



## A RIGHTS BASED APPROACH TO EDUCATION: PROMISING APPROACH FOR QUALITY EDUCATION

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Article history:	Abstract:
<b>Received</b> December 11 <sup>th</sup> 2021 <b>Accepted:</b> January 14 <sup>th</sup> 2022 <b>Published:</b> February 24 <sup>th</sup> 2022	Human rights education is an educational and lifelong learning process focused on promoting and upholding human rights through knowledge, skills, attitudes, and actions. Its goal is to contribute the protection of human dignity and the creation of societies that are appreciated, respected, and peaceful. In terms of pursuing education for all, it is also important to consider access to education, educational quality, and the conducive environment. To respond and adapt the challenges and issues in terms of human rights breaches, in particular, an integrated and holistic strategy must be prioritized and made the international agenda. This study aims to elaborate a rights-based approach to human rights education as one of the strategies for reducing human rights violations at schools. The strategy aims to ensure that everyone receives a high-quality education that respects and supports one's right to dignity and full development. This article also introduces a conceptual framework for a rights-based approach to education, best practices in several educational institutions across the globe and its impacts to quality education.

**Keywords:** A rights-based approach, quality education, human rights education, school violations.

### INTRODUCTION

An educational institution is a microcosm of society, not only reflecting its diversity of peoples but also its diversity of values and epistemologies (Miller, 2020).

Human rights are usually regarded to be the rights that every human being possesses, which recognize that every human being has the right to exercise his or her human rights regardless of race, colour, sex, language, religion, political or other beliefs, national or social origin, property, birth, or other position (UN Office of the High Commissioner for Human Rights (OHCHR), 2000, p. 2). It means, regardless of one's gender, race, language, religion, skin colour, everyone has basic rights, which are based on dignity, fairness, equality and independence; and freedom from their birth until death, which are legally guaranteed by human rights law.

The study of human rights and its violation have been considered as global issues for decades, especially in education sector. Many children and young people's rights to education has been threatened by violations such as bullying, racism, discrimination, which are a barrier to achieving education for all (EFA). For example, South African schools have alarmingly high rates of violence between students-students, teachers-students, and school-school, which has become a major source of concern (Makwarela et al., 2017). From all different types of violence, the most common one is bullying at different stages (Jaarsveld, 2008; Prinsloo, 2008). Studies in Indonesia found that teachers committed corporal punishment to their students due to inappropriate behaviours (Paramita et al., 2020). Gershoff (2017) observed that corporal punishment is prevalent in Indonesian classrooms when dealing with student behavioural problems, which teachers employ proactive classroom management behaviours to their students (Paramita et al., 2020). Other study found a violation of the rights to food in schools of the Quilombola area in the north-east of Brazil (Viana & Bellows, 2014).

In many Western countries, education has been viewed as a critical venue for combating racial injustice and discrimination (Lynch et al., 2017). Such school violations can have a devastating impact on children and young people, who are exposed to them at a critical time in their lives. It is a barrier to the right to education, which is recognized in the Universal Declaration of Human Rights and various United Nations Conventions as one of the basic universal human rights (Cornu, 2016). Those various violence forms will give consequences and potentially negative impacts on individual's entire life and their future, and its effects could be long term as well unless one takes action to prevent school violation and find solutions immediately.

Thus, it is essential to introduce the human rights education and a conceptual framework of the rights-based approach that embodies three interlinked and interdependent dimensions under the concept of education as a human right, not only for teachers and school heads but also for students to promote their awareness of their rights. The dimensions of human right education include access to education on the basis of equality of opportunity and without

discrimination on any grounds; quality education so that any child can reach his or her full potential, realize employment opportunities, and develop life skills through a broad, relevant, and inclusive curriculum; and respect within the learning environment—equal respect for all children, including respect for identity and integrity, as well as freedom to choose (UNESCO & UNICEF, 2007). These characteristics are reframed by Tomaševski (2001, 2006), who refers to the '4 As' as features of the right to education: available (free of charge), accessible (non-discriminatory), acceptable (of relevance and quality), and adaptable (to the needs of minorities). The requirement of 'duty bearers,' such as parents, guardians, teachers, and the government, to treat children as rights-holders is embedded in a rights-based approach to education. The UN Declaration of Human Rights provides legal validity to the rights-based approach (Tomaševski, 2003; UNICEF, 2008).

It is critical to have a solid understanding of human rights education and some of the violations that affect students in particular. In light of these circumstances, the study presents human right education and a rights-based approach to excellent education as a promising approach. In addition, the practical application of human rights education frameworks and programs and its effects in the school context are discussed.

### **HUMAN RIGHTS EDUCATION (HRE)**

Various studies have emphasized four comprehensive conceptualizations of HRE, namely education about human rights, education through human rights, education for human rights, and education as a human right, which the latter three is stated in United Nations Declaration on Human Rights Education and Training 2011 Article 2(2) (e.g. Broberg & Sano, 2018; Lenhart & Savolainen, 2002; Robinson, 2017; Struthers, 2015). On the basis of three aspects of human rights education, it implies that human rights education has to be learned through experience, and through being exposed to human rights in practice. This means that the how and the where human rights education is taking place must also reflect human rights values; the context and the methodology must be organized such that dignity, respect and equity are an inherent part of practice.

By its very definition the process of human rights education is context specific, based on needs and realities of the target group. Human rights education is a participative and adaptable approach. While the underlying human rights principles will be the same, the actual practice or process of human rights education will likely vary in different contexts (Aurora, 2016). Human rights education is widely seen as essential to every child's right to a good education, one that not only teaches the skills of reading, writing, and arithmetic, but also enhances the child's capacity to exercise all of his or her human rights and creates a culture saturated with values of human rights. The Plan of Action advances a dualistic approach to human rights education: Human rights education promotes a holistic, rights-based approach that includes both "human rights through education," ensuring that all the components and processes of education –including curricula, materials, methods and training – are conducive to the learning of human rights, and "human rights in education," ensuring that the human rights of all members of the school community are respected (UNESCO-United Nations., 2006). Correspondingly, Lenhart and Savolainen (2002) explain that the terms "human rights" and "education" relate to five topics of practice and research: (1) teaching about and for human rights; (2) education as a human right in and of itself; (3) human rights in education; (4) education and training of professionals dealing with human rights issues; and (5) educational and social work aspects of children's rights.

Some conceptual definitions are presented here to understand HRE and its objectives for human kind. HRE is a lifetime learning process that aims to improve knowledge, skills, attitudes, values and behaviours in order to promote and protect human rights (Flowers et al., 2000; UNESCO, 2012) and develop an understanding of general responsibility to make human rights a reality in every community and in society at large (UNESCO-United Nations., 2006). As a lifelong process of learning, HRE aimed at fostering: 1) knowledge and skills-learning about the standards and mechanisms of human rights, as well as acquiring the skills to put them into daily life's practice; 2) Values and attitudes- developing values and reinforcing attitudes which uphold human rights; 3) Behaviour and action - encouraging action to defend and promote human rights (Aurora, 2016; OHCHR, 1997).

The United Nations Decade for Human Rights Education (1995-2004) has defined Human Rights Education as "training, dissemination, and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes which are directed to:" a) The strengthening of respect for human rights and fundamental freedoms; b) The full development of the human personality and the sense of its dignity; c) The promotion of understanding, respect, gender equality, and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups; d) The enabling of all persons to participate effectively in a free society; e) The furtherance of the activities of the United Nations for the Maintenance of Peace." (Flowers et al., 2000).

### **WHAT IS HUMAN RIGHT-BASED APPROACH?**

A rights based approach is a list of students' rights, in addition to the school rules, respects students' intelligence and promotes responsible choices (Lequarré cited in Unicef, 2007, p. 25). To quote UNICEF, human rights-based approach is a conceptual framework that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyse inequalities and redress discriminatory practices and unjust distributions of power that impede progress (Aurora, 2016, p. 10). A Manual on Rights-Based Education has been developed as a result of collaboration between UNESCO Bangkok and the UN Special Rapporteur, which is based on international human rights law, aiming to bring human rights standards into educational practice, encompassing health,

nutrition, safety, and protection from abuse and violence. Such an approach recognizes that human rights are interdependent and inter-related and seeks to protect and put them into effect. Human rights are the means, the ends, the mechanisms of evaluation, and the focal point of Rights-Based Education (Pimentel, 2006, p. 8).

Pimentel (2006) elucidates that a rights-based approach to education requires respect for the human rights of all individuals involved in the learning process; it offers education as an entitlement, rather than as a privilege, and does not exempt any actor of the learning process from his/her responsibility for the full protection and fulfilment of any other fundamental right. Such an approach to education takes place when learners are respected for their autonomy and dignity; moreover, they must be provided all things necessary for them to take part actively in the learning process and to develop their awareness of reality. They learn about their past, understand their present, and acknowledge their power to fight for their future. Some significant added values can be contributed by adopting a rights-based approach such as: 1) It promotes social cohesion, integration and stability; 2) It builds respect for peace and non-violent conflict resolution; 3) It contributes to positive social transformation; 4) It is more cost-effective and sustainable; 5) It produces better outcomes for economic development; and 6) It builds capacity (UNESCO & UNICEF, 2007, pp. 28–29).

### **Strategies to Promote Human Right Education (HRE) at Schools**

Leadership plays an important factor to any organizations' success including the school and educational reforms. Wong and Ng (2019) explain that school leadership, particularly that practiced by the school principal, is a critical success component. While numerous factors can influence student learning in school, only the principal can establish the environment in which these different factors work together synergistically to improve learning. In terms of creating positive school environment regarding to human right education, schools are required to provide several strategies. Additionally, International and regional frameworks and standards, and the results of programme implementation and evaluation studies have recognized main areas where human rights education or a rights based approach is indispensable to accomplish the goals of quality education for all teacher training including: professional development and support; teaching and learning practices and processes; an inclusive curriculum; and whole school approach to human rights (Aurora, 2016). Some key areas will be elaborated in following cases in several countries. For example, in England's National Curriculum, schools must place three other subjects such as religious education; sex and relationship education; and personal, social and health education. In addition, they have citizenship curriculum, which students learn about rights. It is required that 'Teaching should develop pupils' understanding of democracy, government and the rights, responsibilities and roles of citizens, and the nature of laws and the justice system', and '... pupils should be taught about human rights and international law' (Robinson, 2017).

Similarly, in China's schools, human right education has been incorporated with some relevant subjects such as history, legal education, citizenship education (Oud, 2006; Zhang et al., 2000), which directly relate to human rights themes and its elements (Liang, 2019). In her finding about the practice of HRE in Chinese secondary schools, Liang (2018) found that school takes measures to develop "embedded" HRE through important components of schooling through an integrated approach that incorporates human rights concepts, values, and norms into school life.

Teaching students about the human rights and integrating the HRE into the school's subjects are not only teachers' responsibility, school leaders also have to become the first persons who learn the concept of HRE practically and take responsibility with the school's success. Robinson (2017) identified four practitioner responsibilities for HRE consist of: (1) Explicitly teach about human rights; (2) Explicitly teach about human rights; (3) Provide chances for children and young people to practice human rights; (4) Employ safeguarding procedures.

Research shows that many teachers and school administrators are uncertain about how to respond or address the challenges of prejudice, micro-aggressions, discrimination, exclusionary practices, ethnocentric education, hate-speech and racial violence (Englund, 2020; Lynch et al., 2017). Miller (2020) noted that school leaders are supposed to develop skills, qualities, and knowledge in areas such as curricular diversity, recruiting, and career advancement, driving change for race diversity that reflects the contexts in which they live and work and that empowers them to better serve their organizations.

One of the strategies to promote the human rights education at schools is UNICEF's Safe, Caring, and Child Friendly Schools (SCCFS). One of the countries, which implemented it is South Africa. The study's findings show that UNICEF's Safe, Caring, and Child Friendly Schools (SCCFS) policy intervention on the social construction of violence in South African secondary schools has made significant progress toward achieving the SCCFS goals, despite the fact that most schools' basic facilities are not child-friendly (Makwavela et al., 2017).

Racism as one of human right violations occurs in mostly multi-cultural, multi-racial and multi-ethnic societies/educational environments, therefore "antiracist" training as part of school leaders' ongoing professional development is a necessity (Miller, 2020). The typology of anti-racist education by using six approaches is also highlighted in the Swedish educational system. Arneback & Jämte (2021), who developed the typology, emphasized that the approaches of emancipatory, norm-critical action, intercultural actions, democratic action, relational action and knowledge focused action are adopted for teacher to counter racism in their classroom.

The online survey of public elementary and secondary school teachers across Sydney, Australia found teachers' support for cultural diversity, intercultural education, anti-racism and anti-discrimination strategies. Teacher knowledge about how to execute multicultural policies, on the other hand, varies and is positively related to the level of population diversity and the socioeconomic status (SES) of the societies surrounding the schools (Forrest et al., 2016).

### The Impact of Rights-Based Approach

Within the school, the community, and worldwide, a rights education program can offer children with a clear link to learning and realizing their own and others' rights (UNICEF, 2009). One of the programs is Rights Respecting Schools Award (RSSA), which has been implemented in some countries. A school can declare itself a Rights Respecting School after receiving the Award. This Award is valid for three years, after which a school must be re-evaluated. This timescale is intended to guarantee that both children and staff continue to learn about human rights, as well as practice and promote them (UNICEF, 2009). In the words of Dunhill (2018), RSSA makes positive contributions to children's lives and experiences at school. Within the overall context of education as a right, the Award supports children to learn about their rights and the rights of others. By learning through a rights-based framework, children experience a rights-based approach to education and start to become active rights thinkers and rights holders. In line with Dunhill's perspective, Kellett et al. (2004) emphasized the importance of communication. They stated that developing a rights-based approach to participation and collaboration with children necessitated open and honest communication throughout the study project, especially in ways that were suited to their skills and wishes (Kellett et al., 2004).

Sebba and Robinson's (2010) review of RSSA's influence in Hampshire England, students had a greater grasp of their own rights, others' rights, and the Convention. The children also exhibited respect for human rights by resolving problems among themselves and increasing awareness of local and global issues through campaigning and fundraising. Moreover, it was noted that children's engagement in learning improved in the majority of the schools. In the study of 18 schools, Covell (2010) discovered that the rights education program was effective in engaging students, stating that children in Rights Respecting Schools were more engaged in the learning process, and recommending that teaching children about human rights should be a part of primary education. Similarly, Covell et al. (2010) found that the rights framework was beneficial in developing rights-respecting attitudes and behaviours among children while also boosting school ethos. The significance of rights-based education is seen not only in its immediate benefits for children, but also in its long-term potential to promote and maintain a rights-based culture. In other study, it was revealed that through a rights education program, children are taught and supported in their human rights, which encourages them to practice, protect, and promote the rights of others in their schools (Dunhill, 2018).

All children and young people benefit from friendships and social interactions, which contribute to their development, learning, and overall quality of life (MacArthur, 2013). Friendships and supportive social ties are regarded as 'the fundamental nature of human existence' (Meyer & Bevan-Brown, 2005, p. 168), as well as necessary foundations for all students' social and emotional growth and learning (George & Browne, 2000). Students' rights to be free of discrimination and to participate fully in school and in the classroom are more likely to be protected when teachers practice socially fair approaches to teaching and learning (MacArthur, 2013). As a result, school leaders, teachers, and administrative staff play a critical role in promoting pupils' development and learning by creating a healthy school climate and allowing children to participate in social activities at school without any worries about violence and misbehaviors or misconducts.

### CONCLUSIONS

Adopting a human rights-based approach to education is not a panacea. It does present certain difficulties, such as balancing the demands of many rights holders and addressing potential contradictions between the implementation of various rights or between rights and obligations. But it opens up new avenues for assisting vulnerable groups based on previous research findings (Broberg & Sano, 2018). Nonetheless, adhering to its key ideas consistently can assist governments, parents, and children achieve their educational objectives. It necessitates the development of techniques to reach all children, especially those on the margins. It gives communities, parents, and other stakeholders the capacity to assert their rights, demand that they be fully implemented, and, if necessary, seek national court enforcement (UNESCO & UNICEF, 2007).

When teachers teach about human rights, when they instill in their students a sense of their rights, dignity, and responsibilities as citizens and human beings, they are a beautiful complement to the work we have done at the highest level (Osler & Starkey, 2000). This quotation implies that teachers play a profoundly significant impact to students' life quality, providing positive school climate and experiencing social life at school, which aim to promote students' development and learning. As it is also supported by Liang (2019) that teachers play a critical role in bridging the gap between desired and actual HRE. It can be concluded that rights education programs make a significant difference in people's lives, especially in the lives of children and young people, according to research. As a result, the framework, or other programs related to human rights education, allow youngsters to participate in and experience rights education as well as practice as rights holders (Dunhill, 2018).

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