Safe Spaces
Human Rights Education in Diverse Contexts

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This book examines the crucial issues affecting Human Rights Education in contexts of culture, religious and societal diversity. It exhibits an impressive scholarly achievement, capturing and combining the insights of both established academics and emerging researchers. Each author succeeds in distilling the knowledge of their particular fields of interest, as well as conveying the essence of their intuitive understanding and the richness of the context. This book considers a variety of connected content and methodological issues in three major sections: ‘Philosophical and policy perspectives’, ‘Gender discourses: diverse perspectives’ and ‘Discourses on narratives as safe spaces’. The Edition is further strengthened by allowing international reviewers the opportunity of engaging with the contributors in the Introduction and Conclusion, an innovative departure from conventional formats and which will provide a global perspective to the readers.

The focus of the various chapters succeeds in establishing both a foundation and platform for dialogue surrounding human rights and human rights education in modern policy and governance. Aply named “Safe Spaces”, the Edition offers in-depth and credible (“safe”) nuances (“spaces”), in terms of the somewhat reified concept of human rights, at a time when human rights remains a highly topical and contested international issue. As such, the book imparts an immense scope of theoretical and empirical perspectives, reflected by the distinguished intellectuals who navigate the terrain of their respective disciplines with profound erudition. This book represents a collaborative effort of immeasurable value. This exemplary edition is both timeous, and will prove timeless.

Dr Shernice Soobramoney
SANPAD-Project manager

Safe Spaces
CRITICAL ISSUES IN THE FUTURE OF LEARNING AND TEACHING

Volume 5

This series represents a forum for important issues that do and will affect how learning and teaching are thought about and practised. All educational venues and situations are undergoing change because of information and communications technology, globalization and paradigmatic shifts in determining what knowledge is valued. Our scope includes matters in primary, secondary and tertiary education as well as community-based informal circumstances. Important and significant differences between information and knowledge represent a departure from traditional educational offerings heightening the need for further and deeper understanding of the implications such opportunities have for influencing what happens in schools, colleges and universities around the globe. An inclusive approach helps attend to important current and future issues related to learners, teachers and the variety of cultures and venues in which educational efforts occur. We invite forward-looking contributions that reflect an international comparative perspective illustrating similarities and differences in situations, problems, solutions and outcomes.

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Safe Spaces

*Human Rights Education in Diverse Contexts*

Editor

Cornelia Roux
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The initiative for a book on Human Rights in Education in Diversity, encompassing a variety of different viewpoints, had its origins in 2003 during discussions with undergraduate and post-graduate teacher training students in religion and cultural diversity. This project materialized, partly with the support of internationally funded projects (SANPAD: South African Netherlands Projects on Alternative Development, 2004–2009 & 2009–2012) and of the National Research Foundation (NRF) of South African (2008–2012).

Policies on initiatives on Human Rights Education are part of many education landscapes internationally. In many cases these policies and education programs take note of research in human rights education or research on the diversity of religions and cultures. However, the outcome of the objectives, as anticipated by members of task teams or developers of curricula, did not materialize in practice. The interplay between religions, cultural diversity and human rights education, as well as the debates on their impact, become driving forces internationally. Therefore one needs to engage further in these discourses. Education contexts are in many instances the playing field for human rights education research and this impacts also on transformative curriculum development. These issues are debated in public media and selected journals. One can, however, argue that these debates are in many instances the starting point for shaping the position of human rights education. Irrespective of declarations and legislations, we still need to engage in vital academic discourses to enhance human rights education in diversity.

From the outset, this book on human rights education, through its academic rigor, and with the infusion of both theory and empirical research, presents a range of pertinent issues in which we wish to engage our readers. With critiques on policies, the shaping of research paradigms, by putting questions, playing with examples of research in collaboration with children, taking on gender issues and by asking who is responsible, I want to bring the idea of Safe Spaces into being. It is not possible to develop policies to cure all social problems and/or issues in society, but one needs to stand back and look holistically at all the issues – and then engage in constructive discourses, to avoid empty rhetoric.

The aim of this book, therefore, is to engage in a holistic approach to human rights education in a continuously changing world. Safe Spaces is also about listening to voices. Therefore voices of novice researchers as well as developing and established researchers were put together to create, in their own right, safe spaces. We want to engage and interact with them in their specific fields of interest. International reviewers were given the opportunity to assess the contributions and then, from their own perspective, engage with the contributors in the Introduction and the Conclusion. The manner in which this book has been compiled will give academics an innovative and appealing way of deliberating on
human rights education. It provides the reader with the opportunity to engage with the voice of the original author in each chapter, and then gives the reader the opportunity to read the critique and discourse of the scholarly engagement of the renowned reviewers. The two different approaches of the reviewers provide the readers with a further discourse in human rights education.

The book is divided into three main discourses: ‘Philosophical and policy perspectives,’ ‘Gender discourses: diverse perspectives’ and ‘Discourses on narratives as safe spaces.’

Research projects on inter-religious and inter-cultural dialogue on human rights in education, exploring human rights issues in religious and cultural practices, feminist theories, communities in conversations and dialogue, communities of practice, the position of gender, aggression and violations and the transcending narratives and narrative enquiry into plurality in society are the main challenges with which these authors have engaged.

I want to thank every author who shared their safe spaces, their voices and their research with us, the readers. I also want to thank Marisa Verster for the technical assistance and interacting with the authors.

I wish you a rich and fruitful experience in reading this book.

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(24 February 2012)
LIAM GEARON

INTRODUCTION

The Preamble to the 1948 Universal Declaration of Human Rights framed the historical imperative (where ‘disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind and moral foundations’) and moral foundations (‘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’) of human rights. Like the title of Cornelia Roux’s excellent book, the Declaration was intended to create – in the wake of war, genocide, and holocaust – a safe space, aspired to by means of law, democratic polity and good governance. Here ‘the peoples of the United Nations ... 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’.

If these nations are ‘not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression’ then ‘human rights should be protected by the rule of law’ and the promotion of ‘friendly relations between nations’. In this context, the General Assembly thus proclaimed the Declaration. The same Preamble also regarded education as critical to the advancement of these principles. Thus the General Assembly declared these universal human rights ‘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 (http://www.un.org/en/documents/udhr/ emphasis added).

Given the integral relationship in modern times between politics and pedagogy, emerging from an ancient history (Arthur, Gearon & Sears, 2010), it remains of considerable importance that human rights educators bear constantly in mind not only the moral, political and educational imperatives behind the Declaration but also the historical context which made its formulation so pressing in the late 1940s (Forest, 2004).

In 2008, at a sixtieth anniversary commemoration of the Universal Declaration of Human Rights, at UNESCO Headquarters Paris, I had the honor of acting as General Rapporteur for a meeting of representatives from five continents (Gearon, 2010). The closing session was chaired by Dr Linda King, Chief of Section for the Promotion of Rights and Values in Education, who has over many years facilitated UN programs of human rights education through UNESCO, including the International Decade for Human Rights Education (1995–2004) and, from 2004, the subsequent World Programme for Human Rights Education. The speaker at this closing session was Professor Emmanuel Decaux, Member of the Human Rights Council Advisory Committee, and United Nations’ Rapporteur of the drafting
The role of the Advisory Committee, created by the Human Rights Council for elaborating the proposed Declaration on Human Rights Education and Training, consisted in standard setting, as stipulated in Human Rights Council Resolution A/HRC/6/10, adopted in September 2007. One of its main tasks was to collect information on normative instruments and key initiatives relating to human rights education, most of which came out of the Decade for Human Right Education. The Committee also took into account other existing initiatives such as the Plan of Action of the first phase for the World Programme for Human Rights Education. In 2008, the future work of the Committee was therefore seen as building on existing strengths in the field of human rights education. Politically and pedagogically pervasive, human rights education was conceived (from primary, secondary, tertiary to higher education, and informal settings) as critical to civil society as a whole.

With the United Nations having now produced a draft (2011) Declaration on Human Rights Education and Training, Professor Cornelia Roux’s *Safe Spaces* is a most timely and critical engagement with these issues. The book provides an admirable range of theoretical and empirical perspectives from and the impressive range of authors. Each chapter in one way or another resonates with a problem perennial to human rights and human rights education: the transformation of articles of intention to the actualities of implementation and practice.

As Keet argues in the opening chapter: ‘The importance of HRE [human rights education] on the broader political landscape lies with its capacity to contribute to the development of a critical citizenry as prerequisite for sustainable democracies. HRE needs to consider the ideological, economic, cultural and social functions of human rights. ... the deep experience of human suffering which authentic expression is suffocated by a dominating rights discourse as its inversed image. This is so because it is, within the discursive truth regime of rights, possible to legitimate both an advertising language for simulated transformation and equality on the one hand; and a social reality of stellar inequalities and human suffering on the other.’

As General Rapporteur the 60th Anniversary Commemoration at UNESCO, I observed firsthand how such difficulties are accentuated in nation states which have suffered and continued to suffer under autocratic and dictatorial governance. The title of this book, with its emphasis on protection and refuge, thus resonates with the foundations of human rights and human rights education in modern policy and governance.

Article 14 of the Declaration on Human Rights Education and Training is in this regard important: ‘States should take appropriate measures to ensure the effective implementation of and follow-up to the present Declaration and make the
necessary resources available in this regard.’ Notably international in scope, Roux’s edited collection addresses the multifarious issues which arise here. The book is especially cognizant of pronounced differences in culture, ethnicity, gender, religion, political systems, as well as conflicts within and between nation states. Juliet Perumal in ‘Identity, identification and sociolinguistic practices – implications for an emerging democracy’ is one such example of international comparison, a South African-Netherlands partnership. Kyriaki Topidi’s ‘Religious diversity in public education’ provides a comparative European perspective.

Exploring comparative equalities and disparities theoretically and empirically in impassioned ways, the book is divided cogently into: ‘Philosophical and policy perspectives’; ‘Gender discourses: diverse perspectives’; ‘The discourses of narratives as safe spaces’.

In the first of these, Roux’s ‘Social Justice and Human Rights education project’ examines the potential disjunctures between religious and cultural tradition with human rights, and the problem of where education can stand in creating safe spaces. But she also presents constructive possibilities, with research informing practice. The methodological approach using ‘narratives of experience (narrative theory)’ is here an innovative starting point, demarcating a path from ‘community in conversation to a community in dialogue to a community of practice’.

Gender takes a high priority. ‘As women researchers,’ argues Roux, ‘we need to support the potential of empowerment for our girls who are not always in control of their own destiny. We wanted to embrace their abilities to achieve their full potential and to live bright, extraordinary lives, defined by respect and human dignity. We are reflecting on the gap between the stated values and the eventual practices that form and inflect a new kind of social injustice on the most vulnerable in society and education.’

Gender perspectives predominate in a number of other chapters, as in Anne Becker’s ‘Identity premised on equality of difference as a fundamental human right’ and René Ferguson’s ‘Let’s find a way to learn about rights: communities of practice as space for women and girls to learn about their human rights’. Two other chapters also include girls’ and women’s perspectives: Annamagriet de Wet’s ‘Girls’ experiences of religious and cultural practices’ and Dolana Mogadime’s ‘Using interdisciplinary feminist theory to arrive at an understanding of critical educators who put human rights at the center of school curriculum’. Focus on female gender is balanced by a strong chapter on men and violence in Johan Botha’s ‘Power and privilege: white male teachers’ experiences of aggression’.

Petro du Preez’s chapter engages with the human right to education, the ethical responsibility of curriculum, and also the irony of ‘safe spaces’, presenting the book’s auto-critique in its ‘fixation with safety’. ‘We are,’ writes du Preez, ‘creating empty spaces when we view the right to education as mere access to education institutions, when we merely see the work of curriculum as the selection of contents and methodology, and when we attempt to safeguard learners against the social realities in which they are situated. This empty space justifies the evil of the knowledge economy and denies the ethical responsibility human beings have toward one another. It reduces complex social problems that require human rights
application, to a contextual content that has some remote theoretical significance. In doing so, we are in fact de-legitimizing the intrinsic value of education.’ Arguably du Preez here moves from critical analysis to polemic but it is not less readable for that, particularly when she relates this view to children’s perspectives. Children’s perspectives are also given powerful focus in Bruno Vanobbergen’s analysis of the values underlying children’s rights, and the implications of these for young people in social, cultural and political life.

The final chapters provide a usefully holistic overview of human rights and human rights education as a narrative, even a grand narrative: Greta Galloway’s ‘Transcending Narratives’; Shan Simmonds’ ‘Embracing diverse narratives for a postmodernist human rights education curriculum’ and Ina Ter Avest’s ‘Plurality in society mirrored in the teacher’s multi-voiced self-internalized inequality’.

If I have one problem philosophically with some of the latter, an issue which permeates other aspects of the book, it is the prevalence of ‘postmodern’ perspectives. These I felt were at times a little vouchsafed, even presumed. Such assumptions are difficult for human rights and human rights education as a whole, because in such a (let’s say postmodern) context defining the foundations – ethical, epistemological, legal, political – for rights and thus rights education becomes and indeed remains problematic. This (not simply philosophical) issue is pronounced by the word ‘universal’ which prefaces ‘human rights’ in the Declaration.

In all the volume makes a sterling contribution to international debate. Cornelia Roux’s Safe Spaces: Human Rights Education in Diverse Contexts is timely, contemporaneously pressing in its relevance and engagingly critical. Not all will agree with its methods or conclusions, or even, if we are honest, the importance of human rights education itself, but the book will provide in South Africa and worldwide, an important contribution to an educational discussion which is foundational to contemporary political life.

REFERENCES

HUMAN RIGHTS EDUCATION: PHILOSOPHICAL AND POLICY PERSPECTIVES
ANDRÉ KEET

DISCOURSE, BETRAYAL, CRITIQUE

The Renewal of Human Rights Education

Despite being under-theorized, Human Rights Education (HRE) has evolved into a burgeoning pedagogical formation that sources its currency from a perceived consensus on human rights universals. This proliferation is paradoxically not matched by a sustained and meaningful analysis even though HRE has far-reaching implications for educational systems world-wide, given the treaty and other obligations under the United Nations architecture. Studies on HRE predominantly focus on the conversion of human standards into pedagogical and educational concerns with the integration of HRE into education systems and practices as its main objective. Together with the apparent legitimacy of HRE, these studies constructed HRE as a declarationist, conservative, and uncritical framework that disallows the integration of human rights critiques into the overall HRE endeavor. Thus, instead of facilitating the transformative radicality of human rights, the dominance of this approach, it is further argued, limits the pedagogical value of HRE. In addition to these apparent limits, the legitimacy of HRE seems to accrue, both ideologically and discursively, around the ‘grandeur’ of a diplomatic consensus on human rights. Arguing for a discourse approach to human rights that can make human rights critiques pedagogically intelligible, this paper makes the case for the renewal of HRE.

INTRODUCTION

By regulating my eternal fidelity to human rights education (HRE) by means of incessant betrayals, I suggest that although HRE is conceptually imprisoned, it will be intellectually dishonest (and probably incorrect) to dismiss the HRE field as conservative and unproductive. Rather, I want to illustrate that because human rights is regarded as our dominant ‘moral language’ (see Ignatieff, 2000), and HRE is viewed as the ‘promise of the third millennium’ (Baxi, 1997), studying human rights and practicing HRE as interlinked discourses or a discursive formation, will make it “emerge in its own complexity” (Foucault, 1972:47). A discourse approach is thus loyal to the consistency of the discourse under discussion, but in this process, discloses “the body of rules that enable them [objects] to form as objects of a discourse and ultimately constitute the conditions of their historical appearance” (ibid:49). The objects of HRE (epistemes, pathologies of violations, curricula, manuals, textbooks, standards, pedagogies, toolkits, interventions, structures, processes, agencies, etc.) exist “under the positive conditions of a complex group of relations” (ibid:45) that are constitutive of discourse. Discourse
and the formation of objects thus do not simply infer a concealment of power and interests to be approached negatively. Rather, a discourse approach invites critique to disclose the operations of the rules of discourse, and to make visible the anchoring points for transformative practices. Simply put, a social practice unaware of its own discursive nature will be reproductive and not transformative. It may be caught up in an “unconscious desire not to see and not to speak” (ibid:47). This is, to my mind, the nexus of the challenges facing HRE today.

The adoption of a United Nations Declaration on Human Rights Education in December, 2011 represents the most distinct event to signify the growing international consensus on the importance of human rights education (HRE). This declaration follows the proclamation of the United Nations Decade for Human Rights Education (1995–2004) by the UN General Assembly (Res. 49/184), and the subsequent resolution 2004/71 of the United Nations Commission on Human Rights on a World Programme for Human Rights Education, which is now in its second phase. Thus, now more than ever, HRE is in need of critique and renewal. These sweeping developments, which set up HRE almost instantaneously as a dominant pedagogical form, require a discourse-driven intellectual exploration. For one, how do we account for the proliferation of HRE between 1990 and 2011 which was preceded by the frenetic overproduction of international human rights standards since 1948? What are its consequences? How does HRE, as discourse, embody the complex group of relations “between institutions, economic and social processes, behavioral patterns, systems of norms, techniques, types of classification, [and] modes of characterization” (Foucault, 1972:45)? One may say, with a level of certainty, that these questions are produced within the discursive formation of human rights and HRE.

Intertwined with global geo-political arrangements and interlaced into our daily lives as individuals, communities, peoples and nations, human rights are “expressions of our moral identity” that have “worked their way deep into our psyches” (Ignatieff, 2000:2). Following this hubristic trend, HRE has self-importantly been described as “operational plans … (of an) emerging global educational philosophy” (Lenhart & Savolainen, 2002:145). It follows then that HRE carries a pedagogical responsibility that is negatively disproportionate to how the HRE field is organized. That is, pedagogically speaking, HRE does not have a dynamic, self-renewing, and critical orientation towards human rights. Consequently, an unreflective form of HRE masquerading as its radical-productive opposite becomes dominant.

Why is a discourse approach important? Given the centrality of human rights, its efficacy is a world-wide concern especially given that “no degree of progress allows one to ignore that never before, in absolute figures, have so many men, women and children been subjugated, starved or exterminated on the earth” (Derrida, 1994:85). These human rights violations are expressive of a world defined by the suffering of the majority of its inhabitants. Human rights, therefore, has emerged as the inversed image of the violations it is meant to combat. Needless to say, its value as the dominant moral universal vernacular of our time is dependent on a critical educational form that provides the productive interface
between human rights and the counter-image of suffering of the real-existing communities in whose name they speak. The basis of such a dynamic pedagogical interlocution lies with our ability to root normative human rights frameworks within human rights critiques through a discourse approach. It follows then that the language of human rights and the practices ensuing from it must forever remain in a space of contestation, contention, disputation, public debate and social-engagement. Developing this space should be the function of a HRE that is neither caught up in human rights idolatry or cultism, nor is conservative and uncritical. The value of HRE partly lies in its function to make visible the complexities of human rights as a discourse.

Human Rights, Human Rights Education and Discourse

I refer to a discourse approach in deliberate contradistinction to discourse analysis or critical discourse analysis for various reasons. First, a thorough discourse analysis relating to human rights or HRE is a massive undertaking which I will not be able to achieve in a chapter of this nature. Second, the notion of ‘discourse’ and its concomitant concepts in discourse analysis, sometimes, departs drastically from Foucault’s intellectual project\(^3\). On the other hand, I want to stay as close to it as I can, given its relevance for authentic, critical, social justice work. The review done by Rogers et al. (2005) suggests an increasing distance between Foucauldian thinking and contemporary discourse analyses. Others intimate that Foucault’s work in any case fits better with critical genealogies than with discourse analysis (Hook, 2005). Third, ‘discourse analysis’ suffers from a language bias inherited from the linguistic turn in philosophy and social theory and, at times, fails to articulate the constitutive link between language and social practices\(^4\). Though some scholars within critical discourse analysis regard language as a social practice, “discourses are still understood as the semiotic dimension of social practice” (Howarth, 2002:8). Also, Garrity (2010), in her work on discourse analysis in social work, highlights the erroneous conflation between discourse and language, and a further confusion is introduced by conflating discourse analysis with conversation analysis (ibid:6). Fourth, the limited import of the work of Laclau, Mouffe and Derrida (see Torfing, 1999) on discourse is problematic\(^5\). Again, though I do not have the space and tools to discuss this in any detail, I regard their work as instructive for a political project that aims at including social practices in discourse studies. Fifth, I prefer working with discourse thematically without being caught up in the unhelpful designations of Marxist, post-Marxist, poststructuralist and postmodernist constructs\(^6\). Scholars of discourse analysis and critical discourse analysis are quick to label their work, but, subsequently, betray the designated label. Foucauldian studies in discourse are prone to this tendency. Despite these misgivings, it is important to register that discourse analysts approach their trade in a variety of ways that may render my apprehensions frivolous. Stuart Hall’s (2001:73) work is one such example, which shifts Foucault’s work from “language to discourse”, and thereby undercut the ahistorical tendencies of a semiotic reading of Foucault.
Apart from the above-mentioned five reasons, which we may delimit as conceptual and methodological caveats, my primary intellectual concern is that critiques which regard ‘human-rights-as-discourse’ are only surfacing now as intelligible, a point that I elaborate on later in this chapter. For now it suffices to confirm that Foucault’s work demonstrates the need to invent methodologies “anew as situations change” (Rabinow & Rose, 2003:9). Thus, taking advantage of Foucault’s assertion that his methodological work should not be regarded as prescriptive, “but as an adaptable set of tools and ‘gadgets’” (Yates & Hiles, 2010:53), I suggest a straightforward methodological movement with regard to the study of HRE. That is, positing and then studying ‘human-rights-as-discourse’ is the first necessary step for human rights critiques to take on a productive politico-pedagogical form. The clusters of human rights critiques have not found currency in the generalized way in which we refer to or abdicate our responsibilities to human rights. I argue that a lack of deep discourse thinking on human rights destabilizes the scaffolds that should act as referents for proper critique. That is, it is discourse thinking that will guide and sharpen critique so that critique can be productive. That is, ‘critique’ will know what critique is, and how and for what purpose it is critiquing. It is a conception of ‘human-rights-as-discourse’ that, in the first instance, unbolts the possibilities for productive critique.

I regard the human rights field as a discourse where discourses “are practices that systematically form the objects of which they speak (Foucault, 1972:49). “Discourses are not about objects; they do not identify objects, they constitute them and in the practice of doing so conceal their own invention” (Ball, 1990:2) Howarth (2002:49) contends that Foucault in “archaeology describes the rules of formation that structure discourses, [whereas] genealogy examines the historical emergence of discursive formations with a view to exploring possibilities that are excluded by the exercise of power and systems of dominations.” This is an appealing summary of Foucault’s conception of discourse which synergized well with Fairclough’s (Locke, 2004:1) definition of a critical discourse analysis that systematically explore(s) often opaque relationships of causality and determination between (a) discursive practices, events and texts, and (b) wider social and cultural structures, relations and processes; to investigate how such practices, events and texts arise out of and are ideologically shaped by relations of power and struggles over power.

In this sense, the discourse of human rights and its associated discursive practices create its own ‘things’ and concepts to designate them. Discursive practices are those actions through which objects are constituted and “all objects are objects of discourse [since] their meaning depends upon a socially constructed system of rules” (Howarth, 2002:8). Foucault stresses “the constitutive role of discursive practices in forming and determining objects” by the rules of ‘surfaces of emergence’, ‘authorities of delimitation’ and ‘grids of specification’ (ibid:53). For Phillips and Jørgensen (2002:18), discourse is a “social practice that shapes the social world” made up of actions “in terms of a dual perspective: on the one hand, actions are concrete, individual and context bound; and on the other, they are also institutionalized and socially anchored, and because of this tend towards patterns of
regularity” (ibid). Such regularity of patterns and utterances are key features of HRE. Thus, HRE is not simply explored as ‘textual expressions or a semiological system’7, but as a discourse constituted by social practices and relations. Most aptly articulated by Laclau and Mouffe (1985) as an “articulatary practice which constitute and organizes social relations” (ibid:103), discourse itself “is fully constitutive of our world” (Phillips & Jørgensen, 2002:19). Fairclough8 is generally viewed as subscribing to the semiological approach to discourse analysis. However, as reflected in the following passage, he has, to my mind, a much broader view of discourse than sometimes depicted in textbooks.

I adopt a position of ‘analytical dualism’ which applies to discourse as well as to other elements of the social, which regards ‘discourse’ as subsuming both linguistic/semiotic elements of social events and linguistic/semiotic facets of social structures, as well as of the ‘social practices’ which … I see as mediating the relationship between events and structures (ibid:916).

Moving beyond a definition of discourse as “language in use” (Taylor & Yates, Wetherill, 2002:3) or “text in context” (Titscher, Meyer, Wodak & Vetter, 2000:26), I adopt Howarth’s (2002) and Torfing’s (1999) line of reasoning that discourse includes all social practices, of which human rights activities are principal examples. Admittedly, the meaning of discourse and the application of discourse analysis is abstruse. For this reason Torfing’s (1999:40) richly interlaced notion of discourse is encouraging.

Let us start by invoking Derrida’s definition of discourse as a differential system in which the absence of the transcendental signified, in terms of a privileged centre, extends the play of signification infinitely. This definition emphasizes the moment of unfixity in the construction of meaning. Discourse can thus be defined as a decentred structure in which meaning is constantly negotiated and constructed (Laclau, 1988:254). This broad conception of discourse in terms of an ensemble of signifying sequences allows for the inclusion of both physical objects and social practices as meaningful parts of discourse.

With this inclusive understanding, we can now move on to two complementary concepts in the constitution of ‘discourse’. Undoubtedly, the notions of ideology and hegemony are central to discourse. Ideology, in this paper, refers to constructions of meaning aimed at maintaining asymmetrical power-relations. Simply put, it is ‘meaning in the service of power’ (Fairclough, 1995:14)9. Partly through ideology a discourse can become hegemonic where hegemony is “defined as the expansion of a discourse or set of discourses, into a dominant horizon of social orientation and action […]” (Torfing, 1999:101). Consequently, I treat human rights both as ideological and hegemonic. HRE, in this schema, is a tactical, articulatary practice where articulation is “the construction of nodal points which partially fix meaning” (Laclau & Mouffe, 1985:113; see Howarth, 2002:102). The legitimacy and hegemony of human rights are in part arrived at by an educational form that constructs nodal points of reference. Obviously, there are broader factors that impact
on the legitimacy and hegemony of human rights which are already captured in
massive compendiums of writings. In this sense one may conceive a range of
articulatory practices that construct and maintain the discourse of human rights.
These include the practices of the United Nations Security Council, the General
Assembly, the Human Rights Council, the Office of the High Commissioner for
Human Rights, and a myriad of other United Nations related structures and agencies
such as the International Monetary Fund, and the World Bank. Further, a vast
network of non-governmental organizations and agencies are locked into this
discourse thus extending the discursive field of human rights dramatically.

Given the preceding arguments, the application of the concept of discourse and
other concepts should not be in doubt. A conception of ‘human-rights-as-discourse’
provides the broader architecture on which to develop constructive critiques. The
major strength of this approach is that it makes sense of the over-proximity of human
rights images, words, actions, practices, disciplines, symbols, rituals, violations and
interventions in our daily lives. But, if HRE is a tactical position aimed at advancing
certain interests linked to the conversion of human standards into pedagogical and
educational concerns with the integration of HRE into education systems and
practices as its main objective, where are the possibilities for critique? The awareness
or visibility of discourse constitutes the basis for critique. In fidelity towards
Foucault, the critical is “located in the systematic, analytical endeavor to reveal the
nature of systems of rules, principles and values” (Locke, 2004:27). The critical is a
forerunner of the renewed. Any dominant moral language, such as human rights,
deserves an analytical critique. The consequences of this logic, if accepted, suggest
that HRE should facilitate the ontogenesis of a critical framework within which the
concepts of human rights are meant to be permanently contested. In short, HRE has
the task of advancing the transformative radicality of human rights by integrating
human rights critiques into its mainstream understandings and operations.

Human Rights Critiques

Once ‘human-rights-as-discourse’ is accepted as an explanatory tool, one may be in a
better position to answer the following question: Why are enriching human rights
critiques crowded out by HRE? That is, why are human rights, through HRE,
presented as monolithic truths derived at by a questionable epistemology of
diplomatic consensus, either in Geneva or New York? The issue here is not human
rights critiques per se because they have been with us ever since the concept of
human rights itself took on practical meaning. What is of interest though, are the
rules that made the emergence of HRE possible in the first instance. Historically,
these rules disallowed human rights critiques resulting in a declarationist form of
HRE to become dominant. These rules are constructed via the standards and the
practices of governments, agencies and civil society, for which we still need a
discourse analysis. For now it will suffice to note that HRE has been limited by its
non-engagement with human rights critiques. The critiques of human rights
articulated below should be read against the backdrop of ‘human-rights-as-discourse’
to allow for a productive interplay. As I have argued elsewhere, it is this orientation
which best provides for critique to be intelligible and generative.
As noted, these critiques are not new. Bentham (Schultz, 2004:44) in the 1700s referred to rights as “nonsense on stilts”. Marx (Verma, 2000:69) had his own critical ideas on the rights of man whilst Critical Legal Studies (Ward, 2004) has consistently challenged human rights jurisprudence within legal theory over many decades. Critiques emanating from within the human rights field suggest a long-standing productive endeavor which has overtaken the HRE field. Over the past two decades these critiques grew more industrious. When Derrida delivered the Oxford Amnesty International Lecture in 1992, human rights scholars and practitioners anxiously awaited the resurrection of the human subject in whose name Amnesty International is doing human rights work. The subject, ostensibly, had been ‘deconstructed’, and given Derrida’s status, the human rights sector experienced a palpable crisis. Not surprisingly, Derrida did not disappoint since, as he argued, deconstruction never had an interest in cancelling out anything. Rather, deconstruction is a de-layering affirmation. The human rights sector thus received a deconstructing affirmation that suggested a disposition of permanent self-reflexive critique. But, instead of working with this critical lens, it opted for a conservative reading in the form of a declarationist affirmation. As Derrida noted in the lecture, since and before the adoption of the Universal Declaration of Human rights in 1948, human rights are continually transmuted into divergent functional forms. Informing geo-political arrangements and relations amongst nations, inspiring social movements, challenging violations, and holding governments accountable, are some of these functional forms. Others include functioning as a protection mechanism, a monitoring and evaluation tool, adjudicatory frames, minimum standards, normative ideals, legislative principles and philosophies of education. Cardinally, human rights are also the surrogate of new or post-conflict states such as Sierra Leone, Rwanda, South Africa, Serbia, Croatia and Bosnia. It is also driving the logic of the political intervention in Sudan and the creation of a new Southern Sudanese state. Moreover, it is the central constitutive element of what Derrida and Habermas view as the ‘new international’ and the popular protest in the North African and Middle Eastern states that started in January 2011. The inscription of human rights into international law and United Nations resolutions is also demonstrated by the ongoing investigation into the war on terror and the invasion of Iraq in 2003. This follows on from special tribunals on massive human rights violations and war crimes and the prosecutions administered by the International Criminal Court in The Hague. The plight of the Somalis, Palestinians, Kurds, Chechens, Tibetans and many other ‘peoples across the world and the African continent are framed in human rights terms without the concomitant action to challenge these conditions. This is, according to Habermas (2006:27), the consequence of the “under-institutionalization of cosmopolitan law” which compels the “politics of human rights […] to become a mere anticipation (original emphasis) of the future cosmopolitan condition which it simultaneously seeks to realize”. The language of rights is constitutive of this future cosmopolitan condition.

With Derrida’s deconstructive critique on the one hand, and Habermas’s reconstructive critique on the other, human rights thinking were already deepened.
But there are many more forms of human rights critiques that enrich the concept by infinitely problematising it. These include political, cultural, social and economic critiques. Baudrillard (2002) regards human rights as an alibi for political, economic and cultural globalization processes: “In short, they [human rights] are advertising” (ibid). True to advertising, the over-production of human rights standards and images of its violation coalesced into a discursive industry of producers, consumers and super-consumers (see Baxi, 2002). Thus Sen’s (2004:315) observation that few “concepts are as frequently invoked in contemporary political discussions as human rights” is probably reflective of the advertising centrality of human rights within the processes of globalization. Generally however, human rights practitioners view the field in a much more respectable and unspoiled light as reflected in the following passage.

There is something very appealing in the idea that every person anywhere in the world, irrespective of citizenship, residence, race, class, caste or community, has the same basic rights which others should respect. The big moral appeal of human rights has been used for a variety of purposes, from resisting torture, arbitrary incarceration and racial discrimination to demanding an end to hunger and starvation, and to medical neglect across the globe. At the same time, the basic idea of human rights, which people are supposed to have simply because they are human, is seen by critics as entirely without any kind of reasoned foundation (Sen, 2009:355).

The perceived lack of reasoned foundation is a central contributing factor to the confiscation of human rights by globalizing forces. This has given rise to a number of conceptual dilemmas relating to human rights which are implicitly captured in the paragraph above. These include the ideological and market functions of human rights, human rights idolatry, the moral dominance of the human rights discourse and expectations associated with human rights. In addition to the above, an ever-growing body of knowledge on human rights critiques flows from reflecting on these dilemmas. These critiques suggest the emergence of a productive, systematic interplay between human rights idolatry and human rights critiques. One of the central arguments of this paper is that this interplay is almost non-existent in the discourse of HRE, and this state of affairs provides fertile grounds for a declarationist and conservative strand of HRE to become dominant. There is thus an emerging necessity for the conveyance of these critical arguments into the sphere of HRE.

Again, in a book review, Douzinas (2006) advances a substantial critique of human rights by reflecting on how its history is presented. Chronicles on human rights usually commence in reference to the Greco-Roman republics and their concomitant philosophies followed by the conceptions of right in the work of Aquinas, Grotius, Hobbes, Locke, Hume, Rousseau, Kant, Mill and Hegel. The English Bill of Rights was constructed in 1689 followed by the American Declaration of Independence and Bill of Rights in 1776 and 1791 respectively. The French Declaration of the Rights of Man and of Citizens was adopted by the French National Constituent Assembly in 1789 and human rights were finally
consummated with the adoption of the Universal Declaration of Human Rights in 1948. This story is sarcastically captured by Douzinas (2006:623) as “invented traditions” in the following way:

Primers on rights monotonously repeat a sycophantic, hardly accurate, and simplistic history proving that, like various nationalisms, rights are too important ideologically to be left to the cold eye of the historian. If the nation is an imagined community and traditions are invented to support it, the history of rights combines imagination and invention to present an outlandishly Whiggish forward march. The constitutional moments of this simple history of rights which move from Plato to Nato can be found in most human rights textbooks. The seeds of freedom, equality, and democracy were planted by ancient Greeks in the idea of natural law. Through trials and tribulations that include the Stoics, Cicero, the medieval Church and its fathers, the potential of nature was eventually realized in the Universal Declaration of Human Rights (1948) and the fall of communism (1989). The modern founding fathers are Locke, Paine and Rousseau; the foundational moments the French and American Revolutions and their declarations; the founding form that of individual entitlements; [and] the founding contents, the right to life, liberty, and property.

These ‘invented’ histories are converted into learning outcomes in curriculum materials, school and university textbooks and training manuals for a wide-range of professional groupings. Moreover, these histories reside on the pages of academic and intellectual treatises on HRE. The serenity of this history must be kept intact for the ideological function of human rights to legitimize an “explosion of legal and moral rules” (Žižek, 2011:39) thereby affirming its own hegemony. Rights thus take on a historical trajectory of ‘progress’ which may hoodwink activists into respite (Honig, 2006:169) because of the enactment of progressive laws. Noting this logic, Douzinas (2006:624) chiefly constructs the following critique of human rights.

But a larger difficulty lies in the conceptual slide between legal rights and natural or human rights which characterizes rights theories. Rights were created by the early modern legal system. The rise of rights as a legal form is a clear indication of the emergence of capitalism and its close companion, individualism. Marx famously said that commodities cannot go to the market and sell themselves, the typical action of capitalism. They must be taken there by people (legal subjects) exercising rights. Rights and legal persons claiming them are the logical prerequisites and outcomes of a market economy and a positive legal system which, to meet capitalist needs, regulates social life by means of general precepts. Rights follow rules, as Campbell correctly insists, but there is nothing glorious or exalted about them. They are indispensable tools of a socio-economic system based on the market and a legal system that facilitates it.

The upshot of Douzinas’ argument is because of the “conceptual slide between legal rights and […] human rights” (ibid:624), human rights have acquired a
“common and rather empty designation […] in the late last century (ibid). In the collapse of human rights into legal rights, human rights forfeited the critical distance necessary for “dissent, resistance, and rebellion against the domination of power, the oppression of wealth, and the injustice of law” (ibid:626). In Human Rights and Empire: The Political Philosophy of Cosmopolitanism, Douzinas (2007) takes this argument further by,

theorising a reinvigoration of human rights as a site of resistance against domination and exploitation. He proposes that this be done by adopting Derrida's ‘cosmopolitanism to come’. Human rights need to be reclaimed, Douzinas argues, from the humanitarians who seek the dangerous and violent moralisation of law and politics. He urges that we ‘reclaim their redemptive role [by putting them] in the hands and imagination of those who return them to the tradition of resistance and struggle against the advice of the preachers of moralism, suffering humanity and humanitarian philanthropy’ (p 293). Human rights, as a movement, must reclaim its utopian heritage and set itself up, Douzinas argues, in opposition to law so as to be enabled to confront the limiting logic of law which ‘nominates what exists and condemns the rest to invisibility and marginal existence’ (p 298). The ontological heart of human rights should not, he argues, reside in the hands of a ‘humanity’ defined by a murderous particular in the name of a colonising universal. Instead, it must be returned to the singularity of the other and our continuous exposure to that other as ‘the point of intertwining and condensation of past events and stories, people and encounters, fantasies, desires and dreams, a universe of unique meanings and values’ (Goldup, 2007:294).

Other forms of human rights critiques include the work of Simone Weil (2005). She made some incisive observations on human rights in relation to its adversarial logic in The Human Personality which was written in 1942. Ironically, this happened just a few years before the ‘rights of man’ was dramatically reconstituted in the global human consciousness through the Universal Declaration of Human Rights (1948). Since then an ever-increasing number of declarations, conventions, covenants and paraphernalia coalesced into what we now refer to as the International and Regional Human Rights Regime. With reference to the adversarial undertones of rights, Weil (2005:80) argues that this bargaining…

[...] spirit was already implicit in the notion of rights which the men of 1789 so unwisely made the keynote of their deliberate challenge to the world. By so doing, they ensured its inefficacy in advance. The notion of rights is linked with the notion of sharing out, of exchange, of measured quantity. It has a commercial flavour, essentially evocative of legal claims and arguments. Rights are always asserted in the tone of contention; and when this tone is adopted, it must rely upon force in the background, or else it will be laughed at.

These reflections question the very logical structure of human rights. Similarly, Matolino’s (2009) comparison between the views of Gyeke and Menkiti on African communitarianism again highlights the contested meanings of and logical inconsistencies within human rights. Gerhardt (2003:166), referring to Mutua’s
seminal work on *Human Rights: A Political and Cultural Critique* (2002) suggests that for Mutua a human rights culture in Africa “cannot take hold if it is imposed paternalistically as a Western creation that non-Western societies must swallow uncritically – especially if human rights are packaged with liberal democracy and market fundamentalism.” Elsewhere, I (Keet, 2010:173) reflect on Mutua’s (2002:15) argument that the obsession to universalize human rights stems from the “impulse to universalise Eurocentric norms and values by repudiating, demonising, and ‘othering’ that which is different and non-European”. Mutua constructs an argument on the basis of human rights as a metaphor that includes the metaphors of the savage, the victim and the savior. He (2002:10) states that “the grand narrative of human rights contains a subtext which depicts an epochal contest pitting savages, on the one hand, against victims and saviours, on the other.” The kernel of Mutua’s argument is that the human rights discourse in relation to Third World countries is built around the tendency of displacing the other. The displacement of the other was first operationalised through the practices of the Christian missionary of the previous era who has been replaced by the human rights zealot of the modern era.

In the same work I (Keet, 2010:173–180) reflect on the critical work done by Evans (1998; 2001), Hamilton (2003) and Baxi (2002). In his treatise on *Power, hegemony and the universalization of human rights*, Evans (1998) contends that an exploration of power within the human rights discourse demonstrates that human rights are on the one hand seen as empowering, and on the other as subjugating. The practice of human rights has elements of exercising power over people such as the exclusionary practices that mainstream some forms of human rights understandings whilst rejecting others. The deeper meaning of power in the Foucauldian sense has even wider implications because truth cannot be spoken in the absence of power and thus the power that is exercised within the human rights discourse creates its own “political economy of truth” (Foucault, 1994:131). What counts as human rights truths are thus determined by the nature of power-relations as they play themselves out on the human rights landscape.

Evans (2001) takes his argument further in the *Politics of Human Rights* by highlighting the centrality of politics and power in human rights talks within the context of the post-Cold war era and in the age of globalization. He suggests the possibilities for understanding rights “as both sustaining existing forms of dominance and providing a powerful tool with which to challenge those forms” (ibid:34). He further articulates the shortcomings of a fixation with international human rights law (ibid:55), and demonstrates that human rights are often violated in the “cause of trade” (ibid:77) and that “people who stand in the way of trade-related business ‘routinely’ lose the right to self-determination and to ‘freely pursue their economic, social and cultural development’ ” (ibid:78). In probing the link between human rights and democracy, he (ibid:101) concludes:

Given the argument that the spread of the democracy idea, as is currently promoted, relates more to economic growth and development, the interests of global capital and finance and the conditions for globalization, than with human rights and human security, the popular assumption ‘if democracy then human rights’ is at least questionable.
The overall thesis of Evans’s argument is that human rights practitioners should neither be overly pessimistic or optimistic about the utility of the human rights discourse but rather explore how relations of domination are sustained and reproduced within the language and practice of human rights and at the same time exploit the possibilities of a transformative practice that is locked into and resident in this same discourse. In the *Political Philosophy of Needs*, Hamilton (2003) argues that the contemporary significance of human rights should be reduced to a secondary status in relation to a “theoretical conception that better articulates the larger material and ethical concerns of practical politics” (ibid:2).

A political philosophy founded on rights is illusory, and in practice it often acts counter to some of its own intended goals. This is the case because thinking about modern politics in terms of rights is a crude means of political explanation or ethical assessment and proposal, not least of all because rights, I claim, are in fact retrospective and impede change and evaluation. This is partly due to the fact that rights are meta-political: they naturalise and hierarchise political and ethical means and ends prior to any contextual political process of evaluation. They are the outcome of an attempt to provide secure conditions for a particular kind of political rule and order, but when stipulated in the form of rights these conditions depoliticise politics (ibid:3).

He further argues that human rights are inherently conservative and tend to entrench the status quo because of their historicity. Linking the natural law theory of Grotius, Hobbes and Locke of the 17th, 18th and 19th centuries with the discourse of modern human rights, he (ibid:4) argues that both provided an overarching ideological framework and moral code for guiding the exploitation of territories and peoples. Natural law theory provided such a framework and code to legitimize the imperialism of countries like Spain, France, Holland and England in the 17th, 18th and 19th centuries. In similar form, modern human rights (and current HRE practices) provide a framework and moral code in relation to the exploits associated with the globalization of the 20th and 21st centuries.

Coupled with the inherent conservatism of rights, Hamilton (ibid:5–6) argues that contrary to particular dominant convictions, rights are not “free-standing, self-evident, universally accepted material requirements or moral elements of universal nature or existence.” They are contingent on wider social frameworks and political organization. He thus argues for a Political Philosophy of Needs that is focused on “the urgent distribution of resources and requirements for human functioning under conditions of non-agreement” (ibid:8) to which human rights may or may not be a secondary framework. He maintains that the conception of needs is more motivational and objective than the current conception of rights (ibid:9).

In retaining a significant motivational element, this approach to needs provides an improved means of capturing some of the claims people bring to the political arena, and of understanding and explaining a common language of politics. For it is an empirical fact that the terms ‘need’ and ‘needs’ are constantly employed in practical politics.
Hamilton may be right in arguing that needs is a more objective conception than rights but his assertion that needs are more employed in practical politics than rights may be challenged, given the dominance of the human rights language in politics. One of the most incisive human rights critiques is articulated by human rights activist, Upendra Baxi. In exploring the relationship between human rights, globalization and markets, Baxi (2002:119–131) employs the metaphorical notion of ‘human rights markets’ in the following way.

Human rights markets consist of a network of transactions that serve the contingent and long-term interests of investors, producers and consumers. These transactions rely upon the availability, which they in turn seek to reinforce, of symbolic capital in the form of international human rights norms, standards, doctrines, and organisational networks. Since grids of power are globalized, human rights markets also create and reinforce global networks, each of which seeks to influence the patterns of compliance and violation of human rights norms […] Human rights markets thus share salient features of global service industries.

Though Baxi acknowledged some difficulties with the human rights market metaphor, the shift from this metaphor to the “commodification of human suffering” (ibid:125) is a powerful analytical tool for reflecting on the relationship between human rights and industry markets. He argues that human suffering needs to be commodified and packaged according to market requirements for human rights entrepreneurs to flourish.

Human suffering must be packaged in ways which the mass media markets find it profitable to bear overall […] Injustice and human right violations is headline news only as the pornography of power, and its voyeuristic potential lies in the reiterative packaging of violations to titillate and scandalize, for the moment at least, the dilettante sensibilities of the globalizing classes (ibid:125).

The commodification and marketization of human rights and human suffering thus follow similar patterns to those displayed by the globalization of markets and industries and the commodification of social services. Human rights and human suffering, from this perspective, has become a regulated service industry. Another set of human rights critiques ensued as responses to Goodale’s *Towards a Critical Anthropology of Human Rights* (2006). Goodale (2006:506) argues that

unlike many ethnographic studies of human rights, however, a critical anthropology of human rights is not simply another approach to documenting the empirical dimensions of human rights practices. Rather, it uses the ethnography of human rights as the basis for articulating the grounds on which human rights can be cross-culturally legitimate without having to resort to the kinds of abstracted theories of universality that underpin major human rights instruments and institutions.

Further, Gourevitch (2009:302) critiques human rights for what he “takes to be the way contemporary human rights thinking reconceives of the rights-bearer as a
victim rather than a self-willing agent”. This follows Badiou’s (2002) argument that human rights “presupposes an impoverished conception of the human as a victim, which leads to highly conservative politics” (Souter, 2009:45). “Humanity is defined solely in relation to the evil that can be committed against it” (ibid:46) which results in “a lack of any positive alternative to how things are” (ibid).

Despite these critiques, the growth and development of the international human rights regime seems to provide the most potent possibility on which to ground the emerging demand towards transnationalism and cosmopolitanism (see Delanty, 2009; Habermas, 2006:19-30). These movements are rooted in the positive contribution made by the human rights regime in challenging violations of human rights on a global and local level. The interventions of the United Nations in all parts of the world and the work of its associated agencies such the Food and Agriculture Organisation (FAO), the International Fund for Agricultural Development (IFAD), the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the World Health Organisation (WHO), the United Nations Children’s Fund (UNICEF), the United Nations High Commissioner for Refugees, Office of the (UNHCR), the various criminal tribunals and the International Criminal Court, demonstrate the contribution of the international human rights regime. Add to this the massive work done by non-governmental actors and social movements across the world, Derrida (1994) is probably spot on in his analysis of the ‘new international’. This intellectual position is shared by Habermas who regards the emergence of social movements as resulting from “free discourse and communicative action” (Borradori, 2003:67).

There are, most certainly, many more human rights critiques and positive contributions which cannot be listed within the context of this chapter. It will suffice to indicate the affluence and multiplicity of these resources. HRE practitioners, in their ideologically driven pragmatisms, will argue that these critiques will fall outside of the pedagogical function of HRE given its perceived complexity or obscurity. They will do well to note that the most horrific human rights atrocities ensued from simple prejudicial logics such as those associated with the Holocaust, the Rwanda genocide and Apartheid. These critiques, on the other hand, are not complex, but rather disrupting and in most instances the resistance to disruption hides behind claims of obscurity. Ultimately, the unremitting displacement of these critiques deprives both human rights and HRE from its political and pedagogical value. To work against this deprivation, I suggest a conscious and productive interplay between human rights and its critiques, and HRE and human rights critiques within the context of discourse. In this sense, critique is an act of loyalty and fidelity to be opposed to zealotry. Critique is the incubator of renewal.

Renewal and Conclusion

Though instructive, the patterns emerging from human critiques are for most part ignored by HRE. In general, HRE failed to disclose how the layered human subject is being standardized by standards in service of socio-economic and politico-cultural power arrangements. HRE, as “practices that systematically form the
objects of which they speak” (Foucault, 1972:49), structures both the human and
the right. In constituting the object, human rights became the dominant socially
constructed system of rules conveyed through HRE as its primary conduit. These
patterns and regularities are made visible by human rights critiques that suggest a
multifaceted reconfiguration of HRE. A new HRE is required, one whose fidelity is
spawned by incessant betrayals by relentless human rights critiques. To do
otherwise is to be anti-educational and anti-human rights.

It is undemanding to point to the regularities and patterns of HRE as a social
practices and a semiological system. Their patterns and regularities are obvious
both in human rights standard generation processes and HRE practices. It is within
the generation of standards that human rights education (HRE) locates its
fountainhead. Suarez, Ramirez and Koo (2009:209) capture this point as follows:

National commitments to this human rights regime indicate probity and are
strongly influenced by the action of other nation-states, but for these national
commitments to take on a specifically educational tone, an educational logic
of appropriateness must be firmly in place. In such a world, policy makers
and educators take for granted that the key to the national good lies in
the socialized individual, and the school is chartered to accomplish this goal.
The “interaction” between the international human rights regime and the
worldwide legitimacy of education facilitates the movement from human
rights to human rights education. A growing sense of a globalized
environment makes it easier to imagine that all sorts of problems are world
problems, including human rights problems. This factor also contributes to
the growth of an international human rights regime and its transformation
into human rights education.

Though the above passage uncritically overstates its case, it is indicative of the
grandiosity of HRE talk. This posture is directly linked to the mushrooming of
HRE over the past fifteen years (Andreapoulus & Claude, 1997; Campbell, 2001;
Claude, 1996; Tibbitts, 2002) that sources its currency from the perceived
to the “Worldwide Rise of Human Rights Education” whilst Suarez and Ramirez
(2004:22) validate the “dramatic expansion” of HRE since the mid-1970s;
pronounce on the “strength and the success of human rights education at the global
level” (ibid:23), and at the same time observe that HRE is under-theorized (ibid:22).
Under-theorized strengths precisely signify the paradoxes and dilemmas associated
with HRE.

The self-referentiality that emerged between declarations, conventions,
covenants and HRE practices over the past six decades exhibit a variety of patterns
and regularities that are easily discernable from training manuals, textbooks and
the general United Nations narrative on HRE. Thus, HRE operates as a habituated
action guided by the values and ideologies of human rights itself. It is discursive
since it constructs objects (such as the bearers of rights or vulnerable groups) and
therefore one can empirically weave together a set of nodal points which partially
fix meaning as an articulatory practice. For HRE, these nodal points are obvious
expressions of the meanings of principles and values in international instruments with standardized handbooks on how to disseminate these partially fixed meanings. The challenge for HRE, beyond those of other social practices, is that meanings with the human rights discourse may be partially fixed, but be much more secured and established given the hegemonic status of human rights. And it is here that human rights critiques have to craft a niche as counter-hegemonic practices for critique to become productive as a first step in the renewal of HRE. HRE does not require better methods or assessment strategies. It simply yearns to be educational.

The importance of HRE on the broader political landscape lies with its capacity to contribute to the development of a critical citizenry as a prerequisite for sustainable democracies. HRE needs to consider the ideological, economic, cultural and social functions of human rights. For instance, one may argue that the perpetual service delivery or service failure protests in South Africa has less to do with direct claims or entitlements to human rights, and more to do with the alienating consequences of a human rights ideology that, in the interest of the preservation of political power and its material trappings, presents its normative, anticipatory ideals as an already existing present. These remonstrations therefore arise from a deep experience of human suffering whose authentic expression is suffocated by a dominating rights discourse as its inversed image. This is so because it is, within the discursive truth regime of rights, possible to legitimize both an advertising language for simulated transformation and equality on the one hand; and a social reality of stellar inequalities and human suffering on the other. This logic more or less accounts for the paradox between social behavior as logically flowing from experience and electoral outcomes as products of human rights ideologies, inclusive of the historical narratives of liberation which has already been projected into the future.

If Žižek’ (2011:3) is right and ideology renders the propositions of human rights ‘liveable’, then HRE has to be subversive, even in relation to its own content claims. Such an approach to HRE will work against the peripheral status of human rights critiques within the dominant framework of HRE. These critiques do not constitute a dismissal or rejection of human rights but rather fidelity towards, because it does demand viewing human rights as discourse, so that the social practices and relations that constitute HRE are in a permanent state of renewal.

ENDNOTES

1 I coined this term to refer to the almost dogmatic belief that all human rights truths are generated and consummated within human rights instruments such as declarations, conventions and covenants. Human Rights Education, according to this understanding, focuses on transmitting the provisions in these instruments. The associated tendency is called declarationism. This term was first employed in a paper delivered at the World Conference on the Right to and Rights in Education, Netherlands (25–30 November 2004).

2 I am borrowing this phrase from Žižek (2011:xiv).


“Critical discourse studies stem from three overlapping intellectual traditions, each emphasizing the linguistic turn in the social sciences. These traditions are discourse studies (e.g., Benveniste, 1958/1971; Derrida, 1974; Foucault, 1969/1972; Pecheux, 1975), feminist post-structuralism (e.g., Butler, 1990; Davies, 1993), and critical linguistics (e.g., Halliday & Hasan, 1989; Hodge & Kress, 1970/1993; Pecheux, 1975; Pennycook, 2001; Willig, 1999). Critical Discourse Analysis focuses on how language as a cultural tool mediates relationships of power and privilege in social interactions, institutions, and bodies of knowledge (see, for example, Bourdieu, 1977; Davies & Harre, 1990; Foucault, 1969/1972; Gee, 1999; Luke, 1995/1996).” “As Fairclough and Wodak (1997) pointed out, there are many different approaches to CDA, including French discourse analysis (Foucault, 1969/1972; Pecheux, 1975), social semiotics (Hodge & Kress, 1988; Kress, 2003), sociocognitive studies (van Dijk, 1993), and the discourse historical method (Wodak, 1996; Titzsch, Meyer, Wodak and Vetter, 2000). Each of these perspectives on CDA has been applied to relevant social problems in a wide range of disciplines including policy, social work, linguistics, and education. Despite the many different perspectives of CDA, most of the research we reviewed drew mainly on Fairclough (1989, 1991, 1993, 1995). We were surprised that despite Wodak’s contribution to the development of CDA as a theory, method, and research program (Wodak, 1996; Titzsch, Meyer, Wodak and Vetter, 2000, Wodak & Reisigl, 2001) and her work as the director of the Wittgenstein Research Center on Discourse, Politics, and Identity, there were very few references to her (see Corson, 2000, and Rogers, 2003, for exceptions).”

6 Most scholarly work on discourse suffers this tendency.
7 This is a dominant view in discourse analysis. Vass (1992:9) refers to “discourse as speech, conversation, discussion; discursive presentation of a train of through by means of a series of statements; series of statements or utterances, chains of statements; form of a chain of statements/expressions; the manner in which they came about; rule governed behaviour that leads to a chain or similarly interrelated system of statements; language as something practised; language as a totality; and discussion and questioning validity criteria with the aim if producing consensus among discourse participants”.
8 See Fairclough (2006:916). “Like others, I use the term ‘discourse’ for linguistic and other semiotic elements (such as visual images and ‘body language’) of the social, but I use it in a relational way, with a focus on relations between linguistic/semiotic elements of the social and other (including material) elements. ‘Discourse analysis’ is generally taken to be the analysis of ‘texts’ in a broad sense — written texts, spoken interaction, the multimedia texts of television and the Internet, etc. As I shall explain in more detail later, I take ‘texts’ to be the linguistic/semiotic elements of social events, analytically isolable parts of the social process”.
9 See Phillips and Jørgensen (2002:75). Fairclough is indebted to the work of Gramsci, Althusser and Thompson for developing his conception of ideology.
12 Derrida, (1994). Spectres of Marx. p85–86: “The ‘New International’ is an untimely link, without status ... without coordination, without party, without country, without national community, without citizenship, without common belonging to a class. The name of New International is given here to what calls to the friendship of an alliance without institution among those who ... continue to be inspired by at least one of the spirits of Marx or of Marxism. It is a call for them to ally themselves, in a new, concrete and real way, even if this alliance no longer takes the form of a party or a workers’ international”.

In the Socialist Review, Alex Callinicos, (November, 2004) reflects on Derrida’s notion of the ‘New International’. “In an astonishing anticipation of the anti-capitalist movement, he calls for a ‘New International’ – ‘a link of affinity, suffering, and hope’ in response to these evils. And he robustly affirms, ‘There will be no future without this. Not without Marx, no future without Marx, without the memory
and the inheritance of Marx, in any case of a certain Marx, of his genius, of at least one of his spirits.’


The convergence between Derrida’s ‘New International’ and Habermas’ theory on social movement, is reflected in Philosophy in a Time of Terror, Borradori. 2003.

The Iraq War or War in Iraq, also referred to as the Second Gulf War or Operation Iraqi Freedom was a military campaign that began on March 20, 2003, with the invasion of Iraq by a multinational force led by troops from the United States under the administration of President George W. Bush and the United Kingdom under Prime Minister Tony Blair.

REFERENCES


ANDRÉ KEET


ONLINE REFERENCES


A SOCIAL JUSTICE AND HUMAN RIGHTS 
EDUCATION PROJECT

A Search for Caring and Safe Spaces

Inhumane practices cannot be justified in the name of religious and cultural traditions

INTRODUCTION

Religious and cultural practices and traditions are part of the social rituals, values and belief systems of many cultures and religions. Some of these practices date back to many centuries ago. In some societies and communities one can argue that these practices (irrespective of their inhumaness according to the reasoning in postmodern societies), both in the past and in many instances even today, were, and are the seat of strength of character and moral fiber. The questions asked are whether these practices and positions are creating “safe spaces” for the young and the vulnerable – those who have no choice in participating in these practices (cf. Cairns, Gardner & Lawton, 2000). Understanding different religions and cultures, and especially different practices and customs, is more than ever, an important part of social science, research projects and individual research explorations. Religion is not only a means whereby many different cultures categorize and define humane values and morals, but it also provides a way in which to understand diversity in humankind, our experiences with life, our interaction with one another and the “other” and how one tries to deal with the quest for meaning.

South African schools have a policy of introducing human rights issues across the curriculum. This means that in every learning area and subject, issues related to human rights should be addressed. The policy and discussion documents were introduced in 2003. The main aim was to infuse the whole school curriculum with a culture of human rights, from the actions at management levels to the development of intrinsic knowledge in learners’ experiences. Many programs and initiatives that introduce a culture of human rights in schools are available. However, in a country with so many diverse languages, cultures, religions and ethnicities, it is hardly possible to have a consensus approach towards the understanding of human rights. There are many human rights violations occurring in the name of religious and cultural practices. In January 2010 an international project on empowering girls through human rights education in diverse school environments commenced, intended to respond to subtle and noticeable discrimination emanating from cultural, religious and traditional practices.
The aim of this chapter is to argue, from a theoretical point, the importance of caring and safe spaces in projects on social justice issues and human rights education. In order to do so the commencement of the international funded project will be described to illustrate the complexities and intricacies that occurs when a research project on human rights, social justice and gender is conceptualized and executed. The care taken, the propensity to create safe spaces, the challenges overcome and the discretionary actions, when exploring all aspects of religious and cultural practices, will also be discussed.

As indicated above, human rights and education are priorities for the South African political and educational systems. In our diverse society it is well known that social justice and gender equity are priorities and imbedded in our constitution. It is well known that the main aim, after the democratic elections (1994), was to establish a political and judicially just society with responsibility and respect for the human rights of all citizens, including language, cultural, religious, ethnic and traditional rights. The societal balance between the diverse cultures, the many religious and ethnic groups, should actually be a core pillar of the South African landscape. One of the main issues in the South African education system is therefore how to generate, through responsible curricula and professional pedagogy, a just society, underpinned by the *Manifesto of Values, Education and Democracy* (Department of Education, 2000), policy documents on *Religion in Education* (Department of Education, 2003), *Human Rights Education* (Department of Education, 2003) and other curriculum initiatives. Research projects and many political, social and educational initiatives have tried to establish a core knowledge base at all levels of education in order to guide the next generation socially into becoming a just society which will be able to act responsibly. However, the question to be asked is: Why is South African society, nearly two decades into a new political democratic dispensation, with a well-established constitution and legal system, still failing those vulnerable sectors of society, such as women and girls from all different walks of life?

The continuous discrimination against girls and young women in the name of religious and cultural practices seems to be on the increase. These discriminations are being reflected in reports of Human Rights Watch, the printed and electronic media, investigative journalism, documentaries and research reports. Much discrimination and many practices have become opaque, concealed under the guise of tradition, especially cultural practices in developing worlds, and presented and motivated in such a manner that they are not censured by society in many cases. Sporadic media reports and outcries of women’s associations bring the atrocities to the forefront, but many political, religious and cultural leaders are defending the origin of specific rituals and practices. There seems to be a dichotomy between what actually happens, culturally and religiously, and what ought to be in South Africa’s developing democracy and within the frame of the Constitution and Bill of Rights (South African Government, 1996). Taking the cultural and religious backgrounds, its grand narratives as well as its practices into consideration, the complexity and interpretations becomes a minefield for researchers doing research in social justice. Christie argues (2010:3) that while “elegant in abstract, rights is often less clear in the complex conditions of the material life.” Therefore the
conceptualization and execution of the project was based on the notion of caring and to create safe spaces for the participants as well as the researchers themselves. I was aware, when projects in social justice commenced, that these concerns are part of ongoing debates, whilst these discourses manifest themselves in the public domain, in academic circles and our daily reality.

It was against this background that the team of women academics and well-established researchers in ethnography, pedagogy, cultural and religious diversity, human rights education, curriculum development and education law embarked on exploratory research in human rights education and the girl-child. The target group in the research project was girls between 13–16 years in diverse rural and metropolitan school environments in four of the nine provinces in South Africa. The schools varied from deeply rural schools, with strong religious and cultural practices, to inner-city schools, where diversity included immigrant children from various African countries. As mentioned before one of the aims of the research was the understanding and implementation of discriminatory practices towards girls and young women in cultural and religious communities. The notion can be put that the practicality of a girls’ specific curriculum within co-ed schools needs to be considered. On the other hand it is also important to educate or inform boys on the perceptions and acts of discrimination in the name of cultural and religious practice and their impact on girls. Both girls’ and boys’ narratives were captured and accessible data of the narratives were analyzed and assessed on how to be gender inclusive in the human rights curriculum, because boys and men will also be implicated in social justice behavior modifications.

One of the most interesting aspects of this research project was that we undertook a comparative study with girls in schools in the Netherlands. Traditions, cultural and religious practices have no borders. A developing democracy or a developed democracy does not guarantee that “opaque” violations will not take place in the name of traditions instilled in the community or linked to the country of origin. The religious and cultural practices of girls of first or second generation immigrant parents from Suriname, North Africa and the Middle East regions are also influenced by the interpretation of human rights and the teaching-learning dimensions in schools in the Netherlands. The project co-leader took the responsibility for the sub-project in the Netherlands. Exchange on research methodologies and creating these safe spaces and how to interact with the school communities and participants was a learning curve for all the researchers and linked to our feminist research paradigm.

CARING AND CREATING SAFE SPACES FOR A SOCIAL JUSTICE PROJECT

When conceptualizing the project, I draw on some notions of Nel Noddings’s concepts of caring, discussed in her book *Caring, a feminist approach to ethics and moral education* (2003). I argued that the proposed paradigm and methodology outlined for the empirical research might unwrap some issues that had the propensity to cause inner conflict and distressing thoughts in the participants. This was not a choice by force, but the theme of the project falls within the scholarly ambiance of the women researchers.
The research paradigm chosen for this project was an auto-ethnographic feminist research paradigm with reflexivity and conceptual and empirical interpretations (Roux, 2007a). This paradigm draws on a previous project where it was explored and defined in the research on dialogue in multicultural and multireligious school environments (Roux, 2010). The aim was to refine this paradigm and to explore further possibilities. Auto-ethnographic research has been, for the last decade, popular in qualitative research and is a type of dichotomous style of research. Researchers use multiple foci and these include the “quality or state of being radically alien to the conscious self or a particular cultural orientation” (Anderson, 2006:380). As researchers we were realistic, because the research was conducted in school environments of different provinces in South Africa and cities in the Netherlands. One acknowledges Noddings’s (1984:99) argument that “[F]ar from being romantic, an ethic of caring is practical.” Another aspect in this feminist research paradigm and project was the insider/outsider position of the researchers (McCutcheon, 1999). The researchers did not represent all the different cultures, religion and traditions under investigation. In a discussion on representation the question was asked: Who represents whom? Interesting to note is that culture, ethnicity and language were discussed but religious beliefs, which I assumed to be a contentious issue, seemed not to be a problem. Being questioned, as South Africans, on our perspectives on the research, both African and Western, and the ability to “bridge the gap as insiders” put our “cross-cultural knowledge” at stake (Roux, 2007a). We all took a firm stand that our position, as scholars in religious and cultural diversity and as feminist, ethnographic and pedagogical researchers, should be seen, as argued by Mohanty (2010:454) in her chapter “Under Western eyes’ Revisited,” as a “feminist cross-cultural knowledge base” where we are able to bridge the gap and cross borders between cultures.

Mohanty (2010:455–457) deliberates on curricula for women studies and outlines two models of “feminist cross-culture research”. She identifies the “feminist-as-tourist” model as a “white woman’s burden or colonial discourse” and states that such a strategy is a foray “into non-Euro-American cultures, and particular sexist cultural practices address from an otherwise Eurocentric women’s studies gaze” (ibid:455). The second model defined as the “feminist-as-explorer” stance (ibid:457) can, according to Mohanty, “provide a deeper, more contextual understanding of feminist issues in discretely defined geographical and cultural spaces.” In retrospect we took the “feminist-as-explorer” stance of Mohanty (2010:454) when she also argues about the “gendered color line” and “the dissemination of a feminist cross-cultural knowledge base” as contributing to “developments of transnational and global capital”. On the other hand, experiences in previous research and acknowledge the cultural landscape of our country, as well as the pedagogical challenges, urged us to become more involved in exploring sensitive issues and opaque discrimination. Mohanty puts it best by stating:

It is the way we position historical narratives of experience in relation to each other, the way we theorize relationality as both historical and simultaneously singular and collective that determines how and what we learn when we cross cultural and experiential borders (2010:454).
I argue that our position should not influence, or being into question, our data collection and analyses. One can argue that being from the same ethnic, religious or cultural background as our participants, they might be influenced in their interactions with the researchers and they could be reluctant to convey sensitive information in their narratives on discriminatory issues. However, from the data collected in the first and second phase of the project it seemed that the cultural and ethnic background of the researchers was never in question but seems to create a special safe space for the participants. The girls trusted the researchers as they shared their thoughts and fears, their discomforts and joys in narration, interviews or conversations on issues that sadden or pleased them about their religious and cultural practices. The teachers, the mothers/guardians and their interactions with the researchers engaged in open discussions on the topics under investigation. I argue that a “safe space” is fluid and cannot guarantee a “sheltered space” indefinitely but create safety for the participants in a moment in time and space.

Working first with the girls and thereafter women teachers and mothers/guardians as participants, one realized that the second support structure for the outcome of the project needed to be community based to ensure a form of sustainability. Caring also implies that safe spaces should be created after our silenced footsteps of the research interventions. We developed the outline of a community of practice (CoP) initiative (Ferguson 2010; Wenger 2006) in the second phase and draw on the principles of Wenger’s theory. However we were interested in the interaction between teachers and mothers/guardians and wanted to create a community with dialogue between teachers and mothers/guardians. We define this dialogue as communities in conversations (CiC) an informal process of focus groups and discussions. We applied this, as an integral part the “ethics of caring”, where we “integrate the group and the individual” (Noddings, 1984:100). This approach was more realistic, as we took the notion of “three cups of tea” (Mortenson & Relin, 2006), where the community in conversation creates “safe spaces”, while drinking tea and discussing the discrimination and opaqueness of some traditions and practices. The reason was that we want to engage them dialogically, where mothers and teachers are informed to support girls to be empowered, and where teachers could develop a domain of interest in human rights education (Ferguson, 2010).

It is important not to dichotomize justice, from a human rights perspective, and care as support and belonging, as two opposites (Katz, Noddings & Striker, 1999), but to deliberately seek cohesion between these two aspects, which were dominant in the implementation of the research project. When unequal powers exist between learners as participants and the cultural and religious practices of their communities, it is evident that the challenges will be power-relations and the notion of empowerment (Perumal, 2007). It relates to the discourses between African and Western feminists’ perspectives on the criminalization of abusing a young girl’s body for religious and/or cultural practices. Traditionalism and the position of especially elderly women in some African communities are part of the societal hierarchy. Therefore, an approach to enhance social justice for the younger generation of girls and women within the paradigm of social justice, caring and safe spaces were planned carefully. Oyewumi (2004:409) states that “(T)he
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conflict, in many theologies and communities, emerges between the humanist nature of understanding rituals of traditional religions and modern humanist interpretations of rituals.” Literature reveals that in South Africa the everyday organizations of women are constituted around “their roles as mothers and community members and by far outweighed the number of women (who) engage in overt political activities” (Hassim, 2006:27). An UNESCO Report (De Wet, 2007) on Sexual harassment of girls in secondary schools in South Africa states also that a lack of social skills easily leads to sexual harassment or violent behavior. De Wet (2007:74) argues that women in many South African communities are powerless in negotiating their roles in a traditional patriarchal community. These imbalances also cause inequality in the school community and society between genders where inequalities are rooted in the power dynamics and manifest the stereotypes of cultural and religious practices.

Although social justice is part of human rights and should always counter opaque violations, researchers need to ask questions about the influences and effects of their research especially when deep-rooted social injustice is exposed. Therefore it was important to put support structures in place to embrace participants’ experiences exposed in the empirical research. This research had the propensity to impinge on girls’ experiences that might inflict severe emotions and as a result they needed professional support. If one summarizes the theoretical understanding of this research, as outlined thus far, it seems that caring and safe spaces should be theoretical pillars on which such a project should be based.

COMPLEXITIES OF CULTURES AND RELIGIONS

Cultures, religions and human rights and their interpretations can be in conflict with one another, as people are more aware of their democratic and human rights in general, and of their individual rights, based on their cultural, religious and belief systems in particular (Ter Haar in Runzo, 2007; Martin & Sharma, 2007). Religions and beliefs have become polarized in many regions in the world due to international political, economic and social circumstances. The interface of different religions and cultures also polarize different viewpoints and universal human rights and cultural and religious values in many regions and cultural communities are in conflict with one another (Ter Arvest, 2009; Christie, 2010). The ambivalence between cultural and religious-specific values and a society’s democratic values should constant be investigated in order to promote a better understanding of the theoretical underpinning of human rights education in general (cf. Roux 2007a; Roux, Smith, Ferguson, Du Preez, Small, & Jarvis, 2009). We want to explore if learners’ cultural and religions backgrounds and their religious and cultural upbringing and practices may hamper their understanding and internalization of human rights with a moral underpinning (Du Preez, 2008). It is common knowledge that some cultural and religious practices violate human rights (United Nations’ documents, 1948). Many violent practices against young girls in their respective religious and cultural environments (Almqvist, 2005; Litorp, Franck & Almroth, 2008; Ahmed, Wilag, Navla,
Tamadiir & Sahar, 2005) are constantly condemned when unveiled in research projects and/or biographical stories and books. In her biography *Infidel: My Life* Ayaan Hirsi Ali (2007) explores her cultural and religious upbringing and the practices during her life as a young girl in Africa. She describes to her readers her inner conflict and outer experiences when she encountered other value systems and ways, and discovering human dignity that differs so much from her own religious and cultural traditions. The remarkable outcome of this life story is the composition of her narrative, which represents an undertone of two dimensions. First, the intense powerful narrative and writing style that forces the reader to become part of her emotions, reactions and dreams as well as her cautious approach to change. The second dimension in the narrative is the presence of an enquiring mind, how she embraces change and how she portrays a process of self-determination. Ayaan defines herself within her culture and religion, but also explains her feelings and expectations to change these traditions that seem unchangeable. Her self-empowerment is the foundation for change and reflection on traditions and her narrative should encourage others (Hirsi Ali, 2010). The question we ask is how can research on these issues provide safe spaces and support this self-empowerment?

**WHY SOCIAL JUSTICE RESEARCH?**

In the literature (Almqvist, 2005; Litorp, Franck & Almroth, 2008; Ahmed, Wilag, Navla. Tamadiir & Sahar, 2005), it seems that most research projects on social justice use empirical research methodologies for data gathering and analyses. These projects include human rights violations, race discrimination, ethnic identity, social and economic instances, sexism, gender and educational inequalities, social injustices of societies and communities towards each other, biased curricula and prejudices in multicultural and multireligious schools (Roux, Smith, Ferguson, du Preez, Small, & Jarvis, 2009). Social justice is mainly concerned with equality, in all spheres of society, and the empowerment of the marginalized. Therefore teaching-learning for social justice has a common goal, namely to prepare teachers to recognize and address issues in education where injustices are taking place. In order to do so, a relevant pedagogy and curriculum that combat inequality in schools and society must be enhanced. By promoting social justice pedagogy, educators can increase a socio-political awareness and consciousness, have a sense of agency, and help students develop a positive social and cultural identity. There is a need to understand social injustices (Freire, 1994), and include relevant issues in understanding critical classroom theory and to work towards an informing pedagogy. One should go beyond Freire’s theory and informing pedagogy for social justice and reflect critically on what is meant by these notions. Reflection on social injustices and the processes of self-empowerment should be part of deconstructing the known social constructs, – their practices and traditions – and should reconstruct the practical implications and implementation thereof (Roux, 2009a). The lived experiences and our interactions with individuals should be the critical conscience of researchers in this field of study.
I draw on Dewey’s (1938) conception of the relationship between experiences and education. As an educationist, I argue that lived cultures and real experiences are important because they influence the social construct of curriculum development, and social constructs influence the function of whole school curricula (Grundy, 1987; Cornbleth, 1990; Slattery, 2006). Cultural and religious practices and the experiences of its recipients will impact on how the curriculum is interpreted and the hidden curriculum is portrayed. One needs to embrace the fact that every person is worthy of respect therefore rational thinking should be capable of acting individually and choosing freely, which is the democratic right of every child and adult. The question however is, if social choices are satisfied by social procedures and/or practices of a tradition, can these choices be described as rational and democratic?

Kant’s notion of human dignity (in Sandel, 2009) informs present day notions of universal human rights. Human dignity can be defined as a supreme notion and principle of morality. Human dignity also “connects justice to freedom” (Sandel, 2009:104). This should be an integral part of the moral obligation of any human rights project, namely to indentify not only the injustices, but to enhance the process of the “moral fiber that must strengthen the justices of society” (ibid). Sandel (2010:7) further argues that a “just society respect(s) each person’s freedom to choose his or her own conceptions of a good life.” The notion is that one should also interrogate the moral fiber of a religious and cultural upbringing and its impact on the next generation. The “enculturation” into a cultural community has the propensity to indoctrinate and to accept injustices as part of culture. Booth and Dunn (1999:39) argue that the danger of culturalism lies in “its propensity to propagate traditionalism and that the main problem with culturalism is traditionalism.” The propagating of traditions and its practices to serve conservative powers and their interests can have regressive consequences for the theory and praxis of human rights and human rights education. The influences of religious and cultural rituals and practices on the understanding of and implications for human dignity of the next generation are reflected in many biographies and ethnographic research (Litorp et al., 2008; Ahmed et al., 2005; Gill et al., 2010). Women and girls, who should be at the core of a just society, are in many cases the victims who dare not to speak out on their life experiences. Restrictions on women and girls to voice their needs cannot be justified on the grounds of fixed cultural and religious values, which disallow them a voice and keep them inferior in the name of tradition. Access to education and being permitted to question traditions should not be denied on the basis of religious beliefs or cultural values, where individuals adhere to a code of conduct and behavior, to conform to their societal positions and sexist roles.

THE POWER OF PRACTICES AND RITUALS

According to Bloch (1992) in McAllister (1997:279) a “ritual is an instrument through which power relations in society are maintained and the reality of domination and exploitation hidden while presenting an image of an ideal political
and social order.” He further argues that rituals as “forms of cognition are contrasted with practical knowledge” (ibid). These rituals instruct the community on the social and political order. In order to keep these power relations, cultural and religious, sacred rituals are maintained from one generation to another. McAllister also explains (2009:281) that “(R)rituals are essential for ‘public reflexivity’ in the course of which groups are able to take stock of various aspects of their social situation.” Not all rituals and practices are part of the opaqueness of discriminatory practices, therefore the main aim of the project was to identify whether religious and cultural practices are in conflict with human rights education and the empowerment of girls.

As mentioned before power relations in society have a big influence on how research will be accepted and how research will impact on participants, especially in schools, either from African, Asian and/or Western perspectives. In South Africa, amongst most ethnic groups and religious and cultural communities, patriarchy still has a big influence on societal structures in communities. Research (Ahmed et al., 2005) also indicated that in spite of support for an establishment awareness of a society free of female genital mutilation (FGM) in the Sudan, the respondents from all walks of life (religious leaders from different groups to professional academics at universities) still indicated that they still support FGM for their own daughters. These double standards (Ahmed et al., 2005:61–62) of, especially the academic professionals on FGM, is an alarming issue. It illustrates also the way of influencing and condoning practices supported by the power relations of a patriarchal system. There are many examples in popular media on atrocities regarding FGM in many parts of the developing world. In the domestic upbringing of girls, the position of gender, their sexist roles and the particular set of values are associated with the social order in a community. It is also interesting to note that this “positioning” is strengthen especially by religious leaders.

Sen argues that “positionality” and the theory of justice is “the specific role of public reasoning in the understanding of gender roles and the demands for justice” (Sen, 2009:167). Nussbaum (2010:44) also emphasizes that “people behave badly when the human beings over whom they have power are dehumanized and de-individualized”. When power relations are linked to positionality, gender disempowerment, the vulnerability of children and young girls (Satterthwaite, Watts & Piper, 2008:42) becomes part of the social construct of the community and society. Injustices become power obsessions and the moral basis of the tradition, in conflict with human reasoning.

A society is governed by different social, cultural and religious principles and values. One should therefore be cautious in making artificial distinctions between the private and the public domain of society, especially in traditional communities. These different social spheres are embodied by different sets of values, and the diverse schools environments in the research represented these different sets of values. Sen (2009:170) stated that “(P)ositioning cannot be partly or wholly overcome in ways that take us to a less confined view.” The role of an individual and their social position in the family and the community is important. The
patriarchal system has been accepted for centuries, embedded in cultural and religious stories, principles and values. Sen (2009:112) argues that the “emphasis on the role of individual and public reasoning on family decisions and social processes is well reflected in the theoretical underpinning of ‘social choice theory’ as a general approach.” I question the notion that girls have choices and we have to accept gender disparity in society and regard it as a normal phenomenon (Sen, 2009:166). Cultural and religious practices seem to be supported by the processes of traditionalism and the notion of enculturation. Education should be the agency for social change and, as argued by Christie (2010:8) “a socio-cultural practice, where young people are given access to formal knowledge codes in mediated relationships by others.” The group or community’s relationships with one another become a united force against the individual’s rights and/or fear, in this instance, of girls. When Sen (2009:166) states that “group relations can be called cooperative conflict,” I argue that this is a reason why the opaqueness of violent discrimination in practices and rituals against girls seems to be accepted and supported in communities. Nussbaum (2010:39) also alerts us to the “silent crisis and the lack of humanities and the possibility to teach children critical thinking and critical approaches to their daily life on cultural issues.” The demands for social justice in this case are a conceptual problem in the face of an inadequate idea of social justice on the demands of social choice and fairness.

HUMAN RIGHTS EDUCATION?

Human Rights Reports on South Africa (2010) indicate that there is a huge problem in South African schools regarding human rights discrimination and human rights education. The implementation of the Policy of Human Rights across the Curriculum (2003) and the teaching-learning discourses of democratic values outlined in the Manifesto of Values, Education and Democracy (Department of Education, 2001) and Policy on Religion in Education (Department of Education, 2003), seems to fail many learners in the South African school system. Teachers’ knowledge of these policies in classroom management and the critical discourses for human rights education is a concern amongst researchers and stakeholders alike (Du Preez, 2008). The discourses on democratic values and human rights education need to identify discriminatory practices and the violation of human rights. The violation of children’s rights reported in the media and the report of the then DoE’s Director-General Duncan Hindle on the Priorities and state of readiness (2009), indicated clearly that a culture of violations is prevalent in SA schools and most of these violations are against girls (http://www.search.gov.za/info/previewDocument D+Hindle%3A+Department+of+education: March 2009). Human rights violations in schools are still being submitted to the South African Commission of Human Rights, whilst media reports on learners’ behavior and respect towards one another portrays a lack of knowledge that includes lack of respect for human dignity. The question this raises is: Why is there still very little progress on upholding human rights even though policies in schools are in place and INSET1 programs have been introduced to promote a culture of human rights in education and to support human rights education?
Article 29 of the *Convention on the Rights of the Child* (1992) mentions specifically that a child should also respect “his or her own cultural and religious identity.” The interpretation of this article 29 by human rights law experts, religious leaders, community leaders in traditional and metropolitan environments, as well as the broader society emphasizes and advocates that religious and cultural heritage and may cause a conflict with human rights. Discourses between the above-mentioned groups and the authority given by policies or political powers or taken up by specific religious and cultural leaders, impact negatively on education programs implemented by human rights groups or the official school curriculum in Human Rights Education. In South Africa the practice known as *ukuthwala* (abduction of a young girl to be married to an older man) is well and alive in our society and girls become the victims of deeply imbedded social structures in cultural communities. A task team of police in KwaZulu-Natal (News 24:2 February 2011) has been commissioned to investigate this cultural practice of *ukuthwala*, since a school principal reacted, fearing that school girls would be abducted. This cultural practice was followed-up by an investigation and, according to the media-reports, “was being stopped”, as cultural leaders expressed their innocence regarding the violation of this basic human right. The question is: are these practices claiming authority over human life, and is this not the underlying reason for creating conflict between religious and cultural practices and notions of collective actions by such a community? Human rights education should be at the centre of such discussions.

**A PROJECT IN SOCIAL JUSTICE: CREATING A SAFE SPACE?**

In the light of the above-mentioned arguments and related issues, the project commenced in January 2010 with the title “*Human Rights Education in Diversity: empowering girls in rural and metropolitan school environments*” (Roux, 2009a). As indicated before, the ten women academics, post-doctoral fellows and researchers, each an expert in her field of research. The research paradigm is an *auto ethno graphic feminist research paradigm* with conceptual and empirical interpretations (Roux, 2007). The research methodologies were narrative enquiry with the girls and boys, focus groups with teachers and mothers/guardians, to establish communities of practice and/or communities in conversation. Although the primary aim was not to identify and discuss the violations of human rights according to the SA Bill of Rights (1996), the education law researchers realized during the first phase, that this is becoming an important part of the research project.

When first compiling the proposal for funding (2009), I drew on experiences and explored possibilities to empower girls in rural and metropolitan school environments on issues mentioned in their narratives. Questioning these practices from an academic and theoretical point of view can be regarded as interfering with historical, cultural and religious practices. A remark by a member of the *Commission on Gender Equality of South Africa* at a *SANPAD, Women in Research Seminar* in Durban (October 2009), that research on policy issues is
important, because our interaction in the present will define powerful implications for the future. The argument exposed the conflict between different stances of rights and practices. It triggered the idea to explore within school environments the level of conflict between some traditional practices and the internalization of social justice and human rights education in schools and curricula. Secondly, a need was identified to explore further the notion whether research can contribute to establishing sustainable societal clusters that will work towards the enhancement of respect for the individual rights of girls in a communal society, where cultural and religious traditions are possibly not being questioned.

HUMAN RIGHTS AND NARRATIVE ENQUIRY

The research draws on two main notions of enquiry: human rights from a moral perspective and narrative enquiry as methodology.

In the book *Human Rights and Narrated Lives – The ethics of recognitions*, Schaffer and Smith (2004) explained that human rights have become an integral part of the moral vocabulary of governments and policies of democratic political structures. In this regard one should question the willpower of multi-cultural democratic governments to impose legislation on their communities with powerful traditional cultural practices and religious rituals. Dunne and Wheeler (1999:7), on the other hand, regard human rights as a “matter of opinion, where one community’s story can oppose the other’s story.” In oral cultural traditions, storytelling and narratives have been a primary mode of passing on knowledge about culture and religions. Booth (1999:7) states that it is the “exclusivity of cultures on the grounds that (it) privileges traditional values at the expensive of emancipatory ones” and I argue that human rights education in diverse cultural and religious environments brings the complexity of learners’ voices and factors of their social contexts into classrooms (Donald, Lazarus & Lolowana, 2002). Learners’ narratives and perceptions must give rise to similar or different understandings as held by teachers, parents, their guardians and policy makers.

Narratives have been used in social sciences to connect events into a whole, so that the significance of each event can be understood through its relationship to that whole (Abbott 2002; Elliot 2006; Hutto, 2007; Andrews, Squire & Tamboukou, 2008). Narratives can also be defined as discourses with a sequential order which provide a connection of events in meaningful ways. Narratives also offer insights into the world and/or people’s experiences. I argue that there is a true and authentic voice through which the team could gain access to understand the epistemology, processes and reasons with results where experiences, fear, judgments and an appreciation for circumstances can be communicated (Elliot, 2006:9; Andrews, et.al., 2008). We took the view that sociological insights can be gained from the narratives and can also elaborate on the social context in which these stories were produced and reflect on the processes involved (Elliot, 2006:39; Song, 1998:104). In reading and analyzing the narratives, we adopted the approach that the social
construct of the participants was vital (Roux, 2009b; Andrews, et.al., 2008) and should be understood to constitute individual stories and experiences where their interpretations gave meaning to their lives. The ontology of the narratives could also help to compile and define the multiple identities and roles of the participants (Doyle & Carter, 2003).

Theories Underpinning the Research Project

In order to extend the epistemology of human rights education and narrative theory in this project, the research team deliberated different theoretical stances. First the conceptual framework for human rights education was defined. The reason was that as a social justice project group we need to work within a framework of consensus but with the notion of exploring new possibilities when contexts and data require a fresh look. We also draw on research studies being done in South Africa (Moletsane, Mitchell, Smith & Chisholm, 2008) and put parameters on the issues we need to explore.

Human Rights Education

The research team defines human rights education as follows: *Human rights education is understood as a pedagogical and a moral construct.* This means that the epistemological foundations and the context in which they unfold are recognized within the social context. From a moral point of view one needs to consider the virtues and values that constitute human rights as well as the ethical foundations upon which they are constructed. The pedagogical and moral nature of human rights require that community relations and the relation of the “self” and the “other” should receive priority, since it shapes how we construe teaching-learning praxis. In that sense one can then conceptualize the infusion of a culture of human rights, given the particular context in which it is situated.

From a pedagogical point of view human rights education begins with teacher professional learning. Teachers cannot mediate or facilitate knowledge and skills pertaining to human rights without understanding their own position, identity and beliefs. Legal aspects of human rights as well as pedagogical knowledge should be extended into communities, including parents and guardians. There should be a distinction between universal and local or universal and particular rights and the interrelatedness between these concepts includes participating actively and passively as human beings (Du Preez & Roux, 2010). The responsibility of human rights education includes the opportunity to deal with the tensions that exist in human rights discourses.

Narrative Theory

It was essential first to deliberate different notions on narratives and stories as we understood them. The following interesting issues were raised during a project workshop:
• Our starting point is that every person is a story-teller.
• There is the story-teller and the listener.
• The listener constructs and interprets the story in her own mind, influenced by both a disciplinary lens and her own context/background.
• Stories may have been be adapted/translated by the story-teller in order to meet the expectations of/or to suit the listener/audience
• Stories and narratives involve real life experiences, timelines, dialogue, conversations and reasoning that are all embedded in social contexts.
• Telling of critical incidents may have a beginning, middle and end and develops towards a climax and may involve change or a new development.
• Stories are not necessarily the truth or factual, but are valid, in that they represent the truth for the story-teller and therefore cannot be generalized.
• Narratives may also include untold stories.

A definition was formulated describing narrative theory for the project: Narrative theory is a process of dialogical, communicative action, expressed in the form of voices or peoples’ lived experiences. We argue that narratives link past and present experiences and define future expectations. Narratives are expressed within a context and should be understood within such contexts. This requires reading narratives in the social, historical, political, moral and economical context in which the narrative was revealed. It is a process of making sense of a person’s life world. Narrative theory constitutes the deconstruction of silences and understanding them. It requires that a researcher position herself in relation to the text, the context and the persons involved in it. It also requires a process of reflecting and taking action accordingly, i.e. praxis. From a feminist research point of view the aim of engaging with narratives is to create safe spaces for a caring disposition. This disposition should include sensitivity, empathy and responsibility as central features.

As the narrative readers in this project we became part of the girls’ emotions, reactions and dreams and their cautious actions to change. The project draws on narratives and as Chan and Schlein (2010:35) indicated in their research, the socio-political environments and social oppression includes questioning “the very issues that do not change due to the fact that they are embedded in the origin of the oppressor”. This narrative approach was taken as the main and most important aspect to give voice to the girls’ own stories. It tried to do justice to their feelings, their anxiety to write about issues that may be in conflict with their own sense of righteousness and it tried to engage with their social worlds.

Communities of Practice and Communities in Conversations

The caring and responsibility of the researcher lead to the follow-up on the narrative research with a community of practice (Lave & Wenger, 1991; Wenger, 1999; Ferguson, 2010). The theory on communities of practices and situated learning forms part of the second phase of the project. One of the team members took the lead and guided the team in workshops and gave practical guidelines. This approach directed new ways to support and embrace issues on human rights,
gender violence and practices mentioned in the narratives of the girls. Teachers, women and guardians of the selected schools in the project were guided to construct and negotiate meaning of religious and cultural practices. What did we expect to happen at the schools? To develop a Community in Conversation on religious and cultural practices, to first introduce dialoguing and develop Communities in Dialogue with one-another and to create a circle of trust. These communities in conversations should foster the dialogue and engage in interaction between the participants (teachers, mothers/guardians and if possible the girls) and try to create safe spaces for reflection. The notion is to further these communities and for sustainability create Communities of Practice where teachers develop their domain of interest in human rights issues and education, and combating opaque violations of religious and cultural practices on girls.

BROAD OUTLINE OF THE PROJECT

The project consisted of three phases: Phase one were two pilot studies, phase two the narrative enquiries and phase three the community engagements. It was necessary to completed two pilot studies in different education settings before the main project with eight schools in four provinces commenced.

The research project constituted three subprojects (See figure 1) (Roux, 2009a). Only one of the sub-projects (A) collaborated with co-researchers in the Netherlands to enrich and compare the data on the narratives. Studies have been conducted in this regard and a comparison revealed important insights for curriculum development of human rights education in diversity (Roux, 2010; Ter Avest, 2009). Sub-project (A) gave an opportunity to compare the reflection of girls and boys on the brief set for their narratives. The different cultural and religious contexts in the project indicated that the different contexts – rural, metropolitan and inner-city schools – needed curricula (sub-project C) that can adhere to specific discourses in the communities (sub-project B).

Experience in this field of research has shown that consultations with an academic board of advisors or critical friends to reflect on research data and analyses ensured that academic discourses and societal responsibilities were taken into consideration. In this project, members of the Department of Basic Education, Human Rights Commission, academics in law, education law and gender studies brought substantial value to the reliability of the project. Special provision was made for professional follow-up sessions when the narratives revealed serious concerns. Provision was made for a psychologist and an expert in indigenous knowledge where researchers lacked knowledge or professional help, and if necessary, for feedback to the communities in conversations. The service of a social worker was once required during the second pilot study when social issues were detected through the narrative. Participants reflected in the language of their choice and translators were used to transcribe the narratives (second phase, 2010) in English, the common language of the researchers.

As indicated the project consisted of three sub-projects each with a project co-leader(s), senior researchers, post-doctoral fellows and post-graduate students
working in their respective fields of expertise. Different methodologies and methods underpinned each sub-project’s objectives, but the three sub-projects formed a unit of knowledge on the understanding of gender issues and curriculum development in human rights education.

**Figure 1. Outline of the project.**
The main research question put was: (i) what constitutes the intrinsic knowledge and reasoning for upholding discriminatory practices in some cultural and religious communities and (ii) are the younger generation of women becoming voiceless due to the opaqueness of the upholding of these practices.

It was clear that this project needs a multi-faceted approach in order to answer both sections of the question. The question leads to the following objectives identified in three sub-projects.

The objectives of the three subprojects were:

(a) **Project A** explored the cultural and religious contrasts in communities, human rights and communal values and practices with a comparison of religious and cultural practices in Netherlands.

(b) **Project B** explored social identities of girls in the selected school environments, human rights violations of girls, education law interpretations and the participation of communities of practice (communities in conversation).

(c) **Project C** defined change and reflected on the development of coherence with human rights and the development of curriculum theory and curricula on human rights issues. The main issues were: exploring conflicts and making comparisons in practice and curriculum, developing value underpinnings of human rights and gender and arguing for a holistic transformative curriculum development.

In order to achieve these objectives the following secondary research questions were put:

(a) Why and how do cultural and religious practices influence the basic human rights of girls?

(b) In what way is there a discrepancy between girls’ human rights, as outlined in the Bill of Rights in the SA Constitution (1996), the Children’s Charter of South Africa (June 1992) and the African Charter on Human and People’s rights (June 1981), and their immediate social construct in schools and in the cultural and religious communities they belong to?

(c) How can human rights education in schools, underpinned by sound educational curriculum theories and praxis, empower girls in diverse traditional, cultural and religious environments?

(d) How can women – teachers, mothers and guardians – in communities be included to empower the next generation of young women whilst embracing their particular cultures, values, religions, belief systems and world views?

As indicated before, the communities in conversations (CiC) dea, as the last phase of the project, were identified as the first interaction and possibility to contribute to the sustainability of the ideas of openness and support for empowerment in the participating schools. Creating a space for conversation about opaque discriminatory factors should lead to dialogue and further to communities of practice in the schools. The question however is whether these different stages of communities will or can be maintained if the researchers are not the primary organizers anymore.

The following diagram illustrates the first processes developed for a community in conversation at the selected school environments.
This development from a **Community in Conversation**, then to **Community in Dialogue** to a **Community of Practice** has the propensity to create the safe spaces we envisaged as a support for girls and young women to share their fears, sadness and joys on the religious and cultural practices and on how to be empowered.
CONCLUSION

Research in social justice creates different avenues for responsibilities towards the participants. Capturing data, cultural mapping, interviews and narratives was a daunting experience in the first phase. The expression “back to the drawing board” was always imminent in the project. True to the feminist research paradigm of “situatedness” we were able to capture the important issues to redefine the safe spaces we wanted to create. Communities in conversations were introduced to explore the second circle to offer another layer for safe spaces. As project leader, I surmised that the most evident way for exploring research on social justice issues in schools was first to take the theoretical stance as well as to define the position of the researchers and research team. The notion that social justice issues cannot be understood by researchers from different cultural, religious or ethnic backgrounds is a fallacy. The interaction with the departments of education, school management, participants, their cultural environments and the professional researchers was amazing. Remarks from a person at a conference presentation indicating that social justice research should only be initiated by “insiders of a specific culture”, that “you are not from my culture”, is unfortunate. This remark reflects on the professional stance and the position of the researchers and teachers as guardians of their school environment they served with their research efforts. The shared ideals and outset offered a sense of community, comforting security and reassurance that it is the right way of doing things. Research in social justice and human rights is not about ethnicity and understanding religious and cultural practices only, it is about the conceptualization of shared responsibilities, within the professional capacity and composition of the researchers. As women researchers we need to support the potential of empowerment for our girls who are not always in control of their own destiny. We wanted to embrace their abilities to achieve their full potential and to live bright, extraordinary lives, defined by respect and human dignity. We are reflecting on the gap between the stated values and the eventual practices that form and inflict a new kind of social injustice on the most vulnerable in society and education.

ENDNOTES

1 INSET: In-service teacher training initiative.

REFERENCES


Department of Education Policy on Religion and Education (September, 2003).
The Children’s Charter of South Africa; (June 1992).