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Who cares? Students' understanding of human rights

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Abstract

A substantial and large body of findings across disciplines supports the constructivist claim that learners enter the classroom with a diverse set of intuitive ideas about the world around them, and that learners can only make sense of new information in terms of their existing understanding. In light of current evidence that prior knowledge is a major factor influencing learning, it is striking that there is almost no research on how young people perceive key concepts and processes related to democratic citizenship and human rights. This paper seeks to address that gap in the literature by reporting on an ongoing German research project focusing on grade nine students' understanding of human rights. It represents a shift from past research, which has focused solely on attitudes towards or knowledge of human rights without investigating the views that informs an individual's mind-set.

Keywords: *Human Rights Education, Prior Knowledge, Qualitative Research*

This paper is rooted in the constructivist premise that learners come to every learning setting with a wide range of pre-existing knowledge. Research has shown that a learner's prior knowledge can differ substantially from the ideas being taught, and often confounds an educator's best efforts to deliver ideas intelligibly (Roschelle, 1995). The interaction between two epistemologically and conceptually divergent 'world views' – those of the teacher and those of the student – may result in communication barriers and thus in a diverse set of unintended learner outcomes.

The social science education discourse does acknowledge the importance of prior knowledge; there is widespread agreement among civic educators that one must be "aware of students' previous knowledge and ways of thinking and feeling" in order to teach effectively (Brett et al, 2009, p. 36). However, little has been done to help educators facilitate that awareness. Most of the research on prior knowledge in civic education consists of large-scale surveys or attitudinal research that do not provide any insight into the knowledge structure that informs an individual's mind-set. There is, however, some qualitative work in the field of human rights education (Wade, 1994; Simmonds, 2012).

The study outlined in this paper is based on the assumption that a wealth of potentially valuable knowledge could emerge out of the investigation into students' thinking about human rights, knowledge which, if modified and used in the classroom, could have profound impact on the quality of learning achieved there.

The study

The purpose of the study is to provide those involved in Education for Democratic Citizenship and Human Rights Education (EDC/HRE) with information that can help them to identify and work more effectively with the prior knowledge of their audiences. The assumption is that if the knowledge, beliefs and attitudes that students bring into the classroom are addressed and used as a starting point for new instruction, learning can be significantly enhanced.

To this end, the study aims to contribute to building a body of work on how students understand key ideas and processes related to human rights. Prior knowledge is often implicit, meaning that neither students nor teachers are fully aware of the ideas that guide their assumptions. The thinking process of students is not usually straightforwardly expressed in the classroom. Accordingly, a working knowledge of HRE/EDC-specific research findings on alternative conceptions might well be considered fundamental to the professional preparation of educators in this field.

A second objective is to elaborate on the challenges for educational practices posed by students' pre-instructional conceptions of human rights. To that end, the ways of reasoning uncovered are related to leading and influential theories of human rights. The goal is not to identify detailed similarities and differences between students' thinking and experts' theories, but to find the major points of agreement and divergence. How and to what extent are human rights theories addressed or accommodated in students' thinking? In what way does student thinking naturally provide an avenue for the introduction of the theorization of key categories of human rights? Such avenues could relate to the establishment of conceptual relationships, content sequencing or the use of terminology. Dembour's (2010) four-way categorization of human rights schools is employed. The strong differentiation between the different schools offers useful insight into how human rights education may be differently interpreted.

A third objective of the study is to contribute to a broader critical theory on the underpinnings of human rights education. It appears that many involved in the field of human rights education express commitment to international declarations but do not look beyond them nor engage in discussion or critique, or seek to foster a deeper understanding. However, the appearance of international consensus fostered by documents such as the *United Nations Declaration on Human Rights Education and Training* (United Nations, 2011) or the *Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education* (Council of Europe, 2010) conceals considerable theoretical diversity and is achieved only at the cost of ambiguity and the formulation of merely lofty goals. Until now, there has been little debate in literature about empirical and theoretical frameworks for human rights education (for an exception, see Valen-Sendstad, 2010). This study contributes to such a debate.

Theoretical background

For the purposes of this study, prior knowledge is defined as a pattern of understanding that is plausible to the learner when attempting to make sense of the world (Lange, 2008). While this definition is consistent with others in the literature (see, for example, Roschelle 1995), there are many forms of prior knowledge, and definitions are fluid and often controversial. Reflecting the dynamic and unsettled nature of the field, some

scholars emphasize the developmental aspects of students' understanding, employing terms such as "naïve ideas," "preconceptions," and "developing understanding" while others underscore chronological aspects by referring to terms such as "intermediate understandings," or "prior concepts." Similarly, terms such as "everyday ideas," "classroom conceptions," and "background knowledge" point to contextual aspects of learners' understanding (Schneider, 2012). All of these terms semantically acknowledge students' conceptions as natural, contextually valid intermediates of the learning process. In contrast, the originally dominant term "misconception" underscores the cognitive transformation that is required in order to achieve an 'accurate' understanding of the subject at hand. Its use has been criticized for contradicting constructivist views of knowledge and for implying that such ideas are nothing more than obstacles to the learning process (Lange, 2008).

The concept of prior knowledge forces a theoretical shift to viewing learning as a *conceptual change*. The conceptual change approach refers to a set of techniques that share a common goal: helping learners exchange their naïve understanding for a deeper one. Classroom studies designed to promote conceptual change usually provide opportunities for students to make their ideas explicit, and then to challenge and extend these ideas using a combination of different strategies, such as peer discussion, or the use of 'bridging analogies' or reputational texts, which directly explain common (mis)understandings and why these understandings are incomplete (see Schneider et. al 2012 for an overview).

The conceptual change approach is closely related to the constructivist approach to learning, which has become dominant in recent decades and underlies much of the current research on EDC/HRE. The constructivist paradigm refers to the idea that people are active constructors of meaning rather than passive recipients of educational messages. Learning is not considered a simple replacement of one theory with another. A complex restructuring of prior knowledge is supposed to encompass new ideas and findings.

Methods

The main question guiding this study is: What are student's conceptions of human rights? The study employs a qualitative approach as a means of avoiding any a priori or singular constraints on the findings. A total of 340 ninth grade students from 16 secondary schools in a metropolitan area in Lower Saxony, Germany, took part in the study. The schools were chosen by random sample. A total of 340 open-ended questionnaires were completed. Subsequent, semi-structured interviews were conducted with 11 students expected to express a wide range of different views on human rights. Students were identified on the basis of the responses to the questionnaires (maximum variation sampling). The interviews took place 9 months after the survey. The average age of the students was fifteen years at the time of the survey and sixteen years at the time of the interviews.

The open-ended questionnaire was constructed on the basis of a review of both literature on human rights and educational frameworks in the field of human rights education. The questionnaire consisted of 6 items, structured to cover three areas identified as crucial domains of disagreement and debate, namely a) the definition of human rights, b) the support for human rights, and c) the importance assigned to human rights. The items

encouraged meaningful answers based on the subjects' knowledge and perception and allowed for the discovery of information that was important to participants but may not have previously been considered pertinent by the researcher.

The questionnaires were coded using MAXQDA software. All transcripts were analyzed as one document and coded by "picking out all the differences of meaning in relation to the concept expressed in transcripts" and "grouping differences to form the small number that reflect the main differences in the transcript, describing their essence, forming categories" (Beatty, 1987, p. 344). In other words, the students' concepts were categorized but not the students. Within each area and across the group as a whole, a variety of distinct positions was uncovered.

Mapping the field

How are human rights varyingly construed among the participants? Preliminary findings based on the questionnaire analysis suggest a finite range of understandings. Four "categories of definition" or understandings in regard to the definition of human rights were identified. Each category represents a qualitatively different way in which the notion of human rights has been understood.

The first account – "the regulatory framework" account – sees human rights simply as a framework helping to keep order. Under this perspective, human rights do not directly set out substantively how things should be; human rights rather provide a framework for running the polity fairly. Statements in this account usually do not refer to any normative facets of human rights or a purpose other than regularity itself, for example: "Human rights prevent humankind from out-of-control processes. Rules have to be followed." Some responses present rights as associated with their correlative duties, and define them in relation to them, for example: "Human rights define your rights and duties; they prevent people from suiting themselves."

In the second account – the "behavioral guidelines" account – human rights are seen as guidelines for proper human behavior. Consequently, respecting human rights is based upon people being compassionate, caring and considerate of others in addition to not infringing on other people's rights. Many statements in this account focus on the implications of human rights articles for individual responsibility toward others, for example: "One should treat others as one would like others to treat oneself," and, "human rights provide guidance for being a 'good' person."

In the third account – the "rights and entitlement" account – human rights are seen as both positive and negative rights. Under this view, human rights are for supporting people and people's inherent dignity by providing essential goods or services. At the same time they grant protection from abuse, from both the state and from other individuals, such as criminals. Examples of this type of response include: "Human rights are to protect people, e.g. from starvation and freezing to death. They also protect against the violence of other people," and, "Human rights enable mankind to live in freedom and to have a happy life."

The fourth account – the "equal treatment" account – sees human rights as rules of respect and toleration of others that are necessary if people are to live together in a community. The principles of non-discrimination, equality and equal opportunities

enshrined in the Universal Declaration of Human Rights are key. In this account, human rights provide a kind of guiding principle to prevent discrimination, for example: “I think the purpose of human rights is to grant equal opportunities to everyone,” and, “Human rights make sure all people are treated equally and with fairness.”

Interestingly, across all accounts, participants appeared to believe that “without human rights, this world would be a very violent and chaotic place” and even “it would not be possible for societies to exist” (sic.).

The accounts are best taken as a summary of separate understandings that complement each other. It is important to note that the accounts, each illustrated by quotes from the students, come from the participants. They are not drawn from theory. Each individual conception ought to be thought of as contextually valid and rational, and having its own practical reality. Whether the concept is valid from a theoretical point of view is not important for the purpose of helping to guide individual behavior. Research on students' prior knowledge of human rights is crucial as the views they hold may affect what they are prepared to contribute as active citizens, now and perhaps in the future.

Conclusion

It remains open to analysis in what ways the four concepts discussed above relate to students' ideas of whether and how one should support human rights, and their distinct ways of assigning importance to human rights. Also, further investigation is required to elaborate on the accounts, and to relate the findings to previous studies on lay people's conceptions of human rights (Stainton Rogers, 1995; Stenner, 2011).

The early findings discussed above provide some preliminary insights into the prior knowledge students in the ninth grade have with respect to describing human rights. Finding out this prior knowledge provides a starting point, a place to begin. But where does instruction go from there? What is the intended learning outcome, the ‘accurate’ conception that educators, through the use of conceptual change strategies, hope learners to ultimately embrace? Given that there is a lack of agreement on what human rights are, the assertion that views on the learning objectives in HRE also differ should not be particularly surprising. The possibility for various interpretations of what constitutes human rights and its implications for educational objectives is recognized as a major challenge in HRE discourse. While most scholars would agree that “the mutability and adaptability of human rights education are its strengths,” and “the diversity in the human rights discourse is a positive source” (Bajaj, 2011, p. 481), HRE needs to be careful not to fall victim to a ‘conceptual imprisonment.’ Keet (2012) provides the example that the “practice of human rights has elements of exercising power over people such as the exclusionary practices that mainstream some forms of human rights understanding whilst rejecting others” (Keet, 2012, p. 17). In order to avoid an uncritical idolatry of human rights and ideological fiats, it is suggested as a preliminary assertion that HRE acknowledges the existence of a multiplicity of idiosyncratic human rights conceptions and proceed from there (Stainton Rogers et al, 1995).

Needless to say, further empirical research is required to corroborate findings on alternative conceptions of human rights. Research should incorporate not only the

alternative conceptions of learners, but also of teachers and researchers. In science education, the alternative conceptions program has benefited from substantial international cooperation and communication, with important contributions by researchers from nearly every continent and from a host of countries. Alternative conception research with respect to EDC/HRE might therefore expect substantial benefit from studies in different national and cultural contexts. However, their effectiveness in enhancing the classroom learning of students will be limited if the implications for teaching and learning are not adopted in classroom practice. It is therefore important to translate these ideas into practical lessons and activities that teachers can use in their classrooms.

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