geography* and *Legal Studies*. A Senior Years 11 and 12 *Civics and Citizenship* Australian Curriculum unit that will be optional is still in development and it is not clear how each state and territory will implement the unit for the study of civic and citizenship rights.

Table 1. Senior Years 11-12 Explicit topics

Subject	Year / Unit	HR Topic / issue	State/Territory
History Modern World History Modern History	Year 12 Year 11 Options Unit 2 Unit 1 (E) Unit 2 (E) Years 11/12	Universal Declaration of Human Rights, Apartheid, Refugees (SIVEX) Civil rights. National Studies & International Studies in Peace & Conflict topics. Oppression and struggle for human rights, slave trade, suffragette movement, US civil rights movement, struggle for Indigenous rights, Burma, Tibet, Tiananmen Square. Experiences of Indigenous people, Ideas of race, Changes in values. Forced & free migration, Slaves & forced labor. History of women, Power & powerlessness- rights and freedom of oppressed. Civil rights; Apartheid; Suffragist struggle; 2nd wave of feminism.	Victoria, NSW Tasmania, South Australia/ Northern Territory (SA/NT) Australian Capital Territory (ACT), Western Australia (WA), Queensland (QLD)
Geography	Unit 1 Unit 2	Movement of people, Issues for geographers. Migration of people, Case study – water. Globalization - movement of refugees (E), global phenomena and evaluation of responses.	SA/NT Tasmania, Victoria
Legal Studies	Unit 6 Year 11 Unit 2 Year 12 Units 3,4	Human rights - nature & development of human rights, Promoting & enforcing human rights, Contemporary issue. (Core Part 2- 20% of NSW course). Case studies – Australian rights issue – e.g. Mabo, gay rights. International law –Treaties, Commonwealth powers. Young people & the law- rights of young people, child (E).	NSW Victoria, SA/NT Tasmania, ACT, QLD
Civics & Citizenship	Years 11 & 12 (20 hr. unit)	Civic and political rights.	NSW

There was a further set of subjects that had relatively small enrolments and were not offered widely or were available in only one or a few states and territories:

- *Politics - Australian & Global Politics* (Victoria); *Australian & International Politics* (SA/NT); *Politics & the Law* (WA).

- Society and Culture – *Sociology* (Victoria, Tasmania, ACT); *Society & Culture* (NSW, SA/NT); *Study of Society* (QLD).
- *Aboriginal Studies*; *Women's Studies*; and *Religion or Religious Studies*; *Philosophy*.

Table 2. Senior Years 11-12 Explicit topics - Smaller Enrolments

Subject	Year/Unit	HR Topic / issue	State/ Territory
Australian & Global Politics	Year 12 Units 1 to 4	Respect for human rights, rights of child, refugees, gay rights, feminism, Indigenous rights, Democratic rights and freedoms. Individual & minority rights, Australian Bill or Charter of Rights, Human rights organizations, Global issues – human rights, people's movement.	Victoria ONLY
Australian & International Politics	Year 11 Year 12 (E)	Power, Community Politics, Government. Australian Constitution, Voting, Parties. International: UN & Human rights; UN Declaration on the Rights of Indigenous People.	SA/ NT
Politics & the Law	Unit 1 Unit 3	Civil and political rights, Rights and governance, Types of rights - civil, political, economic, social, cultural, Protection of human rights - covenants, treaties.	WA ONLY For 2012
Sociology	Year 11-12 Units 1-4	Ethnicity, Indigenous – Inequality, age, gender, ethnicity. Indigenous culture. Social movements and social change.	Victoria Tasmania, ACT
Society and Culture	Year 11 Year 12 Year 12	Power & authority, Aboriginal and Torres Strait Islander (ATSI) societies, Refugee & migrant experiences, Australia as global citizens. Global issues – A question of rights. Equality & difference - human rights, discrimination, race.	SA/NT NSW
Study of Society	Year 11/12	Examining inequality.	Queensland
Aboriginal Studies	HSC-Part 1 Part 2	Social Justice & Human rights issues: Global understanding of human rights & social justice. Land rights movement.	NSW
Aboriginal Studies	Year 12	Aboriginal land rights – land & sea rights. Citizenship – Struggle for rights, UN Declaration on the Rights of Indigenous Peoples, Rights of Indigenous people in a global context.	SA/NT

Women's Studies	Year 12 Topic 4 (E)	Women & the law – women's human rights.	SA/NT
Religious Studies Religion and Religion and society	Year 12 Year 11 Year 11 Unit 2	Religion & belief system/Religion & non-religion. Work- rights, impact on social justice & human rights. Ethical or social justice issue (E). Ethics and morality.	NSW SA/NT Victoria
*Philosophy	Year 12 Unit 2	Ethical problems and political philosophy.	Victoria

* Note: Unit 2 of the course replaced in 2013 by 'On foundations of morality' & 'On rights and justice'.

Implicit

There were a number of Senior Years Subjects where there were *implicit* opportunities for students to learn about human rights issues. They included: *English*; *Science*; and *Economics & Business Management*. Of these *English* was the most significant as it remains the subject across Senior and Secondary Stages of Learning with by far the largest numbers of student enrolments.

English: The *English* curriculum did not *explicitly* include a discussion of any human rights issues, but rights could be addressed through the texts that students chose for study. For example in NSW the High School Certificate (HSC) English course texts were prescribed for Year 12 Stage 6 only and not for Year 11. Among these texts students are encouraged to read widely and can choose various electives and related texts drawn from fiction, drama, poetry, nonfiction film, media or multimedia. For example texts like the film *Ten Canoes* or the novel *Swallow the Air* could be related to Indigenous rights. Further in one elective Module C - *Texts and Society - Global Village* and *Into the World* Electives there were opportunities for students to learn about specific human rights issues, depending on the texts chosen. Also depending on which Area of Study, such as *Belonging* nominated for study in 2009-2014 Electives by all students, there was "the potential to explore human rights issues" (Board of Studies NSW).

Science: The *Science* curriculum did not name any specific human rights issues. One topic, such as *Water for Living* or *Humans at Work* in the NSW HSC syllabus students could explore current issues and implications for society. One roundtable participant felt that the new Australian Science curriculum offered one strand focusing on "Science as a human endeavor [and]

it actually looks at social and political and economic connections to science” (ACT RT).

Economics and Business Management: The *Economics* curriculum did not mention human rights, but a number of topics such as *Government in the Economy* in the NSW Preliminary Course and each of the four topics in their HSC course could provide opportunities. The SA/NT Stage 1 Economics Syllabus mentioned “economic, social and political rights in industrial relations” as part of its capability statement, but did not specify them further in the content. Implied rights issues featured in *Globalisation and Poverty and Inequality* topics (Stage 1) and key areas (Stage 2).

Economics in Victoria did have a “part of the curriculum [that] refers to income distribution, questions of equity, resource allocation with that migration of population” and in Business management they cover the issue of corporate social responsibility - especially for big business in Year 12 (Victorian RT).

Table 3. Senior Years 11-12 Implicit topics

Subject	Year/Unit	HR topic/issue	State/Territory
English	Years 11 & 12	Texts and society.	NSW, Victoria, SA/NT, QLD, ACT, WA, Tasmania
Science	Years 11 & 12	Water for living, Humans at work. Science as a human endeavor.	NSW, ACT
Economics Business Management	Year 12 Year 12 Year 11 Year 11 Year 12	Government in the Economy. Globalization. Poverty & inequality. Poverty & inequality. Economic choices and consequences and Economic change: issues and challenges. Economic activity, economic management, Corporate social responsibility.	NSW SA/NT SA/NT Victoria Victoria

Numbers Studying Subjects in Year 12

It is important to determine how many students are able to take up particular Subject opportunities. Yet the available data on the numbers of students studying across each state and territory, by each Subject, and Stage of learn-

ing is limited. It has been possible to draw on an Australian Council for Educational Research (ACER) study (Wilkinson & Milgate, 2009) that compiled Year 12 study data for a few key subjects, *English, History, Geography*, and a number of *Other state specific subjects*, as well showing the total number of Year 12 students. While only partial, the data does provide a useful indication of the relative opportunities available for students of the Subjects we have reported on in this section, particularly the percentages.

Table 4. Student numbers studying selected Subjects & Year 12 total (2007)

	NSW	Victoria	Queens-land	WA	Tasma-nia	SA	NT	ACT
English	59,621	40,735	34,262	9,108	2,105	9,044	916	3,746
History	9,769 Modern 2,278 Extension	4,543 Revolution 1,304 Australian	5,121	2,758	495 Modern	1,594 Modern 205 Australian	83 Modern 26 Australian	629
Geo-graphy	4,561	2,416	4,364	2,973	208	1,223	80	164
Other		1,765 Int'l Studies 591 National Politics				123 Aust & Int Politics	33 Aust & Int Politics	
Total Year 12 students	67,189	47,069	41,599	11,765	4,947	12,056	985	3,998

Secondary (Years 7 to 10)

Explicit

During the Secondary Years 7 to 10 our analysis showed that Years 9 and 10 offered a set of *explicit* opportunities for students to study a range of human rights issues. The main Subjects and unit were: *History; Geography; Aboriginal Studies*; and the *Civics and Citizenship* unit. It is worth noting here that *Civics and Citizenship* is a key human rights Learning Area across Years 3 to 10 that does include *explicit* study of civic and political rights as part of a mandatory twenty hour learning unit.

History: The *History* Syllabus in NSW for Year 10 covered such topics as Rights and freedoms, human rights and the Universal Declaration of Human Rights, Australia's civil rights, Aboriginal rights including the citizenship rights referendum 1967, the Stolen generations, and Decolonisation. Also in Year 9 there were topics dealing with the Movements of people, Slavery, and Progressive ideas and movements addressing democratic rights.

Geography: The *Geography* Syllabus Year 10 in NSW had as one of its mandatory focus area – *Australia and its Regional and Global Contexts* – which specifically included a topic on Human rights and Reconciliation. There was also a set of important electives. *Oceanography* included a focus on Indigenous rights to the oceans. *Development Geography* looked at patterns of global inequality including optional development issues of political and human rights, refugees, role and status of women. *Global Change* also covered fundamental human rights to food, shelter, water, clean air, health, education, global human inequalities, and how citizenship protects fundamental human rights. *Political Geography* included topics referring to social justice, and humanitarian aid.

In Year 9 the *Global Change* included Globalization, Global inequalities and Global organizations topics. Global inequalities specifically referred to extremes of poverty & wealth, variations in access to education, food, health, shelter and water. The *Global Geographical Issues* area had optional issues of study that included human rights, Indigenous people and self determination topics. There was also a *Geography Life Skills* course that included topics such as Global Change covering the Fundamental human rights to food, shelter, water, clean air, health, education; and Global human inequalities; and How citizenship protects fundamental human rights.

Civics and Citizenship: The *Civics and Citizenship* unit in Year 10 included important topics on the United Nations and Australia as a Global Citizen where various human rights issues were addressed. The Community Engagement topic included a study of rights “where students look at United Nations and the United Nations agreements and Australia as a global citizen, so that brings in the consideration of ethical global issues that are very much human rights related” (Victoria RT). Although the major focus of *Civics and Citizenship* was on civic rights, it was still seen as a vital unit for all students. One roundtable participant said that “one of the key areas would be in the Civics and Citizenship type subject. I think that basically should be com-

pulsory for all students... I think it's so important for young people to learn about their rights and the responsibilities within our society." (ACT RT).

Table 5. Secondary Years 9 and 10 Explicit topics

Subject	Year / Unit	HR Topic / Issue	State/ Territory
History- Aboriginal & Indigenous History – Civics & Citizenship (C&C) History- Difference & diversity History- Gender History – Civics & Citizenship (C&C)	Year 10 Year 10 Year 10 Year 10 Year 9	Struggle for Rights & Freedom - Terra nullius, Land rights, Native title. Changing rights & freedom of groups, Active & informed citizens. Crime punishment, slaves, women (E). Struggle for rights & freedom of marginalized groups. Gender discrimination, Rights & freedom of women in 20th century Australia. Cultures of people - rights & responsibilities.	NSW NSW
History	Year 10 Year 9	Rights & freedom- UN human rights declaration, & Australia's role, civil rights. Aboriginal rights, US civil rights movement. Movement of people: Slavery, Progressive ideas: democratic rights, UN Declaration on Rights of Indigenous People. Globalised world: Migration: refugees. Australia & Asia: Making a nation: women's rights. Making a better world: movement of people (E).	Victoria, SA ACT, WA, NT
Geography	Year 10 (E) Elective Year 9 Years 9 & 10	Australia and its Regional & Global Contexts: Human rights & reconciliation. Oceanography: Indigenous rights. Development. Geography: Patterns of global inequality, political & human rights, refugees, role and status of women. Political Geography: social justice, humanitarian aid. Life Skills course: Global Change: Fundamental human rights to: food, shelter, water, clean air, health, education, Global human inequalities, How citizenship protects fundamental human rights. Global Change: Globalization, Global inequalities, Global organizations. Global Geographical Issues: human rights, Indigenous people and self determination. Development Geography: development issues & formulation and evaluation of policies.	NSW Victoria
Civics & Citizenship - Community Engagement	Year 10	United Nations agreements, Australia as a global citizen.	Victoria, NSW, SA, Tasmania ACT, WA

We need to mention two further Subjects or units of study: *Aboriginal Studies*; and the *Personal Learning Plan*.

Aboriginal Studies: In Years 7 to 10 in NSW the Aboriginal Studies Syllabus had an elective that focused on students gaining knowledge and understanding of Aboriginal people and includes among the Course Options a topic - Aboriginal Interaction with Legal and Political Systems - where students learn about key Australian institutions impacting on the rights and freedoms of Aboriginal people.

Personal Learning Plans (PLP): There was also one standalone unit in both the South Australian and Northern Territory Curriculum - *Personal Learning Plans* (PLP) - that was compulsory for all students and was normally studied in Year 10. The syllabus contained one topic – Work skills – with a specific focus on the rights and obligations of workers (SA & NT RT).

Implicit

Roundtable participants and curriculum specialists helped by making suggestions about the existence of *implicit* opportunities available in following Subjects – *English*; *Science*; *Economics*.

English: The *English Years 7-10* curriculum did provide a range of *implicit* opportunities to link the study of texts that could be potentially related to human rights issues. In the NSW and Victorian English Syllabus there were *implicit* opportunities to address rights issues through the choice among the Suggested texts in NSW and VELS Syllabus in Victoria (NSW, Victoria RT). The newly developed English K-10 curriculum did include texts that related to Aboriginal and Torres Strait Islander people, intercultural and migrant experiences, insights into peoples and countries of Asia that could be potentially related to rights issues (Board of Studies NSW, Victorian Curriculum Assessment Authority).

Science: The *Science Years 7-10 Syllabus* in NSW included three areas among its Prescribed Focus Areas – *Applications and uses of science*; *Implications for society and the environment*; and *Current issues, research and development* - where there was potential to study human rights issues (NSW). One roundtable participant felt the new Australian Curriculum “provides a positive opportunity for the integration of issues relating to human rights...science as a human endeavour and the relationship between science and society ... provide openings” (ACT RT).

Economics: The *Economics* course in Years 9 and 10 in Victoria addressed Consumerism and ethical consumption and this was considered to be a big rights issue (Victoria RT).

Table 6. Secondary Years 7 - 10 Implicit topics

Subject	Year / Unit	HR Topic/Issue	State/Territory
English	Year 10 Year 9	Aboriginal and multicultural experiences in Australia. Aboriginal Australians in texts.	NSW ACT
Science	Years 9 & 10	Applications and uses of science, Implications for society and the environment, Current issues, research and development. Science as human endeavor, Science & society.	NSW ACT
Economics	Levels 9 & 10	Consumerism – ethical consumerism and the ways values.	Victoria

Primary (Years F/K to 6)

A feature of the debate about the place of human rights education in the school curriculum has been the call to include teaching about human rights from the early school years – i.e. from Foundation/Kindergarten through to Year 6 (AHRC 2011; 2010).

A number of participants at the roundtable discussions said that human rights education needed to start in the early school years, as they saw it as a ‘life long process’ (Victoria, Tasmania RT). Roundtable discussions also suggested that during Years K to 4 rights issues were not explicitly named or addressed in any subject areas across this stage, and there were more *implicit* opportunities in Subjects in Years 5 to 6.

A number of participants also highlighted the need for students to be introduced specifically to the issue of *child rights*, during these years and for child rights to feature as the main human rights issue that students learned about during their Primary school years.

There were a number of Subjects that *implicitly* addressed human rights issues in the Primary school years. As a Learning Area – *Human Society and Its Environment* – was identified as the main one to focus on. Within this area the Subjects considered relevant were: *History; Geography; Civics*

and *Citizenship*; and *PDHPE* [Personal Development, Health and Physical Education]:

- *History*: Aboriginal culture & histories from Year 3 to 6 (NSW, ACT); Year 5 Colonial history – Eureka Stockade (Victoria).
- *Geography*: the Social Systems and Structures area – in Stage 2 investigate rights, responsibilities in school & community - and Stage 3 includes rights and responsibilities within social systems and structures (NSW).
- *Civics and Citizenship* (Years 3 to 6).
- *Physical Development, Health and Physical Education (PDHPE)* K- 6: respecting diversity (Victoria), human sexuality, and values (NSW).

As mentioned above, a feature of the new Australian curriculum was that the *English* (F/K- 6) years curriculum also provided *implicit* opportunities, as a result of the General Capability statements and the recommended texts to support the teaching. The study of particular texts could involve a focus on a specific human rights issue, but these opportunities were never *explicitly* stated as human rights issues in any of the curriculum, syllabus or support documents.

Catholic and Independent schools

Catholic Schools - Social Justice and Social Responsibility

A feature of the Catholic Education system was its focus on aspects of Social Justice and Social Responsibility. Roundtable participants highlighted the fact that the ways in which each state and diocese across each state and territory applied these principles varied considerably and it was difficult to generalize. Therefore we have only been able to highlight a few examples that we were made aware during this study.

In NSW in 2002 the Catholic Education Commission issued a *Social Responsibility* document – one for Years K-6 and another for Years 7 to 12 - that was described as a resource to assist schools to promote a sense of social responsibility. In Years K-6 among the four main themes set out was one focusing specifically on *Rights and Responsibilities* and it suggested these issues could be explored in English, Human Society and its Environment (HSIE), and PDHPE subjects.

In Years 7 to 10 *Rights and Responsibilities* also applied to English, Geography, History, Commerce, Studies in Society, Community and Family

Studies and PDHPE subjects. In Years 11 and 12 they were suggested as relevant to English, Legal Studies, Society and Culture, and PDHPE.

Significantly, neither document specified particular human rights issues that could or should be addressed. This meant that it remained up to individual teachers and schools to see how and what social responsibility or social justice rights issues should be addressed.

Social Justice – Community Projects

Women's refuge - In the ACT one participant suggested that "social justice was very well developed in Catholic high schools." One example of the kind of Community Projects that students had taken part in over a number of years was visiting a women's refuge for young women. The practical involvement helped raise a range of issues and made a real impact "Like, they don't just take the money there. They actually work there and see how it operates. It's quite powerful" (ACT RT).

Restorative justice

A further example was the way one Catholic primary school in the ACT had involved its students in a restorative justice project. The project had served as a "really powerful tool for talking to students about human rights" (ACT RT).

Catholic Social Justice agencies

Another important feature of Catholic schools was their ability to engage in social justice activities through a number of Catholic organizations in each state, linking students to the work of Catholic agencies such as Caritas and the St Vincent de Paul Society (WA RT).

Studies of Religion

A feature of most non-government schools (both Catholic and Independent) was that they required students to study religion, as a result a subject like *Studies of Religion* was seen as important. It provided "a number of opportunities where human rights could be embedded in some of the key topics, such as, religion, state relations, ethics and spirit learning" (QLD RT).

Impact of Human Rights Legislation

An important development at both a state and territory level has been the passing of the ACT *Bill of Rights* (2004), and the Victoria's *Charter of Human*

Rights (2007). Importantly both pieces of legislation have outlined a set of human rights that now have statutory protection in their state or territory. Unfortunately to date there appears to have been little impact of the legislation on their respective school sectors or on student learning, with most of the rights education efforts taking place across the public sector or the wider community.

ACT Bill of Rights (2004)

The importance of the ACT *Bill of Rights* (2004) was noted by ACT roundtable participants and they felt that passing the legislation had helped to raise the profile of human rights in schools. However no specific ACT curriculum initiatives were mentioned. Instead it was suggested that students needed to have human rights issues integrated formally into the school curriculum, together with informal opportunities for students to engage with human rights issues while they attended school (ACT RT).

Victorian Charter of Human Rights (2007)

There was strong state government support for the role of education about the *Charter of Human Rights* during the period 2008 to 2011 (Victoria RT). However few resources have been devoted to educating teachers and students about the rights covered by the Charter and bringing about changes to the Victorian school curriculum: “After the Victorian Charter was passed there was significant activity within government, including training of public servants, training school leavers, ensuring that the Victorian Charter was taken account of in school policy documents and the like” (VEOC Interview).

One roundtable participant and a representative from the Victorian Curriculum Assessment Authority suggested there were a few places in Victoria’s Australian Curriculum syllabus documents that are located under the *Victorian Essential Learning Standards (AusVELS) F to 10 Curriculum*. The documents had specific references to the rights set out under the Charter. As part of its Teacher Support documents, the *Human Rights in the Victorian Essential Learning Standards* section refers to the Victorian Charter, a set of key human rights to address and provides examples of elements across a few selected subjects across school Levels 1 to 6. Significantly, rights feature most specifically at the higher levels, in Levels 4, 5 and 6, and across the *Civics and Citizenship* units.

Other Learning Opportunities

Although the main focus of this study is on the opportunities available in the School Curriculum, participants at the roundtable discussions also highlighted a range of other important learning opportunities that were occurring in schools. These opportunities were not specifically mentioned in any curriculum or syllabus documents, but arose out of individual school, teacher or student interest and often involved school involvement with their local community and various community-based organizations. This part of the analysis has been assisted greatly by the presence of representatives from a range of NGOs at the roundtable discussions. Their input, together with a search of their websites has helped outline some of these opportunities. We have classified the activities noted into the following categories:

- Community-school initiatives;
- Special events and festivals;
- School excursions and camps.

Community-School Initiatives - Projects, Programs, Campaigns

A number of government human rights agencies such as the AHRC and NGOs play an important role in schools, helping to raise awareness of rights issues and assisting students and teachers to take action on specific human rights issues.

The work of a number of prominent NGOs is important because they do provide opportunities to address a range of rights issues. Here we have categorized the main activities of the NGOs we have become aware of as being:

- Broadly based rights;
- Civil, political, humanitarian rights and/or Refugee rights;
- Children's rights;
- Economic rights;
- Humanitarian rights;
- Indigenous rights.

Within these categories the human rights issues that have the highest profile in schools relate to - Indigenous rights, asylum seekers and refugees, famine, poverty, the rights of children, and prisoners of conscience and tor-

ture. In most cases these issues are addressed through NGOs being invited into a school for a class presentation or workshop to talk about their projects or campaigns, or raise awareness about specific rights issues. In a number of cases longer term projects or schools groups have been established, involving students and staff over a longer period. Among the most active and involved NGOs working with schools in various states and territories are:

Broadly based rights

- UN Youth Australia

Civil, Political, Humanitarian rights and/or Refugee rights

- Amnesty International Australia
- Asylum Seeker Resource Centre (Melbourne)

Child rights

- Save the Children Australia

Economic rights

- Global Education Project (AUS AID)
- World Vision
- Oxfam Australia
- Caritas

Humanitarian rights

- Red Cross Australia
- CARE Australia
- Engineers Without Borders (Victoria, ACT)

Indigenous rights

- Reconciliation Australia
- ANTAR
- Fred Hollows Foundation.

Information gained from roundtable discussions and website searches has helped in outlining below some of the human rights activities being carried out by these NGOs that are specifically relevant to schools, teachers and students.

Broadly based rights

UN Youth Australia

UN Youth Australia is a national youth led charity focusing on students aged 15 to 19 years. The program aims to educate Years 10-12 students about the UN and international relations, inspire them to take action on rights issues about which they are passionate and equip them with the skills they need to take effective actions. They organize the Australian Youth Forum, nominate each year an Australian Youth Representative to attend the UN General Assembly, hold a National Youth Conference and the Evatt Competition (a national Model UN debating competition for students in Years 9 to 12 which runs in all states and territories).

Civil, Political, Humanitarian rights and/or Refugees

Amnesty International Australia

Amnesty International began in the UK in the 1960s focusing on the plight of prisoners of conscience around the world. Among its current campaigns in Australia are those on refugees' human rights, Indigenous People's rights, Individuals at risk of detention and torture, violence against women, ending the death penalty, and ending the Arms Trade. With offices in most states, mostly run by volunteers, part of its work focuses on involving young people and working with schools. For example in NSW it visits almost twenty-five secondary schools each year giving talks or presentations on specific human rights issues. Almost sixty secondary schools have students attend Amnesty's annual schools conference (NSW RT).

In Victoria Amnesty International's Schools Network operates mainly in Independent and Catholic schools involving few government schools. Although a recent ban on Amnesty International by Catholic schools in Victoria over its (Amnesty International's) stand on abortion rights has limited its work with Catholic school students in Victoria (Victoria RT).

Amnesty International offices in smaller states like South Australia, Tasmania and Western Australia are less able to work directly with schools, due to a smaller level of staffing and volunteer pool (Amnesty International).

Asylum Seeker Resource Centre (Melbourne)

The Asylum Seeker Resource Centre (ASRC) in Melbourne focuses on the rights issues of asylum seekers and refugees and responds to requests

from a school or a teacher to visit their school and give a presentation about the issues associated with asylum seekers. Most requests come from independent secondary schools.

The presentations generally last from one to one and half hours and while most of the students are in secondary school, there have also been visits to primary schools – classes upwards from Year 3. Generally the ASRC receives requests from Civics & Citizenship and History classes, as well as some English classes that are studying texts such as *The Rugmaker of Mazar-e-sharif* in Year 11 or 12 (Victoria RT).

Child rights

Save the Children Australia

Save the Children Australia is a “leading independent emergency relief and development organisation for children” that also works internationally in over one hundred twenty countries. A major part of its work is on child rights. Led by its Victorian office Save the Children has been working to ensure school students learn about child rights and human rights from their early school years, by trying to embed a study of child rights issues into all school learning. The main Save the Children office in Melbourne office does not have a person dedicated to working with schools, although staff in both NSW and South Australia do have a role in working directly with schools (Save the Children).

The South Australian office of Save the Children has led a number of school initiatives, such as the *Speaking Out* program exploring child rights, child labor, and child soldiers; the *Global Peace* program for secondary schools, taking a whole-schools approach to peace. Their most recent program is a child rights education resource *Finding My Magic*, released in 2011 that targeted K-6 primary school children. In South Australia Save the Children distributed almost a thousand copies of the DVD and print resource to SA schools during Children’s Week (SA RT).

Economic rights

Global Education project (AusAID)

The Global Education project (GE) is funded by the Australian Government’s Australian Agency for International Development (AusAID) and works with the support of Education Services Australia. Centers in the

major states work to address a range of global development issues such as food security, water security, and the rights for women. Their materials and programs do help address human rights issues in *History* and *Geography* subjects (SA RT). The project provides school teachers with a range of resources to address global issues and the emerging field of global education across the school curriculum. Most of its activities are focused on teacher professional development and providing teaching resources.

The Global Education Centre in South Australia focuses on assisting teachers to address development issues, by developing teaching resources, organizing seminars and teacher professional learning sessions, generally for one hour after school, whole days at school or through annual teacher association conferences, English and History (SA RT). According to the Centre about two thousand South Australian teachers take part in their sessions each year. Human rights and social justice are covered as one of five main areas addressed by GE centers. Among a number of school case studies, one that focused on human rights was a Year 5/6 class at Beachlands Primary School in Western Australia (Global Education).

World Vision

World Vision is a Christian voluntary organization working to improve “the lives of disadvantaged and at-risk children and communities” through Child Sponsorships, the *40 Hour Famine*, other campaigns and advocacy and its *Global Leadership Convention*. Students and young people are encouraged from an early age to make a commitment to financially sponsor a child in a developing country to help meet their basic needs.

The *40 Hour Famine* organized each year by World Vision in each Australian state and territory was mentioned as an exemplar for involving school students in actively learning about a human rights issue such as hunger (ACT page 12). In NSW more than five hundred fifty schools, mostly secondary schools, are involved each year in the *40 Hour Famine*. The *Global Leadership Convention* involves students in Years 10 to 12 in an annual event held in six states and territories focusing on specific issues like child labor in India and developing and inspiring students to work for justice in the world. World Vision also involves young people aged 15 to 25 years through its *VGen* youth movement that works actively against social injustice and poverty. A few *VGen* groups have been set up in NSW schools. Young people and students have also taken up ongoing rights issues through recent World

Vision campaigns such as *Don't Trade Lives* - a campaign against human trafficking and slavery or *Child Health Now* - a campaign to reduce child and maternal mortality (World Vision).

Oxfam Australia

Oxfam Australia has been working to fight poverty and injustice through campaigns and responding to emergencies in third world/developing countries around the world for more than fifty years. Based in Melbourne, it has offices in NSW, Queensland, South Australia and Western Australia. Among its current campaigns are those focused on addressing poverty (*Make Poverty History*), addressing famine and hunger, growing food sustainably, climate change, fair trade (*GROW, Climate Change, Make Trade Fair*), Indigenous health (*Closing the Gap*). The *3 things Oxfam youth movement* “offers opportunities for secondary students to think and behave as ethical global citizens,” engaging young people to ask questions, support actions, and spread the word among their peers. It also organizes the annual *Walk Against Want* that attracts many secondary and primary school students, and Oxfam’s *International Youth Partnerships*. Oxfam also provides a number of education resources for teachers to involve students in Oxfam projects (Oxfam).

Caritas Australia

Caritas Australia is the Catholic Church’s international aid and development organization that works in over thirty developing countries. Grounded in the Catholic Social Justice Teaching tradition it supports long-term development programs in impoverished communities in Africa, Asia, East Timor, the Pacific, Latin America and Australian Indigenous communities. Among Caritas’ school resources are curriculum and topic specific resources for primary and secondary schools, including for its annual fund raising and community engagement project - *Project Compassion* (Caritas).

Humanitarian rights

Red Cross Australia

Red Cross Australia, which celebrates its centenary in Australia in 2014, and says it is the largest humanitarian organization in the world. Red Cross works as an impartial, neutral and independent charity helping out

in natural disasters, crises and emergencies, acting to uphold the Geneva Conventions or 'rules of war', collects blood through its Blood Service, and trains and provides first aid. The only program aimed at young people is the Red Cross Young Humanitarian group where young people can join on Facebook and participate through donations, volunteering, or getting involved in their national youth leadership networks (Red Cross).

CARE Australia

CARE Australia is an Australian non-denominational charity, part of a network of twelve national CARE organizations providing humanitarian aid, emergency relief, development assistance and fighting poverty. Among its long-term projects are helping families produce food, improve health of communities especially mothers and children, clean water, sanitation and environmental health. A special focus is on women's empowerment – educating women and helping women out of poverty. One of its fundraisers is the *Walk in Her Shoes* Challenge (CARE Australia). It provides CARE speakers for talks in schools focusing on aspects of global poverty and CARE Australia's *Global Poverty: Teacher's Toolkit* is a resource to help teach students about poverty, through case studies and planned lesson activities (Care Australia).

Engineers Without Borders Australia

Engineers Without Borders Australia (EWB) is a not-for-profit organization focused on involving young people in practical hands-on actions bringing about change through "humanitarian" engineering. Based in Melbourne Engineers Without Borders operates a *High Schools Outreach* Program where its members, mostly in major capital cities, lead a science education program for secondary school students. The focus is on addressing real humanitarian engineering issues in developing country communities, such as the need for "clean water, sanitation and hygiene, energy, basic infrastructure, waste systems." They apply engineering knowledge and work on projects with other NGOs in South Asia, South East Asia and Australian Aboriginal students and in 2012 its schools program won 'Science Engagement Initiative of the Year' in the 2012 Western Australian Science Awards.

One example mentioned in the ACT roundtable was the organization of workshops involving students tackling a real life engineering project for a developing country. In this case the project had students investigate and come up with a way of making water filters for a village. According to one

roundtable participant the students were looking at how they could apply the local technologies and the local knowledge to build up something that was sustainable. He felt this approach worked because for students “that’s where you could make connections between technology and science content, and understand science as a human endeavor, and [go] back to human rights” (ACT RT).

Indigenous Rights

Reconciliation Australia

Reconciliation Australia (RA) is a national organization promoting reconciliation between Aboriginal and Torres Strait Islander peoples and the Australian community. RA organizes Reconciliation events across Australia, Closing the Gap Conversations, celebrations during National Reconciliation Week, and a schools Reconciliation Action Plan program. In NSW it also stages a *Schools Reconciliation Challenge* that showcases a school’s commitment to reconciliation, focusing on children aged 10 to 16 years. A major recent campaign is their *You Me Unity* campaign, which is working to support the recognition of Indigenous Australians in the Constitution.

ANTar ((Australians for Native Title and Reconciliation)

ANTar is a national advocacy community-based organization dedicated to working to achieve justice, rights and respect for Aboriginal and Torres Strait Islander peoples. One of the activities organized by ANTAR that has involved school students is the *Sea of Hands* and has produced a schools kit to help students create their own *Sea of Hands* installation. More recently ANTAR has been organizing Constitutional Recognition presentations as part of a national effort to have Aboriginal and Torres Strait Island peoples recognized in the Australian Constitution.

Fred Hollows Foundation- Diplomacy Training Program (NSW/NT)

The Fred Hollows Foundation works to end avoidable blindness, restore sight in Aboriginal communities in Australia, and developing countries in Africa, South Asia, Southeast Asia and the Pacific. Young people are able to get involved in various fundraising activities and volunteering. The Foundation celebrates the UN’s *International Day of the World’s Indigenous Peoples* and as part of its work to empower Indigenous advocates for the

rights of their people in health, education and social justice issues (Fred Hollows Foundation, Darwin RT).

Special Events and Festivals

Another important way school students are able to learn about a range of social issues is through class involvement in local or national community based special events or festivals. Schools are able to choose from a number of special events and festivals that take place over the school year and focus on particular rights and social justice issues. We have listed a number of the most prominent events that do involve schools.

Human Rights Day (December 10)

Human Rights Day is the day that marks the adoption in December 1948 when the United Nations adopted the *Universal Declaration of Human Rights*. In Australia the AHRC encourages the commemoration and celebration of the day. AHRC has also produced a set of resources aimed at Year 9 and above classes in subjects such as Civics and Citizenship, Society and Environment, Design and Technology, English, Legal Studies, and International Studies (AHRC).

National Reconciliation Week (27 May to 3 June)

National Reconciliation Week is an annual week of celebrations to recognize the place of Aboriginal and Torres Islander peoples within Australia and marks two important events in Australia's Indigenous history – the 1967 Referendum and the 1992 *Mabo* decision in the High Court. Celebrations are organized in schools and across the Australian community.

NAIDOC Week (7- 14 July)

NAIDOC Week is a national event in July that celebrates the history, culture and achievements of Aboriginal and Torres Islander peoples. Schools celebrate aspects of Aboriginal history and culture and cover the history of reconciliation (ACT RT).

Refugee Week (16 to 22 June)

The Refugee Council of Australia organizes *Refugee Week* events and celebrations nationally for a week in mid June as a way of raising public

awareness about refugees and celebrating their positive contributions to Australian Society. The week always includes World Refugee Day (June 20) and a *Refugee Week Resource Kit* is produced to help organizers including teachers to prepare for the week.

Harmony Day (March 21)

Harmony Day is part of an Australian Government funded initiative to promote community harmony and address racism and involves schools across the country as a day to celebrate cultural diversity. The day coincides with the UN's *International Day for the Elimination of Racial Discrimination*.

Fairer World Festival (Hobart)

An example of an annual festival that involves school aged children is the *Fairer World Festival* in Hobart that specifically involves children aged 9 to 11 years (NSW RT).

School Excursions or Camps

An important and continuing form of other learning opportunities outside the classroom is school excursions or school camps. A few examples have been listed below.

Parliament House Canberra visits

One of the excursions that involve many primary school students in NSW and Victoria during their upper primary years is visiting Parliament House in Canberra and the Democracy Museum in Old Parliament House as part of their learning about civic and political rights.

Melbourne school visits

In Victoria schools, especially those outside Melbourne, arrange school excursions that last a week in Melbourne, enabling students to visit places like the Immigration Museum, the Asylum Seeker Resource Centre, and Courage to Care (an exhibition on Holocaust Awareness and bystanders coordinated by the Jewish community). Also as the Eureka Stockade rebellion of 1854 is an important part of Victoria's colonial history and Australia's struggle for democracy, many schools also organize an excursion to Ballarat

to visit the Eureka Centre's Museum of Australian Democracy at Eureka and learn about the struggle for rights in the 19th Century (Victoria RT).

The Big Issue visits

School students in Melbourne and Sydney are able to learn about issues related to homelessness through a schools program run by *The Big Issue*, which involves homeless people talking about their experiences of homelessness with school children (NSW & Victoria RT).

Conclusion

Analyzing the curriculum opportunities for the teaching of human rights across Australian state and territories remains a complex and multi-dimensional task that has not been attempted in any previous study, prior to this one. Given the difficulties of engaging with all curriculum authorities, syllabus and curriculum documents across each school sector, and taking into account the changing landscape of the Australian Curriculum process, a number of insights can be drawn from our analysis.

Before setting out any learning opportunities it is important to consider which human rights students are expected to learn about across their school learning stages. Among the key curriculum dimensions to consider across each of three key stages of learning are whether: human rights topics are explicit or implicit, compulsory or optional elective, sector specific initiatives and the range of other curricular learning opportunities. The main findings are:

- the Senior Years 11-12 provide the most *explicit* and *implicit* learning opportunities to study topics that are clearly related to human rights issues.
- only a small number and proportion of students are likely to study human rights issues to any significant extent across their school years
- study of human rights issues takes place without any clear overall definition of rights, and mostly without any overarching context or link back to UN declarations, treaties, conventions or recent Australian rights legislation.

Senior Years

- the main *explicit* opportunities found in this study are in *History, Geography, Legal Studies* subjects and the *Civics and Citizenship* unit.
- a number of subjects with small enrolments, and not widely available, also provide explicit opportunities. The subjects are in a few learning areas – Politics; Society and Culture; Aboriginal Studies; Women's Studies; and Religious Studies.
- *implicit* opportunities were found in *English; Science; Economics & Business*.
- only a few Subjects – *History, Australian & Global Politics, Australian & International Politics, Aboriginal Studies* - specifically mention any UN human rights declarations, treaties or conventions or Australian legislation.

Secondary Years

- across the Secondary Years 7 to 10, it was mainly Years 9 and 10 that offered the main explicit opportunities – in *History, Geography, Aboriginal Studies* and *Civics and Citizenship* units.
- the main *implicit* opportunities across Years 7 to 10 were in *English, Science, and Economics* subjects.

Primary Years

- human rights did not appear to be *explicitly* mentioned across the Primary school years. Implicit opportunities were found mostly in the *Human Society and its Environment* (HSIE or its equivalent) Learning Area.
- the main relevant subjects included *History; Geography, English, Physical Development Health & Physical Education* (PDHPE); and *Civics and Citizenship* units.

Impact of state and territory human rights legislation

Despite the ACT in 2004 and Victoria in 2007 enacting important state based human rights legislation, these legislative steps have generally had little impact on their schools – although Victoria has provided some links to a number of syllabus documents and a set of teacher support documents.

Other learning opportunities

Valuable, interesting and wide-ranging human rights education work is being undertaken in schools by a number of government agencies and key NGOs.

- the types of activities they provide include community-school initiatives (projects, programs and campaigns); special events and festivals; and school excursions and camps.
- the human rights issues addressed by key NGOs can be categorized as being broadly rights-based; addressing civil and political rights; children's rights; economic rights; humanitarian and Indigenous rights.

While it is recognized that individual NGOs are undertaking valuable work in promoting human rights in schools, this tends to happen on an ad hoc basis, and it is difficult for sustained relationships to be developed between NGOs and schools.

Importantly, while all together these findings show a set of fragmented and somewhat limited opportunities that are concentrated in the last few years of schooling and studied by a only a relatively small number of students overall, what is already in place does provide a basis for building up a more detailed and comprehensive approach to human rights education in the Australian school curriculum.

Any initiatives will need to be led by a number of key staff with a knowledge of the curriculum development process, have an understanding of the complexity of Australian school sector and be aware of the valuable role of government agencies and NGOs in providing a range of key other learning opportunities to schools.

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Impacts of Australian Policies on LGBTIQ Student Rights

Tiffany Jones

The legal obligations of States to safeguard the human rights of LGBT and intersex people⁴ are well established in international human rights law on the basis of the Universal Declaration of Human Rights and subsequently agreed international human rights treaties. All people, irrespective of sex, sexual orientation or gender identity, are entitled to enjoy the protections provided for by international human rights law, including in respect of rights to life, security of person and privacy, the right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination and the right to freedom of expression, association and peaceful assembly (United Nations, 2012, page 10).

IN JUNE 2011, the United Nations (UN) Human Rights Council adopted resolution 17/19 – the first United Nations resolution on human rights, sexual orientation and gender identity. It received support from Human Rights Council members from all key regions. The UN has placed pressure on all countries, including Australia, to support greater recognition of discrimination on the basis of sexual orientation, gender identity, gender expression and intersex status in direct legislative provisions (UN Human Rights Council, 2011; United Nations, 2012; United Nations High Commissioner for Human Rights, 2011).

LGBTIQ Rights in Education

Lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) students are largely overlooked in education efforts around the world (Carlson, 1992; Moran, 2000; Sears, 2005; Stieglitz, 2010). There exist controversies about their inclusion even in “progressive” countries like Australia (Kissane, 2009; Marr, 2011). A national survey of Australian secondary school students found that about 10 percent of students are same-sex attracted (Smith, Agius, Mitchell, Barrett, & Pitts, 2009). Bisexuality may count for upwards of one-third of young people’s sexual experiences (Sears, 2005, page xx).

Also, 1.7 percent of students are “born intersex” and a growing number have “transgender,” “genderqueer” and “variant” gender identities (Carroll, 2005a, 2005b). Thus, at least one tenth and perhaps over one third of Australian students may find LGBTIQ-themed topics personally relevant. Moreover, many students (regardless of whether or not they identify as LGBTIQ) experience homophobic bullying.

In 2011, two hundred UN member-states attended a panel discussion held in New York entitled “Stop Bullying – Ending Violence and Discrimination Based on Sexual Orientation and Gender Identity.” There the UN Secretary-General Ban Ki Moon contended:

Bullying of this kind is not restricted to a few countries but goes on in schools [...] in all parts of the world. This is a moral outrage, a grave violation to human rights and a public health crisis (UN Secretary-General, 2011).

The United Nations Educational, Scientific and Cultural Organization (UNESCO) held the First International Consultation on Homophobic Bullying in Educational Institutions in Rio de Janeiro, Brazil on 6-9 December 2011. The event was attended by government and non-governmental representatives and education research experts on the topic from key continents (US National Commission for UNESCO, 2011) – including myself – who collaborated to create the *Rio Statement on Homophobic Bullying and Education for All* (UNESCO, 2011). The statement, released on the 2011 International Human Rights Day, stated that the right to education must not be “curtailed by discrimination on the basis of sexual orientation or gender identity.” The Global Safe Schools Coalition was formed and had several meetings (Brazil 2011, Paris 2012, South Africa 2012, Argentina 2013, etc.) with representatives of UNESCO and US government funding and leadership. Goals have been set by the network for collaborating on research, policy and resource development. Its publications have included a review of key international research (UNESCO, 2012b), educational policy guidelines (UNESCO, 2012a), videos, resources and other texts for use in schools and teacher education around the world.

Backlash to LGBTIQ Student Rights

The US, the UK and Australia have embraced their role in the Transnational LGBTIQ Rights Movement.² They have developed foreign policies on international investigation, diplomatic pressure, boycott and restriction of aid to countries in lower socio-economic level based on LGBTIQ anti-discrimination achievements (Pace, 2013; Pollard, 2013; Robinson, 2011). The US has particularly contributed funds to Global Network's gatherings – thus gaining a privileged role in determining who is funded for which events, which goals would be pursued and how (Edwards, Fisher, & Reynolds, 2007). Representatives from countries such as Ireland, Brazil, Finland, South Africa and Israel have been quite active in promoting collaborative policy developments.

However, there has been significant global tension, resistance and backlash to their efforts. Russia banned “homosexual propaganda” in schools, with President Vladimir Putin directly declaring his aim to prevent the “interference” of “certain countries” on Russian children, schooling and governance (ACARA, 2012; Jenkin, 2012). Many African governments have been outraged at the attempts at Western influence (Douglas, 2012; Pflanz, 2011; Rehman, Lazer, Benet, Schaefer, & Melman, 1999; Robinson, 2011) on the LGBTIQ issue. Ugandan politicians cited foreign influence as a motivation in introducing what was termed the “kill the gays bill” (Fisher, 2012; Phoon, 2010), Nigerian educators have been said to construe new homosexual identities as a foreign import in ways that erase the work on culturally-specific LGBTIQ sexualities in their cultural history (Igwe, 2009). India rejected recommendations to combat school homophobic violence and Poland committed to protect “the natural family and marriage” from the movement (Fisher, 2012). In Taiwan, the Ministry of Education released a memo about thwarting the development of homosexual students (*The China Post*, 2010). While in 2011 it did plan to bring reform and promote homosexual equity education in primary schools according to the Gender Equity Education Act (性別平等教育法), it backed down in 2012 following protests from conservative groups. (Chi-wei, 2012)

At the Third International Human Rights Education Conference in Poland in 2012, homosexuals were directly likened to “animals” by one invited keynote speaker. Several attendees (including myself) walked out in protest, but considering the room was packed with “human rights educa-

tion advocates” there was surprisingly little outcry. Just because LGBTIQ education issues have been acknowledged by the UN, UNESCO, and now for the first time as a direct theme in the Fourth International Human Rights Education Conference (for this development I commend the organizers), it should not be assumed that LGBTIQ students’ rights are widely supported – even by human rights educators. Many education bodies and even some individual human rights advocates (particularly those more concerned with the right to freedom of religion) *refute* the need for educational policies protecting LGBTIQ students on the basis of “moral” rejections. Others remain unconvinced of the potential for such policies to have any impact. For those who do not see the need to protect LGBTIQ students, or believe they cannot be protected, I now provide information from my Australian study regarding these students’ experiences at school and the power of policy.

Study on Australian Students

This study aimed to explore the usefulness of constructions of LGBTIQ students in the dominant discourses of Australian secondary schooling educational policy. It specifically answered the following research questions:

1. What are the dominant discourses on LGBTIQ students in Australian educational policies?
2. How were the students constructed in the policies?
3. Were these approaches useful in combatting discrimination or negative wellbeing issues for LGBTIQ students?

In this study I took an emancipatory approach to the topic, conducting the research towards the interests of LGBTIQ students and therefore privileging the view that if such students experienced policy protection as somehow useful (directly or indirectly) then relevant educational policy was necessary, and vice versa.

I employed a mixed method based on Critical Discourse Analysis (CDA) attributed to Fairclough’s *Language and Power* and subsequent texts (Fairclough, 1989, 1992, 1998, 2000), and drawing on post-structuralism and critical linguistics. Fairclough’s approach analyses discourse as a social practice that is potentially discernible in texts, interactive practices and contextual practices. The study drew on three data sources and reflected on the relationships between them. These were:

- i. data from the third national survey of Australian LGBTIQ young people aged 14-21, collected for the Writing Themselves In 3 project (Hillier et al., 2010; Jones & Hillier, 2012)³
- ii. over eighty Australian policy documents that relate directly or indirectly to the sexuality education of LGBTIQ students (mainly from national, state-specific and independent education provider websites); and
- iii. eight confidential interviews with relevant policy informants from key state-level education departments, policy committees and advocacy agencies. The paper focuses specifically on data from Victoria, New South Wales and Queensland.

Results of the Study

Policies, Discourses, Constructions

Australian educational policies on LGBTIQ students comprised varied terrain at the time the study took place in 2010. At the time there was no national anti-discrimination law protecting LGBTIQ people in Australia, so there was no national protection for students. The first goal of the *Melbourne Declaration on Educational Goals for Young Australians* (MCEETYA, 2008) outlined a commitment from all governments to ensure an education service free from discrimination based on “gender” and “sexual orientation,” among other traits (page 7). Yet its action plan omitted this focus, so that the Declaration’s reference to orientation “surprised” most policy informants interviewed (from policy officers to activists) and had not been enforced. LGBTIQ student issues were absent from national independent sector policies.

Eight Australian states and territories banned discrimination on the basis of sexual orientation. Most states also banned discrimination on the basis of gender identity, except the Northern Territory and Tasmania.⁴ However, there were exemptions for religious schools in all state laws. Only two state education sectors had direct policy protection for LGBTIQ students: New South Wales’ (NSW) government schools and Victoria’s (VIC) government schools. In NSW there was a direct one-page memo-style policy against homophobia in schools (Boston, 1997). This memo reminded principals in 1997 of state anti-discrimination law on grounds including “homosexuality”, requiring them to “address homophobia” through student welfare and Personal Development, Health and Physical Education (PDHPE)/ sex education cur-

riculums. It had become an online policy. It featured an Anti-Discrimination Discourse's legal framing of sexuality as a potential discrimination ground in its vocabulary, grammar and textual structures. It framed LGBTIQ students as "potential victims" to be protected from violence according to law, and as "potential complainants" in schools who could potentially sue the school.

Investigation of the development of the policy through key informants and reports revealed that it was, itself, the result of such a lawsuit. The year it was issued a young gay student Christopher Tsakalos had provided evidence of discrimination in court proceedings against the New South Wales Department of Education and Training (DET) and Cranebrook High School; detailing his experience of weekly bashings by large groups of students (Kendall & Sidebotham, 2004). The action against the DET was settled with Tsakalos returning to school and implementing anti-homophobia training; damages were sought from the school for its breach of duty of care (Kendall & Sidebotham, 2004). The case set a precedent and Director General Ken Boston issued the policy memorandum and advised that the DET would gather information on the incidence of homophobia in secondary schools (Thonemann, 1999).

The NSW DET investigated two schools (using forty one interviews with staff members and students) to understand the enabling conditions for teaching about homophobia, and recommendations were made for teacher training and the mainstreaming of gender and homophobia as educational issues (Thonemann, 1999). The state also mandated sex education to combat homophobia (Board of Studies NSW, 2003; Catholic Education Commission NSW, 2004), and required formal democratic teaching approaches around "controversial issues" (NSW Government, 1983). A policy officer informant identified the NSW Anti-Homophobia Interagency (AHI, which includes for example the NSW DET, Police and Twenty10 GLBT Youth Support) and the Network of Government Agencies (NOGA, chaired by the Attorney General's Department), as key structures enabling the recommendations to be tackled via conferences, research and training.

Victoria (VIC) featured the most explicit pro-diversity policies in the public sector; principally the eight-page *Supporting Sexual Diversity in Schools* (VIC Government, 2008) and large sections on gender identity and sexuality in other policies (VIC Government, 2007, 2010). These policies mobilized Safe and Supportive Spaces Discourse's framing of sexuality as safety issue, and constructed LGBTIQ students as having their psychological

wellbeing endangered when subjected to unsupportive environments. The policies also, to a lesser extent, showed features of Anti-Discrimination, Inclusive Education and Diversity Education Discourses in their vocabulary, grammar and textual structures.

The Victorian policies were the result of highly publicized research on homophobia and activism in the late nineties and start of the new millennium, according to key policy informants. A research report had highlighted problems for LGBTIQ youth in schools. Initially, one researcher said, the Victorian Education Department at the time “fought us on the front of the newspaper.” Shortly after, a new Labor government made a pre-election promise to Victorian LGBTIQ voters to establish an LGBTIQ Health Ministerial Advisory Committee (MACGLH) if elected. A policy committee member informant explained that key gay activist Labor party members used their influence to deliver the promise. The party was elected in 1999, the MACGLH was established in 2000, and over time the members created action plans and influenced politicians to consider LGBTIQ students’ needs. By 2005, the MACGLH pressured the Education Department’s Student Wellbeing Branch to include homophobic abuse in anti-bullying policies. Initially, MACGLH informants said the department staff members were resistant to developing the policies, but the activists repeatedly brought up the issue. They organized a private data briefing with researchers on homophobic bullying to further convince the staff. Ultimately, informants say “the nagging and the data” led to the inclusion of strategies against homophobic bullying in the subsequent anti-bullying educational policies. Victorian policy staff said policies on LGBTIQ students no longer have to go through as much “tape” because the sector had started to become more pro-active on the issue.

Several Victorian policy committee informants argued that the MACGLH, LGBTIQ rights champions and the use of research underscored Victoria’s extensive policy achievements. Such public evidence and political support is now impacting other states to turn the tide in favor of LGBTIQ students’ rights. Victoria also had a Safe Schools Coalition funded by the Victorian Government, which educates schools on LGBTIQ issues and requires that members develop anti-homophobia policies at the school-level, and engage in particular strategies to support LGBTIQ people (such as treating same sex couples equally at school dances and formal events, engaging in anti-bullying education and so on).

LGBTIQ Student Demographics

The national survey data on Australian LGBTIQ young people aged 14-21 exposed particular identity trends for the group. Of the 3,134 participants, 56.35 percent were female, 40.36 percent male, and 2.90 percent “gender questioning” (genderqueer, transgender or “other” categories⁵). Over one third of the students had known their sexual identity before puberty. Concerning sexual identity; 55.87 percent identified as gay/lesbian/homosexual, 28.10 percent bisexual, 5.26 percent questioning, 4.18 percent queer, and 4.18 percent gave an alternative response such as pansexual.⁶ Another 1.12 percent identified as “heterosexual,” but included themselves in the survey due to feelings of same sex attraction or because they questioned their gender status. Girls were less likely to identify as homosexual than boys (38.52 percent of girls vs. 82.42 percent of boys were homosexual) but more likely to identify as bisexual (43.58 percent of girls vs. 9.42 percent of boys were bisexual). The “gender questioning” group was more evenly divided in their identifications (28.89 percent were gay/homosexual/lesbian, 24.44 percent queer, 22.22 percent bisexual, and 20.00 percent ‘other’).

Survey participants were asked what type of school they attended/attended most recently. The 3,094 responses mimicked broader Australian demographics: 65.16 percent attended government schools, 17.58 percent Catholic schools, and 11.86 percent other Christian schools. The remainder attended Jewish, Steiner, Islamic, secular private, and other schools. In total, 60.61 percent of LGBTIQ students reported having experienced verbal homophobic abuse (70.22 percent of boys, 53.39 percent of girls and 65.93 percent gender questioning youth), and 18.07 percent had experienced physical homophobic abuse (23.17 percent of boys, 13.72 percent of girls, and 30.77 percent gender questioning youth). Further, 26.08 percent reported other forms of homophobia including rumors, graffiti and cyber-bullying (75.72 percent of boys, 63.92 percent of girls, and 81.32 percent gender questioning youth). Of those who were abused, 80.00 percent underwent the experience(s) at school.

Therefore, while LGBTIQ students are present in all Australian education sectors (primary, secondary and higher), they are not always welcome there. Overall, the homophobic abuse has significantly increased since previous national surveys in the past decade or so (Hillier et al., 1998; Hillier, Turner, & Mitchell, 2005). I speculate that this increase in general violence against

LGBTIQ students in Australia could possibly be related to the fact that more LGBTIQ students come out in Australia now at younger ages as opposed to remaining closeted (as was more common in the past), so that they are therefore a more “visible” target. It could also perhaps be due to the homophobic backlash in the Australian media against LGBTIQ marriage rights advocacy and anti-discrimination efforts by activists, which appears to have created a period of volatile and divisive change in the country, such that while more people are speaking out “for” LGBTIQ students, more people are also speaking out “against” them – including local politicians and religious leaders – in ways which could be a contributing factor towards violence.

The Impacts of Policies for LGBTIQ Students

LGBTIQ students’ schooling experiences were impacted by particular state and sector-specific contexts. Participants were asked if their school had policies that protect them against homophobia: 42.95 percent selected “Don’t Know,” 31.80 percent selected “No,” and 25.25 percent selected “Yes” ($N=3,101$). The LGBTIQ students who attended government schools were more likely ($p < 0.001$, $\chi^2=36.510$, $df=4$) to report policy-based protection (26.46 percent), and less likely to report they were not protected (28.99 percent). Lower percentages of LGBTIQ students who attended religious schools reported policy protections; for example Christian schools (23.77 percent) and Catholic schools (19.30 percent). This decrease reflected legal and policy contexts.

Another highly significant factor influencing perceived policy protection was state, in a comparison of Victoria, NSW and Queensland ($p < 0.001$, $\chi^2=25.290$, $df=4$). Although through those (and all) states more LGBTIQ students “didn’t know,” the highest percentage of LGBTIQ students who perceived themselves as protected by policies came from Victoria (29.79 percent). They were followed by those from NSW (26.53 percent). This reflected how those two states had direct protections in place, and particularly the way in which Victoria had more policies. It appeared direct policy protections did translate into increased protection for LGBTIQ students according to these correlational data. Both states had lower percentages of students who believed themselves to not be protected by school policy (Victoria - 29.36 percent, NSW- 31.16 percent). In Queensland, a reduced portion of

LGBTIQ students were protected by policy (19.45 percent). Queensland also had the greatest percentage of students who reported that they were not protected (38.73 percent). Therefore, it appeared LGBTIQ students' sense of security at school was indeed related to direct state-level policy protections.

Breaking down the statistic further by distinct sectors; more LGBTIQ students who attended Victorian government schools reported that there were policy protections than did not (31.93 percent yes, 26.01 percent no). On the other hand, smaller percentages of LGBTIQ students who attended Victorian Catholic schools reported there were policy protections (20.69 percent yes, 36.78 percent no). Pointedly, LGBTIQ students attending the NSW other Christian independent schools were much more likely to report their school did not have protection than those students in other sectors (12.66 percent yes, 54.43 percent no). Therefore, it appeared that school policy-based protection of LGBTIQ students did to some extent 'trickle down' to students' reporting of school-level policy, although the existence of sector or state-level policy-based protection did not directly determine student perceptions of protection or actual school-level policies.

Messages Received by LGBTIQ Students

The sexuality messages that students received inside classrooms were also related to policy contexts. Survey participants could select from fourteen key sexuality messages that they received in their classes. These messages were abridged versions of school sexuality education discourses resultant from a broader literature review on the history of international sexuality education (detailed in Jones, 2011a; Jones, 2011b). The overwhelming majority selected a specific combination of messages; particularly 'How the body changes at puberty' (87.50 percent received this message) – showing the dominance of Physical Hygiene Discourse. Other popular messages were 'About protecting against sexual dangers' (STDs, pregnancy) (84.59 percent) and 'How humans mate and reproduce' (84.59 percent); messages typical of Sexual Risk and Biological Science Discourses.

Therefore, Australian lessons (from the perspectives of LGBTIQ students) clearly privileged both conservative discourses and liberal discourses. These discourses focused on the "normative" sexual development of males' and females' physiques, heterosexual breeding and sexual risks. These themes excluded LGBTIQ identities, issues and pleasures. More criti-

cal discourses (including anti-homophobia messages) and post-modern discourses (such as messages disrupting the requirement of normative gender performances by boys and girls) did not prevail. Distressingly, some LGBTIQ students received no education on sexuality at all, or were taught that sex outside of marriage was wrong (in a country where same sex marriage is not legal). In addition, just under one tenth of Australian LGBTIQ students were being taught to convert to heterosexuality (a damaging message strongly denounced by the APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation, 2009).

Policy-based Protection

A range of strong associations suggested that policy-based protection can make a positive difference for Australian LGBTIQ students (see Table 1). Firstly, policy-based protection had highly significant relationships with reduced likelihood of thinking about self-harm, actual self-harm, suicidal ideation and attempted suicide. Generally, 36.92 percent of students had thought about self-harm. But only 31.55 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school had these thoughts, compared to 46.55 percent who said their school had no policy, and 32.96 percent who did not know.

Table 1. Relationships between LGBTIQ Students' Perceived School Policy Protection and Psycho-social Measures

Psycho-social Measures	Pearson Chi-Square	df
Thought about engaging in self-harm (N=3,101)	57.964***	2
Self-harmed (N=3,101)	43.000***	2
Thought about attempting suicide (N=3,101)	65.493***	2
Attempted suicide (N=3,101)	37.787***	2
How safe they feel at school (N=2,994)	201.966***	4
How they feel about their sexuality (N=3,095)	24.679***	4
Overall rating of their school as supportive (N=3,003)	595.892***	4

Note. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Likewise, 30.80 percent had self-harmed in total, but only 25.67 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school had done so, compared to 38.64 percent who said their school had no policy, and 28.00 percent who did not know. Additionally, while 37.02 percent of students had thought about suicide overall, only 34.10 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school had done so, compared to 47.16 percent who said their school had no policy, and 31.23 percent who did not know. While 16.54 percent had attempted suicide, only 12.77 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school had done so, compared to 22.21 percent who said their school had no policy, and 14.56 percent who did not know. Thus, well-promoted school policy protection against homophobia appeared to contribute to a context that decreased LGBTIQ students' suicide and self-harm risks.

Secondly, policy-based protection had a highly significant relationship with LGBTIQ students' increased feelings of safety at school. In total, 61.29 percent felt safe at school; however, 75.07 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school felt safe there (compared to 46.11 percent who said their school had no policy, and 64.19 percent who did not know). In total, 11.96 percent of LGBTIQ students felt unsafe at school reducing to only 6.04 percent of students who reported school policy protection feeling unsafe, (compared to 21.83 percent of students who reported no policy protection, and 8.28 percent who were unsure). Therefore, perceived policy protection appears to contribute to a context in which students feel safe, and decreases their sense of danger.

Thirdly, policy protection had a highly significant relationship with students feeling good about their sexuality. Generally, 78.74 percent felt good about their sexuality. Yet 84.53 percent of LGBTIQ students who were aware of policy-based protection against homophobia at school felt good about it, compared to 77.66 percent who said their school had no policy, and 76.13 percent who did not know. In addition, 3.72 percent felt bad in total. This included 2.56 percent of LGBTIQ students reporting awareness of policy, 4.67 percent reporting no policy, and 3.69 percent who were not sure. Thus, perceived policy protection appears to contribute to a context where students feel safer, and their sense of endangerment decreases.

Lastly, from Table 1, policy protection had the most highly significant relationship of all correlations with the students' rating of their school as supportive. These data come from a question asking the students to rank

their school on a five-point scale from homophobic to supportive. Of the 1,156 students who classified their school on the homophobic end of the scale, the majority (51.80 percent) reported there was no anti-homophobia policy at their school (35.60 percent did not know, and only 12.60 percent reported there was a policy). Of the 1,269 students who classified their school as neutral, the majority (53.10 percent) did not know if there was an anti-homophobia policy at their school while the rest were evenly divided (23.90 percent reported no policy, and 23.00 percent reported there was a policy). Yet of five hundred seventy eight students who classified their school on the supportive end of the scale, the majority (55.70 percent) knew there was an anti-homophobia policy at their school (33.90 percent did not know and only 10.40 percent reported no policy). This suggests that policy protection is positively related to LGBTIQ students' appraisal of their schools, and is useful as a factor in making them feel "supported by their school" or contributing to "supportive environments." In addition, the presence of known policy lessens the likelihood schools will be experienced as "homophobic." Some LGBTIQ students' awareness of policies may mediate their impression of their schools directly. However, data on reduced homophobic abuse in schools with policy protection (see Table 2) suggest protection from homophobic abuse itself, at the ground-level, could be the key contribution of policy. Schools with known policy protection featured less verbal, physical and other types of homophobic abuse. This lessened abuse likely decreases negative impacts for students, including their willingness to self-harm.

Table 2. Relationships between LGBTIQ Students' Perceived School Policy Protection and Homophobic Abuse

Abuse Type	Pearson Chi-Square	df	Percentage of students abused at school whose school had policy:	Percentage of students abused at school unsure of policy context:	Percentage of students abused at school whose school had no policy:
Verbal homophobic abuse (N=1,876)	35.253***	2	25.18%	36.62%	38.20%
Physical homophobic abuse (N=561)	18.283***	2	23.20%	29.40%	47.40%
Other types of homophobic abuse (N=2,143)	26.842***	2	25.12%	37.25%	37.63%

Note. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$

Conclusions

The data suggested the value of distinct, well-promoted educational policies that directly provide LGBTIQ students with protection from homophobic discrimination and bullying. Such educational policies ideally contain a direct anti-homophobia message, and encourage the promotion of the well-being of LGBTIQ students. Like the Victorian model, they should also make recommendations for specific features of schools which create supportive school environments through messages of inclusion and affirmation (supportive posters and displays, library resources, equal treatment of same sex partners at events, flexible options in gendered uniforms, and the dissemination of information about counselling).

The research presented in this article has been subsequently used to successfully advocate for national protection for LGBTIQ students through an amendment to Australia's national anti-discrimination law (Jones, 2013a; The Senate Legal and Constitutional Affairs Legislation Committee, 2013). However, despite my own and other advocates' efforts, exemptions were allowed for religious schools, except in their service provision to intersex students (who were seen as biologically different from other LGBTIQ students and not a particular challenge to religious dogma). I maintain that exemptions for religious schools in anti-discrimination laws should be removed. It is not necessary for the religious institutions, school staff and parents to discriminate against students in educational provisions (by ignoring bullying against them, seeking their expulsion or otherwise) in order to express their faith. Protection can be extended to LGBTIQ students in ways that are congruent with the moralities at the heart of various faiths through a focus on safety, love, kindness and other concepts. As UN Leadership have argued:

[People] are free to disapprove of same-sex relationships, for example. They have an absolute right to believe – and to follow in their own lives – whatever religious teachings they choose. But that is as far as it goes. The balance between tradition and culture, on the one hand, and universal human rights, on the other, must be struck in favour of rights (Pillay, 2012).

The research discussed in this paper has also been used to advocate for and develop policy provisions in several Australian states which previ-

ously lacked such guidelines. For example, there have been developments in states including Queensland (Jones, 2013b), Tasmania (Jones, 2012a; TAS Department of Education, 2012), Western Australia (Jones, 2012b; WA Equal Opportunity Commission, 2012) and South Australia (SA Department for Education and Child Development, 2011). It has been useful to encourage sectors to look to best practice models in Victoria in particular in their policy development processes, and to include local LGBTIQ stakeholders and parents groups in their preparation.

In the Australian Capital Territory (ACT) Education Minister Andrew Barr asserted that the research served as inspiration for “ramping up efforts to stamp out homophobia in ACT schools” in other ways (Barr, 2011). In addition to developing policies and guidelines, sector leadership is encouraged to also support sexual and gender diversity through curriculums, resources and equal treatment at events. Teacher educators and school staff are encouraged to police homophobia and provide an inclusive environment for LGBTIQ students.

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Endnotes

¹My emphasis.

²Some of these findings were previously reported in the journal *Sex Education*.

³This online survey questioned self-identified Australian same sex attracted and gender questioning young people aged 14-21 from all Australian states and territories about their health and wellbeing. A total of 3,134 (valid) surveys were collected and analyzed, and a full report (including discussion on ethics, methodology, recruitment, findings and a copy of the questionnaire) is available at www.latrobe.edu.au/ssay/assets/downloads/wti3_web_sml.pdf.

⁴Grounds are termed 'sexuality' in the Northern Territory and homosexuality, bisexuality or transsexuality' in Tasmania.

⁵Other categories included 'intersex', 'not sure', 'somewhere in between' and 'no gender'. Some 'gender questioning' students questioned not themselves, but the concept of gender.

⁶Most commonly 'pansexual', 'bi-romantic', 'myself' or a direct refusal of labels altogether.

Perceptions of Parents and Teachers in India on Play and Child Rights: A Comparative Study

Usha Ajithkumar Malayankandy

INDIA IS A PREDOMINANTLY HINDU NATION with large minorities of Muslims, Christians, Sikhs, Buddhists and Jains. There are more than three hundred seventy-five million children in India, the largest number for any country in the world. Obedience to authority, passivity, and interdependence are highly valued. Parents traditionally have high authority over the lives of their children. Mothers are the primary disciplinarians. Discipline is often strict and children are taught to obey their parents. Scolding, yelling, slapping, and spanking are considered appropriate and necessary for socializing children.

Children are expected to do well in school as they possibly can, as education is highly respected in Indian society. Play is generally considered a mere wastage of time and energy.

Significance of Play

Play is essential to a country's development because it contributes to the cognitive, physical, social, and emotional well-being of children and youth.

It is a resource that promotes creativity, which can be used during adulthood. It is also invaluable in its contribution to the development of thinking and ideas.

It is viewed as a fundamental right of childhood; as expressed in Article 31 of the United Nations Convention on the Rights of the Child. Interest in providing quality play opportunities for children gradually increased, and the need for international action was evident. In 1955 a major seminar on playgrounds was held in Europe. In 1961, the International Play Association (IPA) was born. Though India is a member of IPA, it is not actively promoting the IPA Declaration of the Child's Right to Play.¹

Children no longer have the freedom to explore woods and fields and find their own special places. Informal neighborhood ball games are a

thing of the past, as children are herded into athletic leagues at increasingly younger ages. Add to this mixture the hours spent sitting still in front of screens - television, video game, and computer - absorbing other people's stories and imaginations, and the result is a steady decline in children's play. Increasingly, preschool and kindergarten children find themselves in school settings which feature scripted teaching, computerized learning, and standardized assessment. Physical education and recess are being eliminated as new schools are built without playgrounds. Children's play, in the creative, open-ended sense is now seriously endangered.

The demise of play will certainly have serious consequences for children and for the future of childhood itself.

Since a child has distributed time for home and school, the child also has distributed time with parents and teachers. However, even those children who are fortunate enough to have abundant available resources and who live in relative peace are not receiving the full benefits of play. Because every child deserves the opportunity to develop to their unique potential, child nurturers must consider all factors that interfere with optimal development and press for circumstances that allow each child to fully reap the advantages associated with play.

Therefore, a question arises: what is the perception and awareness about play among the two groups who play critical roles in children's lives?

Children's time is distributed between the parents and teachers. If the parents are the first teacher for the child, the teachers are the second parents for children. Since kindergarten, children are handed over to the teachers and teachers nourish them and bestow them with love, support and good habits. Parents, on the other hand, are responsible for the overall development of the children. Therefore, it is imperative to survey the parents and teachers' perception and awareness of importance of play in the lives of children.

In the following sections, I report on a survey of parents' and teachers' perception and awareness of importance of play in the lives of children.

Survey Objectives

The survey had the following objectives:

1. To study the perception of teachers with respect to play in the development of children;

2. To study the perception of parents with respect to play in the development of children;
3. To study the awareness among the teachers of intellectual, emotional, social and physical values of play in the development of children;
4. To study the awareness among the parents of intellectual, emotional, social and physical values of play in the development of children;
5. To compare the awareness of parents and teachers of intellectual, emotional, social and physical values of play in the development of children.

Methodology of Study

The survey adopted a Descriptive Comparative Method. It covered sixty-six parents and seventy-six teachers of pre-primary and primary classes in the district of Greater Mumbai in India.

The survey employed the following tools:

1. Questionnaires
 - » parent's perception of play (eleven multi-choice items)
 - » teachers' perception about play (nine multi-choice items)
2. Rating scale
 - » scoring used the following scale: Agree - 3 points, Neutral - 2 points, Disagree-1 point. The scoring for negative items was reverse.
 - » this rating scale was used to quantify the following:
 - awareness of role of play in intellectual development of the children - twenty items, seventeen were positive item and three were negative items
 - awareness of play in emotional development of the children – with sixteen items, fifteen were positive items and one was negative item
 - awareness of role of play in social development of the children – all positive items.
 - awareness of role of play in physical development of the children - eleven items, all positive items.

Procedure and Data Analysis

All six questionnaires were close-ended. Feedback from five experts validated the content of the tools. The questionnaires were distributed to parents and teachers with required instructions, and collected after two days.

The data collected were scored, tabulated and analyzed. The descriptive analysis of the data consisted of computation of percentage, mean and graphical description. For inferential analysis, t- test was computed.

Descriptive Analysis of Data

The following tables present response to specific items in the questionnaire.

1. Which of the following statement reflects your opinion the most?

Statements	Teachers	Parents
a. Play is enjoyment, fun, and amusement	79%	74%
b. Play leads to social development	77%	60%
c. Play leads to cognitive development	67%	30%
d. Play is physical activity	69%	73%
e. Play is creativity and imagination	54%	41%
f. Play is non-structured activity	44%	4%
g. Play is child's work	26%	29%

Most of the parents and teachers perceive play as enjoyment, fun, and amusement. They also understand the role of play in social and physical development of children. While teachers regard the cognitive role of play, parents are not convinced about it.

2. Which of the following statement reflects your opinion the most?

Statements	Teachers	Parents
a. To me, play and learning is the same thing	13%	8%
b. To me, play is different from learning	8%	16%
c. To me, play must be combined with learning	84%	75%

Play is the child's laboratory but very few parents and teachers regard play and learning as the same thing.

3. Which of the following statement reflects your opinion the most?

Statements	Parents
a. Everyday first play and then lesson/study	34%
b. Everyday first lesson/study and then play	61%
c. Lesson in the week and play at the weekend	4%

Play is so important to optimal child development still parents perceive it as a reward to be given after the child has completed her/his study.

4. Which of the following statement reflects your opinion the most?

Statements	Parents
a. Play is waste of time	0%
b. Play is good but for spare time only	61%
c. Children can't always play they have got to grow up	29%

Most parents perceive play as a spare time activity. They also feel that children have to stop playing at some stage and grow up. All parents agree play is not waste of time.

5. Depending on the degree of significance, put in order the environments below that you believe have influence in social and emotional development of your child in order.

Statements	Parents' ranking
a. Environment where my child plays with his/her friends	1st
b. Environment where my child plays with his/her family elders	2nd
c. Environment where my child plays with his/her toys him/herself	3rd

Parents perceive child's play with his friends as most significant followed by her/his play with family.

6. Depending on the degree of significance, put in order the most common reasons why parents play with child.

Statements	Parents' ranking
a. To detain the child	3rd
b. To communicate with child	2nd
c. To educate the child	1st

Parents perceive play as a medium of educating children.

7. In choosing toys for your child which criterion is primarily significant for you?

Statements	Parents
a. Developing imagination and creativity of my child	43%
b. Helping development of mind of my child and preparation him/her for school skills	63%
c. Providing detainment of my child him/herself for a long time	2%

Parents regard toys as helpful for the development of mind and preparation for school skills.

8. What does your child/children do when she/he stays at home?

Statements	Parents
a. Watching TV	73%
b. Playing Outdoors	53%
c. Playing indoors	41%

When at home, children spend their time mostly by watching TV.

9. What do you do when your child is playing?

Statements	Parents
a. Shopping	6%
b. Cooking	53%
c. Watching TV	18%
d. Play with the child	63%

Mothers are either cooking or playing with the child when their child is playing.

10. How much time should a child below six years play in a day?

Statements	Parents
a. less than 1 hour	2%
b. 1-2 hours	45%
c. 2-3 hours	35%
d. More than 3 hours	16%

Most of the parents feel children below six years require between 1-2 hours of play.

Statement	Agree	Disagree
I want to reduce the number of hours my child/children plays	19%	81%

Majority of the parents do not want to reduce their children play time.

11. *How often do you make provision for learning through play in your classroom?*

Statements	Teachers
a. Always	38%
b. Seldom	31%
c. Rarely	23%
d. Never	8%

Few teachers make provisions for learning through play.

12. *How do you promote play among your children?*

Statements	Teachers
a. Provide materials and equipment	58%
b. Provide space	38%
c. Provide time and opportunities	74%
d. Participate in play	29%

Majority of the teachers promote play by providing time and opportunities.

Statement	Agree	Disagree
Do you think that we should reduce the play activities in the classroom	2%	98%

Almost all the teachers think that play activities should not be reduced.

Statements	Teachers
a. Play is waste of time	2%
b. Play is something that you don't want to do but have to do	41%
c. Children can't always play they have got to grow up	7%

d. Play is good but for spare time only	11%
e. It is difficult to fit play into the curriculum	16%
f. Play is a reward to be given at the end of work	72%

Majority of the teachers perceive play as reward to be given at the end of work.

13. What kind of play do children like the most?

Statements	Teachers
a. Dramatic play	30%
b. Art activities	23%
c. Outdoor play	67%
d. Playing with blocks	15%

Teachers think that most children love outdoor activities.

14. What kind of things interferes with children's play?

Statements	Teachers
a. Overprotective parents	66%
b. Parental attitudes about play	44%
c. Discipline problem	52%
d. Limited equipments	41%
e. Rigid schedules	70%
f. Inadequate space	66 %
g. Bad weather	26%

Teachers think that rigid schedules, inadequate space and overprotective parents interfere with play.

15. *Where do the children play?*

Statements	Teachers
a. Playground	89%
b. Classroom	64%
c. Corridor	33%

Inferential Analysis of Data

In order to test the null hypotheses, ‘t’ test was used.

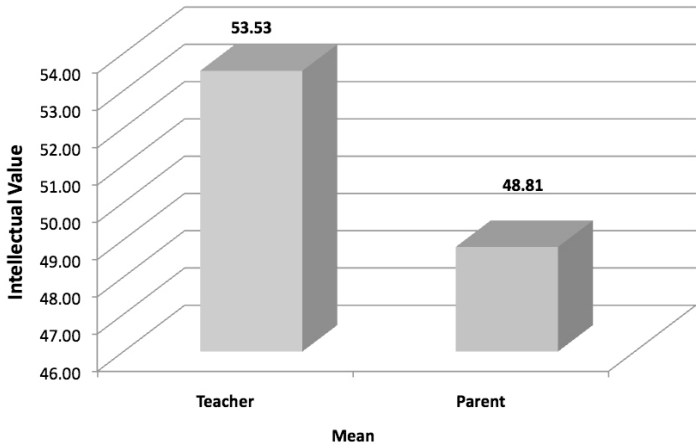
1. Relevant Statistics for Significance of Difference between Means for intellectual Value

Null Hypothesis 1: There is no significant difference in the awareness of parents and teachers with respect to the awareness of the intellectual value of play.

Intellectual value	N	M	SD	t	Table Value (0.05)	S/NS
Teachers	76	53.53	5.53	4.78	1.98	S Df=140
Parents	66	48.80	2.65			

Interpretation - Since the obtained value of ‘t’ is greater than the table value the null hypothesis is rejected at 0.05 level of significance.

Graph Depicting Mean Value of Teachers and Parents



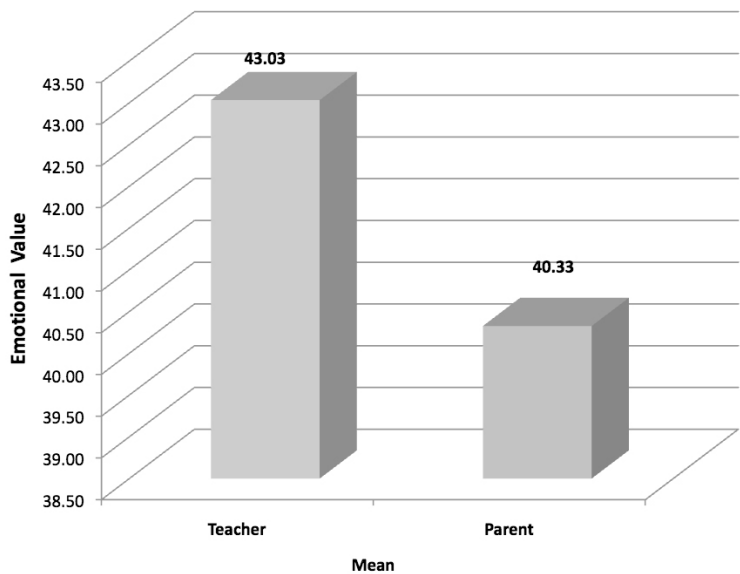
Conclusion - There is a significant difference in the awareness of teachers and parents about the role of play in the intellectual development of the children. The mean value of teachers' awareness is higher than that of parents.

2. Relevant Statistics for Significance of Difference between Means for Emotional Value

Null Hypothesis 2: There is no significant difference in the awareness of parents and teachers with respect to the awareness of the emotional value of play.

Emotional value	N	M	SD	t	Table Value (0.05)	S/NS
Teachers	76	43.03	5.73	0.0016	1.98	NS Df=140
Parents	66	40.33	2.90			

Graph Depicting Mean Value of Teachers and Parents

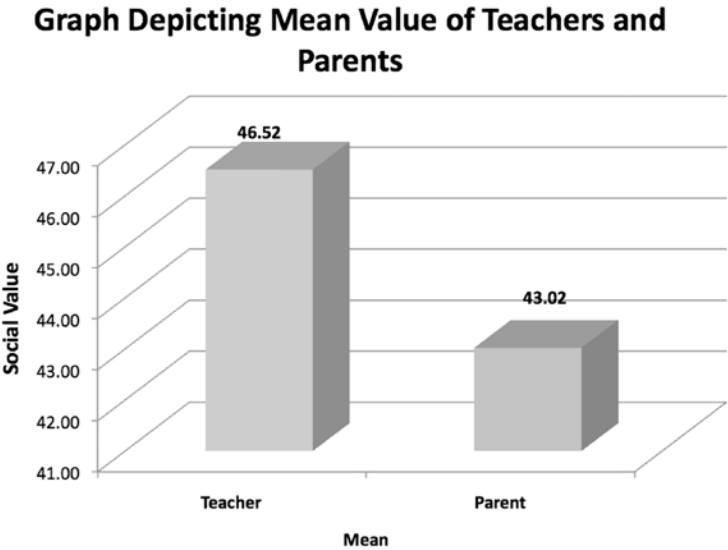


Interpretation - Since the obtained value of 't' is lesser than the table value the null hypothesis is accepted at 0.05 level of significance.

Conclusion - There is no significant difference in the awareness of teachers and parents about the role of play in the emotional development of the children.

3. Relevant Statistics for Significance of Difference between Means for Social Value

Null Hypothesis 3: There is no significant difference in the awareness of parents and teachers with respect to the awareness of the social value of play.



Social value	N	M	SD	t	Table Value (0.05)	S/NS
Teachers	76	46.52	6.71	0.0009	1.98	NS
Parents	66	43.02	4.11			Df=140

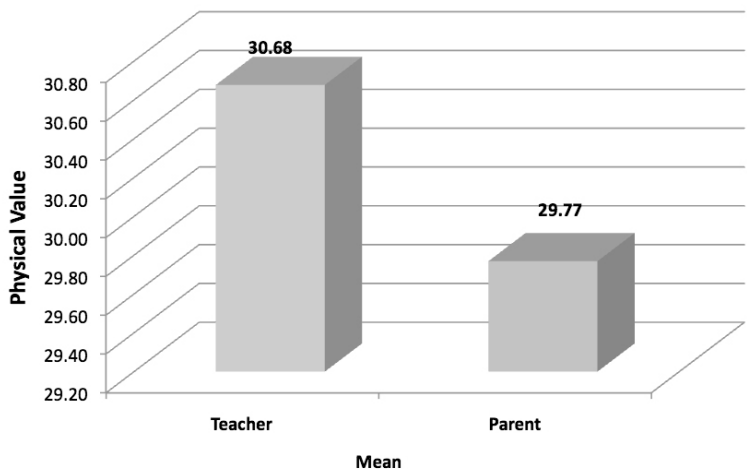
Interpretation - Since the obtained value of ‘t’ is lesser than the table value the null hypothesis is accepted at 0.05 level of significance.

Conclusion - There is no significant difference in the awareness of teachers and parents about the role of play in the social development of the children.

4. Relevant Statistics for Significance of Difference between Means for Physical Value

Null Hypothesis 4: There is no significant difference in the awareness of parents and teachers with respect to the awareness of the physical value of play.

Graph Depicting Mean Value of Teachers and Parents



Physical value	N	M	SD	t	Table Value (0.05)	S/NS
Teachers	76	30.68	3.44	0.2397	1.98	NS
Parents	66	29.77	4.54			Df=140

Interpretation - Since the obtained value of ‘t’ is lesser than the table value the null hypothesis is accepted at 0.05 level of significance.

Conclusion - There is no significant difference in the awareness of teachers and parents about the role of play in the physical development of the children.

Major Findings and Discussions of the Study

Parents’ and Teachers’ Perception of Play

The study was an eye-opener as it generated far reaching findings.

Both parents’ and teachers’ definitions of play included enjoyment, fun, or some type of amusement; social development; cognitive activity and physical activity. Though play promotes cognitive development most par- ents do not regard this role of play though a majority of teachers perceive

the intellectual role of play. The significant people who should play a vital role in promoting play in the lives of children do not perceive play as involving creativity and innovation.

Play is about creating a world in which, for that moment, children are in control and can seek out uncertainty in order to triumph over it – or, if not, no matter, it is only a game. In this way, children develop a repertoire of flexible responses to situations they create and encounter. Therefore, children should be given control of play situations, but most parents and teachers do not consider play as child's activity but something that requires adult interference.

In spite of what Piagetian theory says about how preoperational children learn through active involvement and interaction with their environment, which is facilitated through play, parents and teachers seemed to be separating play and learning into a dichotomy; children were either playing or they were learning.

Play and learning go hand-in-hand but most of the parents and teachers feel they are different and components of learning has to be combined into play by careful planning.

The articles of the CRC are often grouped into the 'three Ps': protection, participation and provision. Children can create their own self-protection through play, and that play is the principal way in which children participate within their own communities. Play acts across several adaptive systems and contribute to health, well-being and resilience. Given the benefits of play and the consequences of playlessness, it is clear that play is fundamentally linked to children's rights as a whole. Play is not a luxury to be considered after other rights; it is an essential and integral component underpinning the four principles of the CRC (non-discrimination, survival and development, the best interests of the child, and participation). But majority of parents and teachers feel play is an activity meant to be undertaken during spare time. Children should play only after study that too if time permits.

Parents consider the environment the children play with their friends as most influential, followed by the play with family and siblings. While selecting toys for playing, parents are keener on the educational role rather than development of imagination and innovation. Parents play with the children with the purpose of educating. Communicating through play was ranked only second to educating.

Most of the students spend their free time watching TV. Playing outdoors comes only next to viewing TV. While children are playing mothers are cooking, but a lot of mothers do play with their children. Most parents think a child below six years needs to play only between one to two hours a day. Parents did not want to reduce the limited time they are giving their children to play.

Whether children are working on new physical skills, social relations, or cognitive content, they approach life with a playful spirit. The children's love of learning is intimately linked with their zest for play. Hence learning and play should be integrated. Very few teachers make provisions for learning through play on a regular basis for the preprimary and primary children. Some teachers never made provisions for learning through play.

Teachers listed provision of a variety of materials and equipments and participation in children's play. Teachers also listed providing time and opportunities, and providing space. Teachers are not advocating reduction of play time in the school timetable because school already provides limited time for play.

If we are to save play, we must first understand its nature. Creative play is like a spring that bubbles up from deep within a child. It is refreshing and enlivening. It is a natural part of the make-up of every healthy child. But most of the teachers perceived play as something to be given at the end of work. Many also responded that making provisions for play is something they have to do but not want to. Many teachers felt it is difficult to fit play in the curriculum and play is good for spare time.

Majority of the teachers responded that children love outdoor games. Children also like dramatics, art activity and playing with blocks.

When teachers were asked what kinds of things interfered with children's play, the most frequently mentioned factors were related to adult interference, such as overprotective parents, adult criticism, and parental attitudes about play being a waste of time. Another major category was behavior and discipline problems of the children, including social and emotional problems and social attitudes and behaviors. Other factors mentioned frequently were limited equipment or supplies, rigid schedules, inadequate space, and health problem of children. A few teachers mentioned such factors as television and bad weather.

The children are not given enough opportunities to freely access a wide range of quality rest, leisure and artistic activities. When teachers were

asked where children play, the most frequently given response was play-ground. Another category of response was classrooms and the corridors of the school.

Awareness of the Role of Play among Teachers and Parents

Children are not machines. You cannot simply add more fuel and speed them up. They are governed by internal processes that are sometimes called the laws of child development. In general, all parents and early childhood teachers have a great responsibility to cater to the developmental needs of the whole children. Moreover they are responsible for helping and facilitating the children's development of prosocial skills that are necessary for them to succeed in society.

Although parents and teachers know the importance of play they do not seem to realize the implications of play in promoting and developing the whole child. The awareness among the teachers is significantly higher than that of the parents with respect to the intellectual value of play in the life of children. There is no significant difference in the awareness of teachers and parents with respect to the emotional, physical and social role of play. The mean value for teachers is higher than that for parents on awareness about the intellectual, emotional, physical and social roles of play.

Recommendations

The results from this study may prove useful to the parents, educational agencies, policymakers and psychologists in general and early childhood teachers in particular.

1. One implication of this study is that effort must be made to assist teachers, parents and administrators as well as policymakers to work collaboratively in the process of giving play its central role in children's learning programs and granting pre-school children their right to play and be free from academic pressure.

2. As play disappears from the landscape of childhood we need to recognize that its demise will have a lasting impact. Decades of compelling research have shown that without play, children's physical, social, emotional, and intellectual development is compromised. Their capacity for communication will be diminished and their tendency towards aggressiveness and vi-

olence will increase. In short, human nature as we have known it will be profoundly altered, intensifying many of the problems that are already afflicting children and society. If we do not invest in play, we will find ourselves investing much more in prisons and hospitals, as the incidence of physical, and mental illness, as well as aggressive and violent behavior escalates. Therefore it is imperative to launch National Effort to Restore Play in India.

3. An honest assessment is needed on the success or failure of direct instruction and other early academic approaches in kindergartens and nursery programs. In a seven-hour day, children get twenty-five minutes of being free from academics. Anyone who has had experience with five-year-olds will know that due to increased direct emphasis on academic success we fail to give enough importance to the activities listed in Article 31 that are necessary for the child's full and healthy development. We must focus on the question of what children need for their long-term healthy development.

4. Before it is too late and play has completely slipped out of the lives of young children, there is a need to organize public awareness campaigns about play's importance, directed at parents, teachers and policymakers.

5. The adults including parents, teachers, educational agencies, policymakers and psychologists should be aware of the importance of play, and promote and protect the conditions that support it. Any intervention to promote play must acknowledge its characteristics and allow sufficient flexibility, unpredictability and security for children to play freely. However, children's play belongs to children; adults should not destroy children's own places for play through insensitive planning or the pursuit of other adult agendas, or by creating places and programs that segregate children and control their play.

6. Teachers should use different types of play in developing prosocial behavior. They should not confine to one particular way of teaching or emphasize on formal way of teaching.

7. The parents should be given the opportunity to develop their knowledge regarding child development and parenting skills. Parents' education should be a compulsory component of any pre-school program. Pre-school teachers need to be stimulated and experts need to work together in finding methods that would lead to a more elaborate play among the children, to prolong it and make it interesting. The administrators responsible for pre-school should have at least a minimum level of preparation and experience

in the field. This is one of the ways by which we can listen to children's voices and fulfill their needs.

8. The Right To Play should be included as one of the Fundamental Rights in the Constitution of India. There is no doubt that once this right is included in the Constitution of India the status of Physical Education Games & Sports will be elevated to a very dignified required level.

9. The government should establish physical spaces for children. Parks should be set up that are eco-friendly and safe along with facilities for children to play.

10. Some of the challenges have to be addressed such as (dirty and pitiable condition of the parks, limited access to parks, bullying by older children and gambling, construction of temples and mosques in spaces that children themselves had cleared for games, encroachment by builders in the spaces allocated for parks, Resident Welfare Associations' (RWA) reluctance to allow children to play ball games in the parks, parks made ornamental, children losing out space to play due to grazing of animals and sewage pipes running next to the parks overflowing into the parks, lack of playgrounds, sports equipment and sports teachers in government schools, and lack of safety for girls.

11. The state authorities should also appoint qualified games teachers in schools for training children in different sports.

12. Some strategies to promote play include:

- Making physical education an examinable subject for academic credit to give it greater priority in the curriculum;
- Providing in-service training for school teachers in physical education methods to make teachers more aware of the importance of physical education;
- Providing teachers with the knowledge and confidence to deliver high quality, inclusive and enjoyable programs; and
- Conducting training to specifically address gender issues and how to deliver adaptive sport and physical education for children with disabilities.

13. Further research should be done to prove that play has significant impact in developing the healthy child.

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Endnotes

- ¹Full text of the IPA Declaration of the Child's Right to Play available at <http://ipaworld.org/about-us/declaration/ipa-declaration-of-the-childs-right-to-play/>.

Performing Childlore and Gender Roles in a Public School in Metro Manila*

Gerry Lanuza**

GENERALLY, children's folklore or "childlore" refers to "those traditions that are learned, and performed by children without the influence of adult supervision or formal instruction" (Grider, 1997, page 123). The earliest scholars of children's folklore were interested in preserving what they regarded as the dying traditions of childhood and focused on games, especially games with a spoken or sung component (Ronstrom, 1997, page 130).¹

In the present study, I connect childlore and children's play with the formation of gender identity.

Given the fact that gender issues are very much manifest in early childhood interactions, the present study is an attempt to contribute to the field of gender studies and folklore by focusing on the play of schoolchildren. Klintberg gives the most succinct definition of folklore: "traditional cultural forms that are communicated between individuals through words or actions and tend to exist in variation" (quoted in Klein, 1998, page 332). This definition embraces folklores common among children. Although children's play and games have been one of the earliest materials that folklorists had studied (Beresin, 1997; Grider, 1997; Sutton-Smith, 1968), the folklore shared among children was not often seriously studied by folklorists (Sutton-Smith, 1970).² The primary objective of this study, however, is not just to add to the growing literature on the subject, but to look at the persistent, unacknowledged 'symbolic violence' in the performance and transmission of gender roles in children's plays. Bourdieu (1990) contrasts symbolic violence with the overt violence of the usurer or the ruthless master; symbolic violence is gentle, invisible violence, unrecognized as such, chosen as much as undergone, that of trust, obligation, personal loyalty, hospitality, gifts, debts, piety, in a word, of all the virtues honored by the ethic of honor. (Bourdieu, 1990, page 127).

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This study focuses on children's play involving rhymes and actions to investigate the gender reproduction in the performance of play by children in a public primary school in Quezon City, Metro Manila, Philippines.

Schools are one of the major institutions where secondary socialization occurs. Considering the school as a site for studying folklore has not been typically appealing to most anthropologists and folklorists,³ yet there are a few studies that investigate the oral transmission of childlore in the school setting (e.g., Barnett and Kruidenier, 1981; Berkovits, 1970; Gulliford, 1992; Mechling, 1997; Mergen, 1997). As schools seek to instruct children in certain values and beliefs of the community, they are at the same time sites for production and reproduction of childlore. By sequestering children of the same age in one place, the school provides a fertile ground for children to create their own lore, to share their common symbols and meanings, and to transmit these meanings and symbols to others (Bruner, 1960). Through peer association, children learn to anticipate their future roles within and outside the school setting. Peer association produces networks of young people who share a more or less well-defined subculture or way of life. It is through this network that children can create their own lore and even distinctive ways of behaving as children of the same social set (McDowell, 1999).

En-Gendering Folklore and Deconstructing Gender in Play

Socialization is not innocent. It positions the subject into the existing competing discursive fields arranged along gender axes. The individual only becomes a sexed subject through identification with a discursive field. This is also the thrust of the Lacanian 'sexuation of the subject'. In this view, there is no pre-given subject prior to its entry into the symbolic order. The sexed subject is a position within a given symbolic field (Zizek, 1992). Yet, as feminists and Marxists have pointed out, discourses compete with each other within a given social field. Individuals, therefore, are both the site and subject of discursive struggle.

In a society constituted hierarchically along gender inequalities, the more powerful discourse reproduces itself through the constitution of the subject especially during the formative period of subject-making. And as George Herbert Mead, the father of symbolic interactionism, has shown, one of the most powerful arenas where the subject's identity emerges is

through play and games. As the child enters into the adult world, play and games become powerful rituals where children learn the “normal” subject-position relative to their sexed identity. Hence the importance of childlore.

Today, social constructionism, which defines gender as a form of discourse, is the ascending dominant paradigm in analyzing gender issues (see Weedon, 1987).⁴ Prescinding or detaching from Foucault’s poststructuralist analysis of text and Derrida’s deconstruction, contemporary post-feminists have shifted the focus of analysis from anatomy and biology to the power of discourses to create and sustain gender-biased stories and narratives.⁵ According to the social constructionist paradigm,

The fixing of meaning in society and the realization of the implications of a particular version of meanings in forms of social organization and the distribution of social power rely on the discursive constitution of subject positions from which individuals actively interpret the world and by which they are themselves governed. (Weedon, 1987, page 97)

It must be emphasized here that contemporary poststructuralist feminists introduce the notion of the body as necessary touchstone for the analysis of subjectivity. Discourses operate within the body and shape the body. Therefore, to study the discursive constituting of gendered identities, one must locate it within the body (Schiebinger, 2000). This emphasis on the body is all the more interesting considering that children’s plays always involve the body. The young and fragile bodies of children are the primary locus by which gender scripts and other mnemonic devices are imprinted. Studying childlore, therefore, essentially presents a dilemma. That is, it should recognize the intricate process by which sexuation through childlore is not a simplistic process of creating docile sexed bodies of children.

Game versus Play, the dilemmatic meaning of gender in play

For the present study, the concepts of ‘free play’ (*paidea*) and ‘play game’ (*ludus*), originally analyzed by Vygotsky (1992), are used as a frame to analyze childlore. Both play and games have rules, so what is the main difference between them? Callois employs the term *paidea* to refer to “prodigality of physical or mental activity which has no immediate useful objective, nor defined objective, and whose only reason to be is based in the pleasure experi-

enced by the player” (see Frasca, 2003, page 223). *Ludus*, on the other hand, is a term suggested by Gonzalo Frasca to refer to a particular form of play that is “organized under a system of rules that defines a victory or a defeat, a gain or a loss” (Frasca, 1999). Usually, play activities are associated with children, while games are thought to be more adult activities. The reason is that games have a strong social component, and young children need first to be socialized in order to perform these kinds of activities. After that period (approximately age 7 onwards), games start to be played.

Turning now to contemporary developmental study of childhood, most studies on children and play had been dominated either by the behaviorist paradigm (e.g., Pellegrini & Galda, 1991), or the cognitivist tradition championed by Jean Piaget (1962). The earliest attempt to analyze play from a phenomenological point of view is the pioneering study of Johan Huizinga (1950). Huizinga gives the following definition of play:

...play...[is] a free activity standing quite consciously outside ‘ordinary life’ as being ‘not serious,’ but at the same time absorbing the player intensely and utterly. It is an activity connected with no material interest. And no profit can be gained by it. It proceeds within its own proper boundaries of time and space according to fixed rules and in orderly manner. It promotes the formation of social groupings which tend to surround themselves with secrecy and to stress their difference from the common world by disguise or other means. (1950, page 13)

Based on this definition, Huizinga enumerates four fundamental characteristics of play. First, play is free. One engages in play voluntarily. Second, play is non-ordinary. Players step out of the real life into a temporary sphere of activity that is a product of make-believe. It lies outside the immediate quest for satisfaction of life. Third, play is staged within certain limits of time and space, yet the moment it is enacted, it is transmitted and becomes a tradition. Fourth, it creates order, it is order; it has rules that captivate the players and controls them. Fifth, play develops a play community that develops an aura of secrecy (Huizinga, 1950, pages 8-13).

Like rituals, children’s play is performed in privileged spaces and time, and sets off from the periods and areas reserved for work and study. Play transforms the space and time around it by setting itself off from the rest of the world.

During play, children are relatively self-absorbed in the performance itself and suspend the spatio-temporal dimensions of the outside world. It creates a separate frame (Goffman, 1972). Or, as Huizinga says, play “is rather a stepping out of real life into a temporary sphere of activity with a disposition all of its own” (1950, page 8). As Vygotsky points out, in play, action is subordinated to roles. Playing for fun serves as an exclusionary boundary against those who refuse to play.⁶ Play is a way of ‘framing,’ of delineating what is “acceptable” from what is not (Goffman, 1972).⁷

Huizinga’s phenomenological analysis leaves hanging the account of interaction among children themselves and how such activities constitute the individual identities of children. In short, there is a need to look for a theory that can explain how play itself creates selves and minds among children. Or, to put it differently, how play creates and positions subjects in relation to culture and society. This missing dimension is supplied by the revolutionary theory of Lev Vygotsky and George Herbert Mead (1967). Vygotsky’s views veer away from attributing the character of play to the psychological and developmental nature of the child.⁸ His analysis of play is based on socio-historical analysis of the genesis of the mind and individual development. Central to Vygotsky’s sociocultural analysis of the mind is that people’s higher mental functions are derived mostly from social context. Secondly, these higher mental functions are mediated by language as a tool for communication (Wertsch, 1991, page 21).

One cannot abstract the meaning of a sign from the social context where it is used (Wertsch, 1991, page 29).

Vygotsky, therefore, conceives of play as a “leading edge in the child’s development because through it [the child] begins to sever the direct connection between a thing, a situation, and an action” (Lee, 1985, page 90). What is important in Vygotsky’s analysis is that in play, the child learns to subordinate her impulses to the semiotic meanings of objects rather than to the objects themselves (Lee, page 90).

Newman and Holzman (1993) have rightly proposed that the proper reading of Vygotsky’s sociocultural analysis of play is to see it as contradictory or ‘dilemmatic’:⁹ On the one hand, play is revolutionary activity insofar as it involves imaginary situations and is concerned with meaning-making which is often novel and creative. On the other hand, play is also constraining. During play, the players lose their selves and are subordinated to the rules and semiotic meanings of the objects.

This is the same with the observation of George Herbert Mead who, like Vygotsky, realizes that in play children create imaginary roles, yet these roles subordinate children to rules. From this role-taking the self emerges.

Children get together to “play Indian.” This means that the child has a certain set of stimuli which call out in itself the responses that they would call out in others, and which answer to an Indian. In the play period the child utilizes his own responses to these stimuli which he makes use of in building a self. The response, which he has a tendency to make to these stimuli, organizes them. He plays that he is, for instance, offering himself something, and he buys it; he gives a letter to himself and takes it away; he addresses himself as a parent, as a teacher; he arrests himself as a policeman. He has a set of stimuli which call out in himself the sort of responses they call out in others. He takes this group of responses and organizes them into a certain whole. Such is the simplest form of being another to one’s self. It involves a temporal situation. The child says something in one character and responds in another character, and then his responding in another character is a stimulus to himself in the first character, and so the conversation goes on. A certain organized structure arises in him and in his other which replies to it, and these carry on the conversation of gestures between themselves. (Mead, 1964, page 151)

If play is a process of identity formation, then one must be attentive to the specificity of the gendered character of such process.¹⁰ Definitely, play is a means of transmitting and creating culturally defined roles, roles that are specific to each category of people who learn them. Like any other activity, play also structures the sexual character of identity formation. To play is to enter and participate into the ongoing narrative of life. Children gain access to the adult world via the mediation of the discourses contained within the play. This living of narrative is a way of inducting children to the adult life. Play positions the child within the space and time of the social narrative.

Play is a world in itself. It is only during play that children become so absorbed with an activity; similar to what Victor Turner (1986) calls “flow”.

Yet, while it becomes a self-contained activity, an imaginary world of make-believe, the freedom of activity within play is not absolute. For the freedom in play is already pre-defined by existing discursive rules and meanings (Newman & Holzman, 1993).

As pointed out earlier, the sociocultural analysis being pursued here considers the relationship between play and gender as a dilemmatic situation: the interplay of gendered meanings in play is contradictory and ambiguous. In play, children, to some degree, freely create their own situation and perform imaginary roles. Yet they do so only within the existing competing discourses already in place. Now, how do children construct and resist received discourses about gender? This is the main question this paper explores as a study of the relationship between schooling and how gender roles are reproduced through the process of childlore performance.

Methodology

This study was conducted in a public primary school in Quezon City. Participant observation was used among the schoolchildren at play outside the classroom. The ages of these schoolchildren ranged from 10- to 12-years-old (all Grade 3). Video recording of performance through camera¹¹ was employed. Active interviews were conducted among the children, both active participants who were instructed to perform the chant play and non-participants who were not informed about the observation process while playing.

Two classes were also instructed to submit a written account of their 'plays' as assignment. This included lyrics and verses, the rules of play, the goal of play, who can play, and the reason for playing. The assignments were gathered and compared to come up with the final version, the 'official format' of the play. The data interpreted came from four sources: text, performance, participant observation, and interviews. In all, I collected five 'plays' with chants and rhymes. They became the object of my analysis.

The best way to study childlore, especially plays involving chants and rhymes, would be to observe them in a natural setting. Unfortunately, these plays are not allowed inside the classroom. For the duration of my study, I failed to watch children playing these activities in the natural environment, so I had to ask them to perform these plays for me. The lyrics of the songs during the plays have different versions, so I crosschecked the 'official' lyrics by comparing different versions and asking the children themselves which is the 'right' one. There were variations in the spelling and some semantical differences.

Findings, Analysis and Interpretation

a. Significance of Play in the Everyday Life of Children

As discussed above, childlore can be free play or play game. In either case, these plays can be played by an individual or by a group. The children would engage in free play either as individuals or as a group especially when the teacher was not around. These individualized free plays also included the following: stomping on the table, writing on the board, looking outside near the window, and making faces.

The temporal dimension and spatial location of these free plays are very specific. First, they are performed inside the classroom. Second, they are done in times when the disciplinary gaze of the teacher is absent. The children engaged in playing to get rid of classroom boredom. In my fieldwork, I often overheard pupils commenting, “Ang tagal naman ng oras” [time is so slow]. Once, when I observed a class with no teacher, a pupil asked me what time it was. Then she calculated how much time was left before dismissal.

As groups, they also engage in play games like *mataya-taya* [tag], *taguan* [hide-and-seek], and, the most common, *habulan* [‘running after each other’/tag]. Group free play includes *tuksuhan* (teasing). Some children do group free play even during class time in the playground, but never inside the classroom.

The fact that there are spaces and time for these plays means that when children engage in play, they are not completely without constraints. Consequently, these constraints also have some bearing on the way children relate to rules and prohibitions.

The group game plays are usually done outside the classroom. The playground is the site of these plays and is designated as a space for playing. Insofar as the playground is a site for multiple activities, it is a contested space for demarcating play and non-play activities. When I asked some children why organized free plays cannot be done inside the classroom, the children simply laughed at my question. These rough plays are not allowed in the class! It is because the teacher says so. The children are therefore very excited if the teacher decides to let them play outside. In short, within a prescribed and given space for play, children also exercise their playful expressions.

In play, children invest their desire in play itself. To use the Lacanian vocabulary, play itself becomes the ‘*objet petit a*’, the object-cause of desire.

(As such, play is opposed to work.) Children say they play “because it is fun.” All other reasons are subordinated to this end. Some typical responses by both boys and girls when they were asked why they play are: “Wala lang, kasi nakakaenjoy pag-bored ako” [There’s no reason why I play, just because it’s enjoyable when I’m bored], “Gusto ko lang maglaro” [I just like to play], “Masaya kasi” [Because it’s fun].

In my interviews, most children said they prefer more animated or action-oriented play. They equate the pleasure they derive from play with its excitement. Excitement means more action and laughter. And children usually prefer their popular ‘plays’ rather than the pedagogical ‘plays’ taught by their teachers.

Girl: *Pangit kasi yong “Pass the Message” kasi tahimik lang laruin, di masaya. Di din ako nananalo at napipikon ako.* [“Pass the Message” is not such a nice game because it is quietly played, so it’s less fun. And I get annoyed because I never win.]

Girl: *Mas gusto namin ng maraming action kasi mas masaya. Pag konti lang di masyadong masaya.* [We prefer more action because it’s more fun.]

Girl: *Minsan lang namin nilalaro ang mga tinuro ni teacher kasi mahirap...* [We rarely play things the teacher taught because it’s harder.]

b. Textual Analysis of the Rhymes

In the following analysis, I only focus on the most common chants that are widely known among children. The most common chants include themes about the family and the roles of its members, and about intimate relationships and love. They may incorporate traditional folk songs.

Chant about the family:

Nanay, Tatay, gusto ko ng tinapay [Mother, Father, I want bread]
Ate, Kuya, gusto ko ng kape [Older Sister, Older Brother, I want coffee]

Lahat ng gusto ko ay susundin ninyo [All that I want you must follow]

1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10

10 - 9 - 8 - 7 - 6 - 5 - 4 - 3 - 2 - 1

This free play is one of the shortest chants with clapping hands that I recorded. It is played among four players. There is no ultimate winner; it is

played simply for the fun of chanting and playing it. This play chant is very popular among the girls. Boys tend to have reservations playing this play chant and, when they do participate, they often disrupt the play.

In chanting this, the players seem to assume the position of a *bunso* or the youngest child in the family. As revealed in this play, in Filipino culture the youngest child is often the center of attention (Dalisay, 1983; Guthrie, 1961) to the point that, as expressed in the lyrics, the youngest has a much stronger power to demand and so reverses the hierarchical power relations in the family.

The child capitalizes on his/her helplessness and vulnerability. The overtone here is that of demanding total submission of the adult members of the family to the caprice of the child. The demands in the first part of the chant are quite 'legitimate': the child only asks for bread and coffee. Yet the youngest child may also demand whimsical objects as implied in the phrase "lahat ng gusto ko" [everything I want]. This last part is also, to use a deconstructionist term, 'undecidable' (Culler, 1986). Because the unconditional demand is introduced by legitimate demands (food), it seems to suggest that the child merely demands legitimate things.

Play About Love and Relationship: BC apple

Lemon juice
Tell me the name of your sweetheart
For example
I love you...

"BC Apple" can be played by two or more persons where the remaining two players will have to settle between themselves who will be the winner.

They do this through the traditional rock-paper-scissors hand game. The ending of the game adds more to fun to the game. The lyrics of this chant do not rhyme. It is short, yet the melody jibes well with the body movement and the hand movements of the participants. It is interesting to note that the lyrics are in English and the concepts are about America. First, "apple" stands for the American way of life. Since American colonialism, Filipinos have equated the apple with what is American. "Lemon juice" is also American, which must be contrasted with the local citrus variety of *kalamansi*. And third, the romantic love component is also American, even Hollywood-like.

While the lyrics are about a very intimate theme, the children do not take them seriously. The attention of the players is focused on the fun of chanting and playing and not on the meanings associated with the lyrics. While children are seriously playing the game, they also are able to bracket the meanings and real life implications of the lyrics. Taking the lyrics literally would lead them to reveal their romantic infatuations. By playing this play game, children are able to discuss openly issues related to intimate relationships, without disapproving adults.

Chant about gambling and parents:

B - I - N - G - O

Tatay mong nag-Bingo [Your father who played Bingo]

Binato ng beyntesingko [Had a 25-centavo coin thrown at him]

Sabi ng Nanay "Bingo!" [Said Mother: "Bingo!"]

Through this play, the children form an image of a parents' quarrel involving Bingo. The lyrics reflect the popularity of Bingo games and other gambling activities among Filipino adults (Locsin, 2001; Nery, 2003) especially during *fiestas* (community celebrations) and community parties. The mother's frustration with the father who plays Bingo is expressed in throwing a twenty-five centavo coin at him.

As expressed in the lyrics, which are quite short, this play is a comic sketch of 'typical' parents' behavior. Yet, while self-absorbed in play, the children subordinate or bracket the practical meaning of the lyrics. As a girl explained (in response to the question "Does your father mind when you chant 'Bingo'?"), her father would not mind this because "He knows that it's not him" (since her father does not play Bingo).

In my observation of children's performance of play, the enjoyment children get from playing also derives from the experience of play as liminality.¹² This is borne out by the reaction of children to my question on whether they take the lyrics seriously. All of them simply laughed at my question. As an 11-year-old girl told me: "Di naman po kami seryoso." ["We are not serious."] Yet, they know what the Bingo game is. In fact, some of them told me that their parents play Bingo. And interestingly, some of the children had played Bingo. To those who told me that their parents play Bingo, I also asked them whether their parents quarrel about the game. Most of those who said their parents play Bingo said that it was their mothers who often played Bingo.

The lyrics, therefore, are a reversal of this state of affairs. Children make fun of this game while being aware of its reversal. It follows from this that play is a fluid process¹³ in which players constantly frame their activity, ever watchful of intrusion and the flow of space and time outside play.

c. Transmission: The Politics of Learning

The children's playlore had been transmitted primarily through family members (sisters and brothers) and relatives (*pinsan* or cousins). Many girls stated that they learned from their elder sisters.

It may also be transmitted from neighbors, or through classmates and friends in the school. It is quite interesting to note that learning these plays was not only through oral transmission but also through mass media. As one boy narrated, "Nanunood lang po ako sa TV. Tapos pinag-aaralan ko." [I just watch TV and I study how to play it.] It is interesting that the "significant others" (immediate family members and clique) are primary agents of transmitting the childlore, but also that the mass media are not far behind. In fact, the imagery in the lyrics of the aforementioned childlore is mostly derived from what they watch on television (about Bingo, apple, and romantic relations). Mass media become the source of the lyrics while the performance and transmission themselves are lodged in the peer and family members. Here the mass media play a vital part in the politics of gendered constitution of child's subjectivity. Meanwhile, the practical materialization of these scripts and imagery resides in the face-to-face interactions among the children.

d. Sexuation in Play

Among the children I observed and interviewed, there seems to be an emerging play community that is defined along gender lines although this is not yet clear and distinct among the children. In general, for instance, girls perceive boys to be more rowdy during play than girls. Hence, most girls prefer fellow girls for a play group:

Girl: *Mas gusto ko mga babae rin kasi naiilang ako at inaasar ako ng mga kaklase ko [pag kalaro ko mga lalaki]. Mas makukulit ang mga lalaki kasi nanggugulo ng laro. Magulo maglaro at kung anu-ano ang ginagawa. Mas makukulit ang mga lalaki, nandadaya sila.* [I prefer to play with girls also because I feel uncomfortable and get teased when I play with boys. Boys are

more pesky and try to break up the play. They do not keep order and do all kinds of things, and they cheat.]

Girl: *Pag naglalaro kami tinutulak kami [ng mga lalaki].* [When we play with them, they (the boys) push us.]

Boy: *Sa room mismo kami naglalaro. Babae ang madalas na nagyaya ng laro. Mas maingay ang mga lalaki maglaro.* [We play in the classroom. Girls are usually the ones that initiate play. Boys tend to be noisy when they play.]

Girl: *Mas madalas maglaro ang mga lalaki pag wala si mam.* [Boys play more often when the teacher is away.]

From the foregoing, play may be said to belong to the feminine logic of desire in the Lacanian formula of sexualization. The feminine desire has no exception. It has access to *jouissance* or enjoyment beyond the purely symbolic or phallic order. This implies that girls tend to obtain pleasure from play chants beyond what the boys could imagine and experience. This may also explain why girls tend to be more expressive and love to play more than boys.

Girls tend to identify more with the play than the boys. In many performances of the plays involving chants and rhymes that I observed, usually the boys only partially identify with the game and therefore they can also easily dissociate themselves from the play. This is borne out by the fact that the boys tend to be non-serious during the plays. The boys easily break out from the play and they refuse to follow the accepted rules. In two cases, a boy broke up from the play circle and walked away. These behaviors often annoy the girls but the girls often request the boys to come back. In other cases, the girls even warn the boys: *Hoy, 'wag nyo namang babuyin yong laro. Kung ayaw nyo, wag na lang kayo sumali.* [Hey, don't mess up the play. You better not join if you're not serious with it.] The boys simply ignore these pleas.

Insofar as the frame of play is fun, it is unimaginable for children in the play that some children do not enjoy playing or refuse to play. It is to reject the frame of play. Said one child: *Sa mga di naglalaro sinasabi naming "di kayo magiging masaya"* [To those who do not play, we tell them "you won't have fun"].

In this sense, the girls see play as an end, while boys see it more as competitive exercise, a means to reward.¹⁴ By breaking away from the play circle and messing up with the play, the boys tend to display their indifference to the end of the play.

e. Romantic Love in Liminality

In Grade 3, (around ages 8-10) there is already keen awareness among some children about intimate relationships with the opposite sex. In the interviews, some girls disclosed to me that they avoid playing with particular boys because others see it as a form of courtship or of being already in a relationship.

During one of my group interviews, the group identified a boy and girl couple, so I asked them if they play together. The identified girl said:

Girl: *Ayaw ko pong makipaglaro sa kanya at sa kanila [the male friends of the boy] kasi mga maniakis sila.* [I don't like to play with him and with his friends because they are 'maniacs']

Boy [the one who was referred to]: *Talaga? Di naman e!* [Really? That's not true!]

What we can learn from this incident is that in group play friendship is emphasized, and it becomes a site for 'fishing' who has an attraction to whom.

Identified "couples" become so mindful of their peer's perceptions that they avoid playing together. In my observations, even if the "couples" play together, they stay physically apart from each other.

Childlore therefore becomes an anticipatory socialization for proper gender relations with the opposite sex. It is a "proximal zone," to use Vygotsky's term, where children can learn proper adult roles with regard to having relationships with the opposite sex. (Insofar as my research deals with heterosexual relationships, my conclusion may only apply to such kind of relationships.)

Many of the boys I interviewed, however, said they prefer a mixed play group or that they do not prefer any sex. Meanwhile, it appears that girls prefer to play in a same-sex play group more than with boys. In general, however, there is not yet a fully developed preference for gender in playmates among the children I observed.

Conclusion

Plays and games must be analyzed primarily in their own terms, rather than be subordinated to higher goals of the adult world. There is much to be learned from analyzing the childlore of free plays and game plays in the con-

text of an educational setting. Childlore reveals the world of children and how it is different from the adult world. Playlore also reveals how the children are already inducted to the gendered adult world, although the rules and roles associated with sexual identities are still very much fluid.¹⁵

But the learning process is not just a simple transmission.¹⁶ As shown in this study, playlore enables the children to unplug themselves from the quotidian flow of time and activities. By performing the plays involving chants and rhymes children are able to suspend the established gender scripts of the adult world.

They do so with much awareness of the contradictions involved, yet because of the nature of the play, they are able to make the “serious” something “frivolous” and “light”. Play offers the young, the small and the powerless, an authority and freedom unthinkable in non-play life. It is an arena of choice in many contexts where life options are limited. This means that in performing childlore, children can transform rigid adult gender scripts into trivial matters.

The children’s meanings are interpreted in a humorous manner. The rhetoric of “just playing” allows them to distance themselves from the real and consequential implications of the sex-related roles the adult world expects from them. This frivolity should be understood as an expression of Frasca’s notion of *ludus*. When schoolchildren engage in playlore, they tend to subordinate instrumental goals outside the play itself to the pleasure they derive from the performance.

So the tension between freedom and constraint must be maintained. This is very true especially because society cannot attain complete harmony. It is split not only by gender biases and antagonism, but also by antagonism due to age and generation. In an age when everything is reduced to its instrumental value, schoolchildren’s playlore can teach us the value of living in the “eternalnow.” The right direction, therefore, is to transform the perception of play into the original Vygotskian direction: a revolutionary activity that can suspend the prevailing norms of the dominant groups of society, in this case the andocentric character of adult gender scripts. However, this transformation, like a true revolutionary activity, must be conscious and deliberate in its attempt to unmask the unacknowledged “symbolic violence” arising from the arbitrary imposition of these norms to the second-sex.

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Endnotes

¹According to Owe Ronström (1997), the earliest studies of children's folklore were undertaken by Lady Bertha Gomme and the American William Wells Newell, a founder of the American Folklore Society and first editor of the *Journal of American Folklore*.

²Recent feminist folklorists have attempted to question the complacent silence of folklorists on the issues of gender (Bachillega, 1997; Collin, 1990; Mills, 1993; Young, 1997). A "triviality barrier" tended to see childlore as non-serious (Sutton-Smith, 1981). Today, the study of folklore common among children has become part of folkloristics or formal study of folklore (see for instance, Opie and Iona, 1959; Knapp and Knapp, 1976; McDowell, 1983; Sutton-Smith, Mechling, Johnson and McMahon, 1999; Bishop and Curtis, 2001). As Sylvia Grider (2007, page 128) points out, "Folklorists are unusual among humanists and social scientists for their acceptance of children and their traditions on the children's own terms, as a folk group worthy of study in its own right rather than an adjunct of an older or more sophisticated body of informants."

³For anthropologists and folklorists, going to distant communities is the norm for collecting and studying folklore. Another barrier is how many anthropologists collect childlore by asking adults to remember what they did and played when they were children (Fine, 1999; Sutton-Smith, 1999). The more appropriate method of course is to study children themselves during performance of plays and games (Hughes, 1999).

⁴Early pedagogical research on gender and play, like the early folklore studies, concentrated mainly on essentialistic definition of gender differences and looked into the differences among boys and girls in choosing toys (Fein, 1981; Jacklin, Maccoby, and Dick, 1973), the influence of mothers and fathers in choosing play (Caldera et al., 1989), and the amount of emotion and affect involve in the play (Campbell & Frost, 1985). Usually these studies, heavily inspired by experimental method, pursued the issue in terms of biology and culture, and nurture and culture (see Frost, 1992). Most psychological studies, regardless of their paradigms, emphasized the role of biology in early gender differences with regard to play. Conclusions drawn from such stud-

ies are often used as either correctives to or launch pads for existing pedagogical programs in schools. Women folklorists have questioned the androcentric biases in male-stream folkloristics (*Journal of American Folklore*, 1987), and this has led to the proliferation of feminist approaches to the study of folklore (for representative studies, see Bachillega, 1999; Farrer, 1986; Jordan & Kalcik, 1985).

⁵The pioneering works of Mills (1993) Jordan and Kalcik (1985), Farrer (1986), and Hollis and Pershing (1993) addressed gender issues in the study of folklore. Early folklore studies (dominated by male researchers) avoided the issues of gender and sexual identity. The equation of men with culture has undermined the specificity of women's experience (see Young, 1997, vol. 1, 287). With the publication of *Women and Folklore* in 1975, women's issues in folklore became an academic focus.

⁶Just as in performances where there is separation between audience and the performers, the sacred and the profane (Turner, 1988, page 25), so in play there is also a drawing of boundaries.

⁷Frames are basic cognitive structures that guide the perception and representation of reality. On the whole, frames are not consciously manufactured but are unconsciously adopted in the course of communicative processes (Benford & Snow, 2000).

⁸This is very similar to Gergen et al.'s (1990) analysis of child development.

⁹For Billig and others "contrary themes of social knowledge are revealed in everyday discourse" (1988, page 21), and are "fundamentally born out of a culture which produces more than one possible ideal world, more than one hierarchical arrangement of power, value and interest" (page 163).

¹⁰A feminist who is sympathetic to the sociocultural approach to the mind suggests that "feminist and cultural-historical theory have some crucial contributions for each other." (John-Steiner, 1999, page 202). Both traditions acknowledge relationality in defining identity and the cultural foundation of mental processes. However, while Vygotsky's sociocultural approach to ontogenesis is very similar to the standpoint of feminism that looks at the specificity of various fields of knowledge, Vygotsky and Mead did not address the question of gender in their respective sociocultural analyses of the mind. Both Vygotsky and Mead failed to theorize the specificity of gender as a cultural variable in their respective explanations.

¹¹A Sony-Ericsson K750i phone camera.

¹²Victor Turner (1988, page 25) defines liminality as a phase in ritual performance separating specified members of a group from everyday life, placing them in a limbo that is not any place before and not any place they would be in after.

¹³Play may be likened to Victor Turner's concept of flow — "an interior state which can be described as the merging of action and awareness, the holistic sensation present when we act with total involvement, a state in which action follows action according to an internal logic, with no apparent need for conscious intervention on our part" (1988, page 54).

Flow is present in play because there is "a centering of attention on a limited stimulus field, by means of framing, bracketing, and usually a set of rules." (Turner, 1988, page 54). Moreover, in play as in flow, "there is a loss of ego, the self that normally acts as broker between ego and alter becomes irrelevant" (Turner, 1988, page 55).

As two followers of Vygotsky remark, “play is much more a performance than acting...they are acting out their societally predetermined roles. We are all cast by society into very sharply determined roles; what one does in a role is act it. Performance differs from acting in that it is the socialized activity of people self-consciously creating new roles out of what exists for a social performance” (Newman & Holman, 1993, pages 102-103).

¹⁴The Lacanian formula of sexuation that separates the feminine from the masculine should not be seen as essentialistic dimorphism. For Lacan, sexual difference is the Real. It is a void, a gap that the feminine and masculine subject position cannot close (Mitchell, 1986; Žizek, 1992).

¹⁵In plays, as Vygotsky points out, the child “emancipates her/himself from situational constraints, such as the immediate perceptualized field.” Yet “being freed from the situational constraints, the child, paradoxically, also faces constraints imposed by play: the rules of imagination” (Newman & Holman, 1993, page 99). Moreover, Vygotsky argues, Play gives a child a new form of desires [rules]. It teaches her to desire by relating her desire to a fictitious “I,” to her role in the game and its rules. In this way a child’s greatest achievements are possible in play, achievements that tomorrow will become her basic action and morality” (quoted in Newman & Holzman, 1993, page 99).

¹⁶While Vygotsky emphasizes learning future roles, one must also balance it with Turner’s creative interpretation of play and performance:

Cultural performances are not simple reflectors or expressions of culture or even of changing culture but may themselves be active agencies of change, representing the eye by which culture sees itself and the drawing board on which creative actors sketch out what they believe to be more apt or interesting design for living” (Turner, 1988, page 24).

Appendices

Appendix A

Chiba Declaration for a Child Friendly Asia Pacific, 2009*

We, participants of the Child Friendly Cities meeting held at Qiball in Chiba City, Japan on the 23 April 2009 and members of the Child Friendly Asia Pacific Network call upon our governments, private sector, and civil society to assist us in:

Acknowledging all children under the age of 18 years old, without discrimination, have all the rights contained within the United Nations [UN] Convention on the Rights of the Child of which our country is a signatory;

Appreciating that childhood is a unique and important stage of life that has long lasting effects and the best interests of the child should be central to all actions concerning children. A child friendly city is committed to the fullest implementation of the United Nations Convention on the Rights of the Child;

Recognising a child friendly city is place where all children have access to good quality health care, clean water, nutritious food, a clean environment, adequate housing, quality education, caring adults and the freedom and opportunity to play and socialise with family and friends and to contribute to their environments. The health of future communities is linked to the health of children today;

Establishing safe and secure communities where children do not fear exploitation or abuse, are secure in their identity and culture and are protected from any activities that may harm their development now and in the future;

Promoting children's active involvement in issues that affect them by seeking, and listening to, their views and taking them into consideration in all decisions concerning their personal, social, cultural and physical environment;

Raising the quality of child friendly community and city programs by providing resources and assessment tools that will enable communities and Municipal governments to better assess the degree to which they are enacting children's rights;

*This document has been slightly edited.

Supporting a rigorous review of regional, national and local level legislations, regulatory frameworks and procedures and funding guidelines to ensure that they promote and protect the rights of all children, in accordance with the UN Convention on the Rights of the Child, and the goal of becoming a child friendly city.

Contributing to the development, implementation and evaluation of comprehensive regional, national and local level strategies to support the implementation of the Convention on the Rights of the Child and contribute towards the ongoing transformation of communities and cities to being child friendly environments;

Developing permanent structures or coordinating mechanisms within all levels of government with the role of ensuring children's perspectives are considered equally and as a contact point where children, individually or collectively, can access reliable information and support;

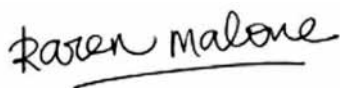
Building partnerships between children and their families, communities and all levels of government in order to ensure a whole of city, multi-sectoral approach to evaluating and monitoring the child friendliness of communities and cities;

Educating community through the implementation of public awareness campaigns on the specific issues and needs of children and the important role individuals, organizations, business and governments can play as [child] rights advocates;

Securing adequate funds that will enable children and their communities to work in partnership to design, implement and evaluate projects that will contribute to improving all children's lives;

We, the participants of the Child Friendly Cities Regional Network meeting at Chiba, in collaboration with the 160 regional members of the Child Friendly Asia Pacific Regional Network, support and declare that regional, state and national governments who are signatories to the United Nations Convention on the Rights of the Child should take up the key principles as established here in order to ensure we as a region are working towards a vision of being a Child Friendly Asia Pacific.

Signed on this day 23 April 2009.

A handwritten signature in dark ink, reading "Karen Malone". The signature is written in a cursive, flowing style. The first name "Karen" is written above the last name "Malone", which is underlined with a single horizontal stroke.

Chair, Child Friendly Asia Pacific Network
On behalf of the members of the network

Appendix B

2011 Solo City Declaration of Children's Participation for a Child Friendly Asia Pacific*

We, participants of the Child Friendly Cities meeting held in Solo City, Indonesia on 1 July 2011 and members of the Child Friendly Asia Pacific Network call upon our governments, private sector, and civil society to assist us in implementing the Chiba Declaration for a Child Friendly Asia Pacific 2009 and to incorporate a focus on the importance of children's participation in defining the role of child friendly cities and communities.

This declaration provides five key principles through which governments, cities, communities should support child friendliness.

Principle 1. A child friendly city and community engages children

1.1 *Defines* children's participation as the recognition of and respect for children's engagement equally in formally constructed processes as well as the everyday practices of their contribution to their own life and the life of families and communities.

1.2 *Acknowledges* that children have their own cultural groups outside of those of adults and child centered social action happens between children with children as well as between children and adults.

1.3 *Moves* beyond tokenism and decoration to developing partnerships with children that are ethical and respectful - including moving beyond listening to children's voices to including children's opinions and ideas in authentic and instrumental ways.

1.4 *Positions* children as reliable and competent with all participation activities being evaluated for their value to improving children's lives now and in the future.

1.5 *Accounts* for the capacities and abilities of children according to their age and special needs and this is central to constructing appropriate and supportive participatory processes.

*This document has been slightly edited.

Principle 2. A child friendly city and community embraces early childhood

2.1 *Appreciates* that early childhood is an important part of life and the best interests and rights for participation of children should be central to all actions of the community.

2.2 *Recognises* all children, including those in the early years, have significant views and experiences in order that children's active involvement in community issues and decision-making are valued.

2.3 *Guarantees* all children's right to play and facilitate multiple opportunities for play through the provision of places/spaces that motivate, stimulate, invite discovery, creativity, fun and natural play. This is most critical during the early years (the most formative years) given that this facilitates resilience and capacity to cope later in life.

2.4 *Establishes*, maintains and monitors childcare and educational facilities that provide for all children irrespective of financial, family situation, class, caste, gender, ethnicity, religion, and ability. The approach should be transdisciplinary and seek views of practitioners as well as academics.

2.5 *Ensures* that all adults engaging with children are aware of, and secure the rights of children, including adults acquiring the knowledge and skills that best meet the needs of all children.

Principle 3: A child friendly city and community recognises children's unique experience of traumatic events

3.1 *Engages* children to define their own best interests at all stages of the traumatic events.

3.2 *Implements* child-centred policies that recognise the need to support children through multiple phases of natural and human-made disasters from preparation to immediate support, short-term, medium-term and long-term support.

3.3 *Guarantees* children's right to survival and development, by recognising, promoting and supporting children of all abilities physical, psychological, social, spiritual, environmental, recreational and cultural capacities.

3.4 *Secures* the right to education and health through immediate provision of facilities and services, and children's access to these irrespective of class, caste, gender, colour or ethnicity.

3.5 *Respects* the fundamental importance of children's knowledge, views, and experiences in preparing, responding and delivering infrastructure and services.

3.6 *Implements* legal mechanisms that protect children from exploitative environments, including activities such as violence, sexual assault, trafficking, prostitution, forced adoptions or child marriage.

3.7 *Acknowledges* regional diversity and meets each region's unique needs by building capacity for supporting children before, during, and after natural and human-made disasters events.

3.8 *Creates* opportunities for social learning, including disseminating research, knowledge and skills at all levels of government, by supporting inter-organisational partnerships and community groups.

Principle 4: A child friendly city and community supports children's participation in planning

4.1 *Ensures* collaboration and integrity in all stages of the planning processes and is inclusive of all children's ideas and opinions, including children who are disadvantaged, and seeks to act [responsibly].

4.2 *Highlights* the benefits of adopting child-friendly strategies to current work practices and strategies must be concentrated around the empowerment of children and the benefit of outcomes for children's lives.

4.3 *Recognizes* and is willing to modify philosophies and work practices in order to accommodate children's desires through authentic participation.

4.4 *Utilises* the local media to connect and engage with children, local communities and stakeholders to enable planning work to be celebrated, recognised and represented in ways to gain community support.

4.5 *Acknowledges* planning processes are on-going and evolve through the developmental stages of children's participation therefore allowing them to be recognised in their own right.

Principle 5: A child friendly city and community recognises the key role of governance

5.1 *Acknowledges* that children of all ages, abilities and circumstances have the right to be recognised as equal citizens and their participation in decision-making across the variety of levels of government is fundamental to a city committed to its children.

5.2 *Realises* that good governance through the management of resources and budgets is key to a city that will improve the opportunities for children to be active citizens now and in the future.

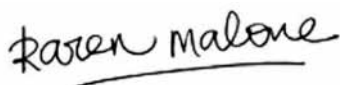
5.3 *Provides* opportunities for key stakeholders including children and child advocates to come together and construct a city-wide resolution and agreement of the terms of reference through which the child friendly cities initiative will be framed.

5.4 *Develops* reliable data through the respectful engagement of children across the community and constructs a local plan of action emphasizing ongoing opportunities for children's authentic participation.

5.5 *Supports* the development of a monitoring and coordinating committee that evaluates the progress of the community to respond and act on what children say is important to them.

We, the participants of the Child Friendly Cities Regional Network meeting at Solo City, in collaboration with the 400 regional members of the Child Friendly Asia Pacific Regional Network, support and declare that regional, state and national governments who are signatories to the United Nations Convention on the Rights of the Child should take up the key principles as established here in order to ensure [that] as a region [we] are working towards a vision of being a Child Friendly Asia Pacific that engages children.

Signed on this day, 2 July 2011.

A handwritten signature in dark ink, reading 'Karen Malone'. The signature is written in a cursive, flowing style. The first name 'Karen' is written in a larger, more prominent script, and 'Malone' follows in a similar but slightly smaller script. A horizontal line is drawn under the entire signature.

Chair, Child Friendly Asia Pacific Network
On behalf of the members of the network

Appendix C

2013 Kathmandu Declaration on Child Friendly Local Governance*

We, participants of the Child Friendly Cities Asia Pacific meeting held in Kathmandu, Nepal, on 27-29 June 2013 and members of the Child Friendly Asia Pacific Network call upon our governments, private sector, and civil society to assist us in *implementing* the 2013 Kathmandu Declaration on Child Friendly Local Governance.

This declaration provides four key principles through which governments, cities, communities, private sector and civil society can support child friendliness by recognizing the important role of local governance, through meaningful child and youth participation, by engaging in monitoring of their progress and supporting planning for a sustainable future for and with communities in a rapidly urbanizing world.

Principle 1. A child friendly city recognizes the importance of Local Governance

1.1 Recognises the role of local governments to improve opportunities for children to develop well and become active citizens now and in the future.

1.2 Develops a children's integrated plan that includes resource allocation and a child-specific budget utilizing strategic multi-sectorial partnerships to leverage resources at all levels of government and private sector.

1.3 Respects the fundamental importance of children and young people's vulnerability and agency when government and communities prepare, [plan] and [respond] to social and environmental risks including natural disasters.

1.4 Acknowledges the importance of urban progress that is sustainable and invests in the lives of children, young people and their families.

Principle 2. A child friendly city demands meaningful participation of children and youth

2.1 Acknowledges meaningful participation as the right of all children and therefore

*This document has been slightly edited.

essential that all children, especially the most disadvantaged, at risk, invisible and hard to reach children are included in city consultations and decision-making.

2.2 Recognises that governments are accountable to children and youth and that young people's meaningful participation is an essential step towards ensuring an equitable and humane city for everyone.

2.3 Supports children and youth participation opportunities throughout a child's life, being flexible to opportunities according to the child's interests, individual circumstances and capacity according to their age and special needs.

2.4 Ensures authentic partnerships with adults who provide meaningful mentoring opportunities that are empowering for children and support them to take on leadership roles in their cities.

2.5 Encourages education institutions at all levels to implement child friendly curriculum programs and to adopt strategies for meaningful participation of children and youth in decision making at all levels of management of the institution.

Principle 3. A child friendly city recognizes and engages in a continuous monitoring and evaluating its progress

3.1 Ensures the reporting and documentation on issues of child protection, safety, and violence against children, health, education, environmental health, their standard of living, and a child's good start to life.

3.2 Supports the implementation of a rigorous monitoring system that incorporates data collection and verification and provides regular opportunities to report on [the] cities' progress, the challenges they are addressing and [the] shortcomings.

3.3 Requests that government, child-led and community-led data gathering and analysis practices are inclusive and representational of the diversity of any community at the city and neighborhood levels and do not rely on urban or rural averages.

3.4 Creates the platform to utilize new and innovative technology and information systems in order to collect, analyze, report and disseminate information about a city's progress to its citizens, government representatives and the broader global community.

3.5 Ensures that targets and goals for individual cities are designed to activate significant transformation in children's quality of life, and their implementation monitored.

Principle 4. A child friendly city encourages integrated planning for sustainable development

4.1 Creates opportunities for local and global partnerships that provide a fresh vision and a framework, based on principles of: universality, equity, sustainability and humane and fair city development.

4.2 Integrates the social, economic, and environmental dimensions of sustainability, including attention being made to the preservation and promotion of tangible and intangible culture.

4.3 Addresses the need to promote sustainable consumption, production and lifestyles at all levels of society including the family, community and city.

4.4 Seeks to give every child a fair chance in life, and to achieve a pattern of development where dignity and human rights become a reality for all and city strategies are built around a focus on human and environmental security.

4.5 Balances the scales of equity on all fronts to break cycles of poverty and ensure that the children of today and tomorrow are able to have and inherit a liveable, safe world to play in and develop their full potential.

We, the participants of the International Child Friendly Cities Asia Pacific conference in Kathmandu, in collaboration with the global members of the Child Friendly Asia Pacific Regional Network, support and declare that regional, state and national governments who are signatories to the United Nations Convention on the Rights of the Child should take up the key principles as established here in order to ensure [that] as a region we are working towards a vision to create a Child Friendly Asia Pacific that supports equitable, inclusive and sustainable local governance.

Signed on this day, 29 June 2013.

A handwritten signature in black ink that reads "Karen Malone". The signature is written in a cursive, flowing style. Below the signature, there is a horizontal line that starts under the first part of the name and extends to the right, ending under the last part of the name.

Chair, Child Friendly Asia Pacific Network
On behalf of the members of the network

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The Asia-Pacific Human Rights Information Center or HURIGHTS OSAKA, inspired by the Charter of the United Nations and the Universal Declaration of Human Rights, formally opened in December 1994. HURIGHTS OSAKA has the following aims: 1) to engender popular understanding in Osaka of the international human rights standards; 2) to support international exchange between Osaka and countries in Asia-Pacific through collection and dissemination of information and materials on human rights; and 3) to promote human rights in Asia-Pacific in cooperation with national and regional institutions and civil society organizations as well as the United Nations.

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