

Learning to Live Together: children's rights, identities and citizenship
Autumn Term 2012

Assignment 2

Participation as lynchpin of a rights based approach to education

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Word count
1.824

Quote as:

Troll, T (2013) *Participation as lynchpin of a rights based approach to education*.
(Unpublished student assignment. MA Development Education, Institute of
Education, London. Retrieved from: www.globalwh.at)

MA Development Education
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January 2013

0. Introduction

The UN convention on the Right of the Child (CRC, United Nations 1989) is the most comprehensive and universal legal framework for children's (i.e. anyone under the age of 18) rights. Its provisions under article 12, related to participation, mark a turning point in the conception of the role of young people: Children are no longer conceived as solely objects of decisions taken by adults, but bare the right to express their views, which should be given "due weight", and the right to be heard in any matter affecting them. Considering that children, as any other citizen, are affected by a board range of social, political, economic and cultural issues, this provision is indeed a milestone in the concept of young people as citizens. According to the CRC, which is a legally binding convention in all but two UN member states, persons under 18 would be political subjects with participation rights and decision making power as anybody else, and not mere objects of protection (Verhellen 2000).

However, Alderson (1999) points out that the practise of children's rights looks quite differently. Children are still broadly referred to as needy and incompetent objects of protection, in a language that was previously used on other discriminated groups such as women or black people. While these groups have claimed their rights (at least on paper) in long struggles, which led to agreed anti-sexist and anti-racist standards, children remain the last social group still aspiring equality and recognition as political subjects and citizens.

In schools, the question of participation is particularly relevant: This is the social and institutional context to which children are exposed for a great part of their youth and childhood, and the impact of schooling on their further life is significant. However, meaningful participation is far from being common practice. This paper looks at different approaches to children participation in school contexts through a human rights lens. It uses Kirby's et.al. (2003) three levels of participation to highlight three different examples. Verhellen's (2000) concept of *rights through, in and to education* and Osler and Starkey's (2005) categories of *principle, pedagogy and policy* in the implementation of children's rights build the analytical framework to assess these examples.

1. Participation as principle and right

Verhellen (2000) proposes three dimensions in order to implement a human rights based approach to education, which can be related to the three aspects of *principle, pedagogy and policy* (Osler and Starkey 2005):

- *Rights through education*: Beyond human rights education as just another curriculum subject, does the school embrace human rights as overarching *principle* in education?
- *Rights in education*: Are human rights central element of a whole school *pedagogy*?
- *The right to education*: Do school *policies* promote and enact universal access to quality education for all?

The articles of the CRC are often categorised according to rights related to *provision, protection and participation* (Osler & Starkey 2005). These are closely interrelated, and table 1 demonstrates that all three aspects are essential to rights through, in and to education. The aspect of participation plays a particularly important role in implementing a human rights based approach to education, not only because of its legal value in the CRC, but because practise of citizenship is also part of any meaningful experience based pedagogy.

	<i>Characteristics</i>	<i>Implementation</i>
<i>Rights through education</i>	Does the school embrace human rights as overarching <i>principle</i> of education?	Is human rights education a central <i>provision</i> of the educational programme and practice? Is <i>participation</i> as active learning of human rights systematically implemented? Does the school provide thorough <i>protection</i> from human rights violations?
<i>Rights in education</i>	Does the school apply human rights as central element of a rights-based <i>pedagogy</i> ?	Is <i>participation</i> in decision making streamlined? Does the school <i>provide</i> particular care for students with special characteristics? Are learners <i>protected</i> from situations countering the exercise of rights?
<i>Right to education</i>	Does the school embrace rights-based reforms of the educational system through its institutional <i>policies</i> towards quality education for all?	Is equal access to education <i>provided</i> ? Are learners <i>protected</i> from situations harmful to the right to access education? Is <i>participation</i> as precondition for quality education implemented?

Table 1: The rights triplet and the “six Ps”

2. Types of participation

Kirby et.al. (2003) identify three types of practices relating to youth and children involvement in organisational management: consultation focused, participation focused and child/youth focused approaches. These categories are similar to the “degrees of participation” proposed by Landsdown (2005), which are consultative, participatory and self-initiated processes. Both publications don’t specifically address schools, but youth and children participation in a broad range of contexts (only three out of 29 case studies in the Kirby report are schools). In the following, I will use them to frame examples from specific educational settings and schools.

a. Consultation focused

A consultation focused approach considers children’s views to inform institutional decisions, which is a practice also widely used in market research (Kirby et.al. 2003). Children however do not have any decision making power, nor are they necessarily considered in the agenda setting on which questions they are consulted on, and how the consultation process is organised. They remain consumers of a service provided, rather than owners and subjects of the institutions they attend (though the borderlines between consultation, participation and child focussed approaches can be blurry, as Kirby et.al. [2003] underline).

One example of a consultation focussed approach in a school is presented by Witty and Wisby (2007:51):

Every computer desktop in the school has a Student Voice facility. This allows pupils to email (anonymously or not) suggestions, requests, thanks or complaints to senior staff. The emails go to the deputy head and the pupil development lead teacher, who pass them on to the relevant members of staff.

While this tool has been used widely since it’s introduction (1000 emails in two years) and “feeds into the work of the schools council”, requests through this mechanism do not require any follow-up. They are addressed to teaching and management staff of the schools, and they have the power to filter or follow-up to particular demands. In contrast to market research practise, the agenda setting is open, as students can express themselves on any given topic. Nevertheless, the sole possibility to express concerns is far from putting participation as an overarching principle of rights through education in the institution. The link

to the school's pedagogic practice (rights in education) is unclear, and participation might be tokenistic rather than streamlined in the schools decision making processes. However, the invitation to students to express themselves is an important element of quality education, and can be the bases of a right to quality education, if taken further, as seemingly intended in the given case.

Consultation, especially if not limited to a particular issue, but open to any topic of concern, might be a starting point for participation in the spirit of the CRC. However, as follow-up remains entirely with adult staff, it does not assure that the views of the child are given due weight, as requested in the CRC.

b. Participation focused

In participation focused organisations, decision making power is shared with young people in particular contexts or situations, usually around topics which directly impact themselves (Kirby et.al. 2003). However, the competence to choose which issue or mechanism to involve young people in remains with adult authorities, which may retain a veto right.

The example of a nursery in Denmark (Landsdown 2005) illustrates that such partial sharing of decision making power is possible even with infants below three: In order to overcome what was considered as an over-focus on rules and regulations, staff decided that "*every young child has both the right and the capacity to take responsibility for controlling themselves*" (Landsdown 2005:15). Many rules were abandoned, and children had the right to say no to certain things (e.g. they were allowed to leave the table and play). While relationship between staff and children improved through the new practice, number of conflicts between children increased. However, it turned out that children often had the capacity to solve these issues themselves.

While the initial motivation to introduce this new policy might have been pragmatic, as an answer to an over-occupation with rules and sanctions, the philosophy of attributing rights and responsibilities even to small children, and to believe in their capacity to enact them, is very much in line with the spirit of the CRC. Making the externally imposed rule the exception, which has to be duly justified, positions participation indeed as a core principle of a human rights approach through education in this example. Due to the young age of the learners, participation is mainly concerned with aspects of behaviour and albeit not streamlined in the institution, in the sense of a full application of participation in pedagogy (rights in education) and institutional policies (right to education).

c. Child/youth focused

In child focused organisations participation of children is at the heart of the institutions mission and philosophy, and children "*shape the care they receive and the services they use*" (Kirby et.al. 2003:44) entirely. An example of a school applying a resolutely democratic approach is the The Free School in Albany, New York, which hosts 60 children from two to 14 years old (John 2003). All decisions, including recruitment of staff, are taken by the school council, in which all members of the school community have a voice, and everyone's views matter:

The Council meeting system is a key to the democratic practices, forming the central core of the school, where staff, pupils, parents and helpers alike are equal stakeholders, bear mutual responsibility and have reciprocal rights, which makes for complete interdependence. (John 2003:244)

Such an approach showcases that through participatory practises, *“traditional models of adult-child relationships have been radically transformed and power is shared.”* (John 2003:248). A new relationship between adults and children based on equality and respect of anyone’s view, no matter the age, has the potential to truly overcome any age-based discrimination denounced by Alderson (1999). Furthermore, it recognises children as full citizens in their own right and fully embraces rights through, in and to education, as participation is at the core of the institution’s principles, pedagogy and policies. This is quality education in the sense of a human rights based approach.

3. Conclusion

The examples demonstrate that different levels and extend of participation might be feasible and appropriate in various settings, depending on the institution, the age of the involved children and the given environment (e.g. parents concerns, political context). While forcing a radical grassroots participatory model might create opposition and overstretch capacities of stakeholders involves (leading to a possible rebound effect towards authority if things get difficult), a continuous development from a consultative to a participatory approach and finally to a child focused institution can be applied in any school. Research shows that more participation is not only in line with the legal requirements from the CRC, but also results in more substantial learning and responsible behaviour – of children and adults alike.

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