**Rights Education:**

**An exploratory analysis of what students know about their rights**

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Abstract

Human Rights Education (HRE) is a mandate in both the Universal Declaration of Human Rights and the United Nations Convention on the Rights of the Child. Globally, children are learning about their rights, and the rights of others, from preschool through college. Most of this instruction occurs in schools. Yet HRE is not universally or systematically implemented. How much do college students know about their rights, particularly when they were children? This study analyzes American college student knowledge of their human rights. Using focus group, interview, and survey data, most students lacked knowledge of rights they had when they were young, and they continue to lack detailed knowledge about human rights. Findings show the need for greater instruction about human rights education. Different instructional models are recommended for consideration.

**What Do Students Know About Their Rights?**

Education in the twenty-first century is at a crossroads where administrators, instructors and experts clash on what should be priorities for the instruction of our youngest citizens. On one hand, there is pressure to make certain that students learn the three R’s (reading, writing and arithmetic) and become successful in STEM (science, technology, engineering and mathematics) courses, which are identified as important for them to be competitive in a global marketplace. On the other hand, there is a cry for more attention to paid to humanities, arts, and social sciences within a framework of liberal arts education so students can learn creativity, problem solving strategies, social responsibility, and positive human interaction skills. Programs like the Liberal Education and Americas Promise (LEAP), are designed to promote critical thinking and global responsibility. Social pressures have forced schools to become increasingly attentive to issues of diversity and teaching tolerance. It is the position of this paper that instruction in human rights education (HRE) is a vital component of liberal arts education. Without teaching students how to interact with others in a positive and respectful manner, all other instruction will pale in its impact. How much do students really know about their rights? Before they can treat others in a rights-respecting manner, they first have to learn what they are. This article reviews the findings of a set of integrated studies on HRE in a New England university in the United States. It concludes that students do not know much about their own rights or the rights of others, and this would be a fruitful area for instructional development.

**What Is HRE?**

Despite clear standards in the Universal Declaration of Human Rights (UDHR) and the United Nations (UN) Convention on the Rights of the Child (CRC), there is no universal consensus in defining HRE. As a term, HRE has become more frequently interjected into materials, discussions, and policies without a clear-cut determination of what it actually means (Tibbitts 2002). It may encompass, or even be indistinguishable from, other fields such as peace education, global education, civic education, social studies, social skills education or citizenship instruction (Merryfield 2008, 2010, 2011; Tibbitts 2002; Parker 2003; Bromley 2014). HRE can be taught as broad, abstract concepts, localized examples, represent the whole of humanity or focus on special interest groups. Sometimes rights are taught in tandem with teaching children about responsibilities, but they are not the same (Howe and Covell 2010, Osler and Starkey 2005, Jerome, Emerson, Lundy and Orr, 2014). There is a lack of standardization, teacher training, certification, and best-practices research of HRE, which results in wide variability of what is taught under the umbrella of HRE and how it is taught (Vissing, Burris and Moore-Vissing 2016). The result is that many different types of curriculum that are under the umbrella of human rights.

Rights education is required by the UDHR in Article 26 (2) to strengthen respect for human rights and fundamental freedoms, promote understanding, tolerance and friendships among all nations and people in pursuit of maintaining peace. The UN International Covenant on Economic, Social, and Cultural Rights, Article 13 (1) asserts that education shall be directed to the full development of the human personality, sense of dignity and strengthen respect for human rights. The UNCRC (Article 28, 29 and 42) requires rights education for all ratifying nations in order to ensure the understanding and protection of child rights. The UNCRC emphasizes that not only do children have these basic rights but they also have the right to know they have rights (Howe and Covell, 2005; 2010). Under article 29, education is to be directed to the development of respect for human rights and under article 42, children (as well as adults) are to be made aware of their Convention rights. The United Nations Convention on the Rights of the Child defines a child to be anyone under age 18. HRE has been found to be taught at the preschool level to children in an age-appropriate way in accordance with the age and maturity of the child’ (article 12). It is also useful to be taught all the way through college levels and into professional training programs ( ).

**Implementation of HRE**

Many HRE curriculum and programs exist, some with materials prepared to help teachers reduce the time and effort it would take to build an instructional unit on human rights (Vissing, Burris and Moore-Vissing 2016). Some of the most famous include the UNCIEF UNCRC Toolkit (Jerome, Emerson, Lundy and Orr, 2014), the United Nations World Programme for Human Rights Education (WPHRE), which promotes a two-phase instructional model (UNESCO/OHCHR, 2006), the Hampshire (England) Education Authority program known as RRR or Rights, Respect and Responsibilities (Hampshire City Council, nd; Covell, 2007), and the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (2010) and the Political Engagement Project of the Carnegie Foundation for the Advancement of Teaching (2007) suggest the best teaching practices to foster HRE are those which encourage students to exercise and defend their democratic rights, value diversity, and contribute to the building a universal culture of human rights (Gatens & Johnson, 2011).

Many teachers may have a commitment to human rights principles such as justice and equality and act on ethical principles that support human rights. Experts in the field indicate that few of these well-intended teachers have formal training in human rights law, international human rights instruments, or curriculum options (Osler and Starkey 2010). People who teach human rights often do so out of good-intention without benefit of having a pedagogical approach (Covell and Howe, 2005; Schweisfurth 2006). As Fernekes (2014) noted in his evaluation of teacher-training programs in the United States, there is a lack of HRE incorporated in any course. When HRE is taught, it often occurs at the initiation of individual teachers who believe it is important. The content of what is imparted, and the method of dissemination, may vary widely. It could occur as a large unit, an isolated example, and be present in any number of classes, such as social studies, history, civics, global studies, peace education, theatre, language and culture classes, or literature courses. This same trend of practitioner-driven HRE was also found in a study of Scottish teachers (BEMIS 2013).

It stands to reason that what students learn about human rights may be quite variable. As this pertains to higher education, colleges are training grounds for people who will become professionals and leaders in their fields. It is useful to have some sense of what they know about human rights in general and child rights in particular, the type of rights education they have received, and what kinds of rights they think students should have.

**Methodology**

A multi-stage methodology was employed in this study of child rights knowledge of college students in the United States. This is a pilot, exploratory study that employs a descriptive analysis of both qualitative and quantitative data. It was approved by the university’s Institutional Review Board that considers all research projects. This study lays the foundation for more refined studies among larger samples to occur in the future.

Background: The authors hail from the United States, which is the only United Nations member country that has not ratified and implemented the UN Convention on the Rights of the Child. This treaty is regarded as the most endorsed human rights treaty in the history of the world. They were not taught about child rights in schools, although they did learn about civil rights and other rights movements, such as the women’s movement or LGBTQ rights movement. One of the authors was awarded a Whiting Foundation Fellowship and analyzed child studies programs in the United Kingdom and Ireland, where child-rights programs are well-integrated into the primary, secondary, and higher education institutions. The difference in how the topic of child rights was treated between the US and UK/Ireland led to the desire to learn more about what students in the US know about the UNCRC and what they think about child rights.

Step 1: Informal Interviews with Teachers. Engaging in exploratory research, we interviewed two dozen university level professors and found that none of them had received any sort of systematic human rights training, either at the secondary or post-graduate levels. Two dozen secondary school teaches were interviewed and we found the same trend – they may have known about human rights in a global sense, but they were never specifically trained to know the history of human rights or theoretical frameworks for it. Essentially, they could not teach what they did not know, confirming the findings by Fernekes and the BEMIS studies. Teachers may think that HRE is an important thing to teach, but they tended not to think that they should take the responsibility to teach it, given the long list of things that they felt they were responsible for teaching. In a hierarchical fashion, human rights education was not perceived to be a priority for them. Discussion of child rights was even less important. In fact, some teachers responded with concerns that if students were aware of their rights then the teachers may have less control over them. In order to do their jobs well, teachers conveyed concern that students could twist information on their rights against them, or that their parents may be opposed to having their children learn about rights for fear it could pose challenges in their home dynamics. It became clear at this point that working with schools would not be a fruitful way to conduct a broad-based research project on the issue of child rights.

Step 2: The identifiable point-of-access available for studying about children rights was working with university students. They were over age 18 and did not require parental consent as would be needed for researching students under age 18. It was possible to construct projects in which their responses could be voluntary and anonymous, and they were methodologically convenient. Two data collection procedures occurred at this stage of the research project:

Blind Qualitative Exploratory Survey. Six classes of students of approximately 25 students each (N = 132) were asked to take out a piece of paper and on Side 1 write down all the rights they could think of that they had when they were children (under age 18), and then on the back to write down all the rights their parents had. Universally, the classes had the same pattern of results. The students could come up with generally very few rights they had when they were children (mean = 4), while they came up with double the number of rights for their parents (mean = 8). It appeared that they had a systematic lack of understanding of what it meant to have human rights. They listed rights to be things like driving a car, having a credit card, being allowed to drink alcohol, buy property, or rhetorical statements such as “life, liberty and the pursuit of happiness.”

Focus Groups. Focus group discussions on the topic of child rights were conducted with seven different classes of students of about 25 students each, for a total number of 175 participants. Students were asked what they knew about their rights, afterwards they were asked if they knew anything about the UNCRC. It became clear that they did not know what rights they had, they picked things like the right to drive or get a job when they were age 16 or they had the right to vote when they turned age 18. They knew they did not have the right to drink alcohol until age 21. They felt they had to be an adult, over age 21, to have a lawyer represent them. But beyond that, they generally did not know they had other rights. Almost none of them had even heard about the UNCRC, and those that had heard about it didn’t know what it was. Students conveyed that they had never had a course on human rights or child rights, but they had heard of the term human rights. They associated it with civil rights, such as with race, gender, or sexual orientation information that they may have learned about in school. When the topic of child rights was explored in more detail, the focus groups lively interest in the topic of child rights and students wanted to know more about them. They also wondered why they had never heard about them before. Students were not necessarily in favor of children having rights. The themes around their opposition to rights concerned: children don’t know enough/mature enough to have rights; children were likely to take advantage if they had rights and not use them responsibly; children were likely to get themselves in trouble of they had rights (examples: sex, drugs, alcohol, fighting, skipping school, not obeying parents); and whether they would be able to control youngsters in their charge if they knew they had rights. Student reasons for supporting child rights included: respecting their good judgment and right to make decisions; health care and body decisions; friend and relationship decisions; to be paid fairly for work; and having the right to get away from abusive parents. The findings learned in the focus group helped to create the next phase of the research project.

Step 3: More detailed information from students who were not in our classes was desired. An electronic survey was created, building upon information obtained in the previous steps of this project. After survey approved by the university’s Institutional Review Board, professors in departments of political science, education, social work, communication and psychology were asked to invite their students to complete an electronic survey. Student answers were voluntary and anonymous and there were no penalties or benefits to their participation. This was not a random sample and tended to be students in arts and sciences, education or human services. Their answers were voluntary and anonymous and that there would no penalties or benefits to their participation in the survey.

**Findings**

In the online survey of college students at a New England university, 174 students responded. Over 41% were students in Social Work; 13% were Education majors, 11% were Sociology students, and the others came from a variety of other majors, giving broad representation of students in other disciplines as well. Eighty-three percent of the respondents were female, and seventeen percent were male. The majority of respondents were between ages 20-24.

When asked if they had ever heard about the United Nations Convention on the Rights of the Child, about half (46%) had never heard of it. About a third (35%) had heard of it but didn’t know much about it. Only 18% of the students felt they knew something about the UNCRC. The vast majority of those students had been in a class where child rights was discussed; until they took the class introducing them to the UNCRC, almost none of them knew it even existed.

Students were asked to reflect on the main people in their lives and if they had shown respect for the rights of children and youth. Most thought adults did not. Parents were identified as the most respectful of their rights (38%), followed by teachers (24%), and peers (23%). The group identified as least supportive of child rights were community leaders, where only 19% of students felt this group were “definitely supportive” of their rights.

When asked if they knew much about what rights they had when they were young (under age 18), less than a quarter (24%) reported that they definitely knew they had rights. One in ten reported that they grew up not knowing that they had any rights. Even though the majority of students were not well-informed about if they had rights or what they were if they thought they had some, they were still able to identify when they were mistreated and had their rights violated. About 44% of respondents stated that they had definitely had seen other youth have their rights violated, and another 41.6% thought youth rights violations were at least somewhat true, resulting in about 86% of students directly or indirectly experiencing rights violations of youth. About 55% of students reported that the rights of children are definitely not respected as much as the rights of adults, and another 34% reported that this was at least somewhat true, for a total of 89% of students feeling that adult rights are respected more than the rights of children and youth. Almost three-fourths (73%) felt that children should be entitled to the right to learn what legal rights they had; 24% weren’t sure, and only 3% of respondents didn’t think children should be taught what legal rights minors had. Seventy percent of respondents indicated that all people should be entitled to the same rights, irrespective of age. However, only 35% agreed that children were entitled to the same rights as adults; sixty-five percent reported that young children should have fewer rights than adults. Forty-four percent felt that older children should have more rights than younger children.

Subjects were asked if they thought people under age 18 should have rights to the following list of actions. Data responses were coded as “definitely a right” people under 18 should have, if they were unsure whether an action should be a right young people should have, or whether they felt it was “definitely not a right” to which minors should be entitled. Significant variability in response resulted, as shown in Table1. The data implies that even among college-aged students there is not a consensus on what should be considered a right that people under age 18 should have.

Table 1

Student Views Of Potential Rights Issues

|  |  |  |  |
| --- | --- | --- | --- |
| Behavior | Definitely  A Right | Unsure if Should be  a Right | Definitely Not  A Right |
| Secondary Education | 94.15%  N=161 | 5.82%  N=10 | 0%  N=0 |
| Free College | 49.13%  N=85 | 42.2%  N= 73 | 8.67%  N=15 |
| Free Health Care | 76.47%  N=130 | 20.59%  N=35 | 2.94%  N=5 |
| Privacy in Physical Health Care | 71.51%  N=123 | 24.42%  N=52 | 4.07%  N=7 |
| Privacy in Mental Health Care | 77.91%  N=134 | 20.93%  N=36 | 1.16%  N=2 |
| Choose Own Religious Views | 79.65%  N=137 | 18.6%  N=32 | 1.74%  N=3 |
| Choice Over Where Live | 33.92%  N=58 | 54.38%  N=93 | 11.7%  N=20 |
| Play | 78.82%  N=134 | 17.84%  N=30 | 3.53%  N=6 |
| Choice of Friends | 69.19%  N=119 | 28.49%  N=49 | 2.33%  N=4 |
| TV Viewing Choice | 24.71%  N=42 | 58.83%  N=100 | 16.48%  N=28 |
| Internet Viewing Choice | 17.54%  N=30 | 63.16%  N=108 | 19.30%  N=33 |
| Facebook Post Choice | 13.95%  N=24 | 84.54%  N=111 | 21.51%  N=37 |
| Choice to be Sexually Active: Hetrosexual | 36.84%  N=63 | 47.37%  N=81 | 15.79%  N=27 |
| Choice to be Sexually Active: LGBTQ | 37.87%  N=64 | 46.16%  N=78 | 15.98%  N=27 |

With respect to education, almost all (94%) reported that free education through high school/secondary school is a right, or should be. No one thought minors should be prevented from receiving a free primary and secondary education. When asked if it was their right to have college paid for, half (49%) thought it was definitely their right, 42% was unsure, and 8.6% thought higher education should not be a right for which young people should be entitled.

When asked about health care, 76% felt having paid access to health care was their right and only 3% did not think so. When asked if people under age 18 should have privacy to physical health care services, 71.5% felt they should; only 4% felt they should not. When it came to mental health care, 78% felt that minors should be able to access mental health care in a private and confidential manner; only 1.16% disagreed.

Most believe young people deserve the right to play (79%). The majority of respondents thought young people should have the right to choose their religion (80%) or religious views.

When it came to choosing friends or what they should watch, more variability occurred. Just over two-thirds (69%) felt young people had the right to choose their friends. While only 2% said this wasn’t a right, over a quarter of respondents (28%) weren’t sure if youth had a right to pick their friends. Focus group discussion provided context to this answer, as students indicated that they valued their parent’s decision on who should be their friends. Only a quarter of respondents felt people under age 18 had the right to watch whatever they wanted on television and fewer than 1 in 5 (17.5%) felt youth had the rights to look at anything they wanted on the internet. While under 20% of respondents felt that television and internet use wasn’t a right, the majority were uncertain; 59% reported that they were unsure if minors had a right to watch television and 63% to us the internet. When it came to freedom of expression on internet sites like Facebook, 14% felt youth had a right to post what they wanted, 21.5% did not, and 85% of respondents were unsure.

Subjects were asked if people under age 18 had the right to have sexual relationships with others. They were asked this for both hetrosexual relationships as well as LGBTQ relationships. Data indicated that there was no difference between these types of relationships. Almost forty-percent of respondents felt that young people had a right to choose sexual activity with others if they wanted (37% for hetrosexual relationships, 38% for LGBTQ). Only 16% of respondents felt that young people did not have the right to make decisions to be sexually active with whom they chose. Almost half of the respondents (47% for hetrosexual and 46% for LTBTQ relationships) were unsure if young people had the right to be sexually intimate with others.

Respondents were asked if minors had the right to engage in normative but sometimes controversial behaviors such as smoking cigarettes, drinking alcohol, getting a tattoo or body piercing. In Table 2 it shows that behaviors such as choosing what to wear may be seen as a right, use of substances like tobacco and alcohol are not. Use of body art is seen to be more of a right that using common substances like cigarettes or alcohol.

Table 2

Behavior Choices (%)

|  |  |  |  |
| --- | --- | --- | --- |
| Behavior | Definitely a Right | Unsure if a Right | Not a Right |
| Smoking Cigarettes | 12 | 38 | 51 |
| Drinking Alcohol | 12 | 34 | 54 |
| Getting a Tattoo | 25 | 45 | 30 |
| Getting Body Piercing | 28 | 51 | 21 |
| Choosing Own Clothes | 40 | 51 | 9 |

Only 8% of respondents felt that people in general are aware that children have rights. Yet 97% felt that young people would benefit from knowing that they had rights and what they are. Ironically, despite the fact that the United States is now the only United Nations member that has not ratified the UNCRC, and that data indicates that both human right and child rights education are not routinely taught in American schools, 87% of students still feel that they have more rights than children in other countries. Only about a third of the respondents (35.29%) felt that people under age 18 should have the right to vote; about another third (37%) were uncertain if young people should have the right to vote, and over a quarter (28%) thought young people should not have the right to vote in elections.

The issue of what students identified to be rights or their violation indicated that they weren’t really clear on what they were. For instance, 93.6% of respondents felt that hitting a child was a definite violation of their rights. However, spanking a child was perceived to be different than hitting with 57.3% seeing it as a violation of their rights. This is a difference of 36%, which is quite significant. Less than 2% of respondents thought that hitting a child was acceptable but over 12% thought spanking was acceptable. Eight percent of respondents thought that parents had a right to hit a child and 45.52% of respondents thought parents had the right to spank a child.

An open-ended question on the survey where students could provide additional comments Three types of comments emerged. The most common type is reflected in the following statements:

Because of how children develop they do need a lot of parental structure whether they want to admit to it or not and I feel like that complicates this. When they hit certain ages they should have access to new rights, and you can't just generalize children's rights as those under 18. I feel like you need to be more specific on what age they're at and how far along they are with development.

I find that rights and choices are not always parallel, some behaviors may be more risky than others, a child’s maturity level need also be considered.

This type of view supported the notion that children were not entitled to the same rights as are adults because of their immature or less developed state of being.

A second viewpoint was expressed in which students felt that children were entitled to the same rights as everyone else and that they had the right to make their own decisions on issues that would impact their wellbeing:

A child should have rights along with guidance by a responsible mentor; and the parents may or may not be the best choice as the mentor. Thank you for bringing this to my attention and for your work on this very important topic.

I work with children in a psychiatric setting and many individuals are not aware that a child has the right to refuse their psychiatric medications. I think more attention needs to be paid to this in the mental health field.

A third point of view that felt that children should not have access to their rights are reflected in the following student statement:

I think it is dangerous to share with children what their rights are. They are not old enough or mature enough to understand them fully or to respect rights in general. Perfect example from the news recently of a 17 year old girl attempting to sue her parents - I am not 100% sure of all the charges but one of the reasons for her attempting to sue was for them refusing to pay for her college education. Children under the age of 18-even under the age of 21 have alot of learning and maturing and developing to be done before they can be concerned on whether or no their rights are being respected and validated.

The data from these different sources reflected that neither students nor adults in the US really understand the issue of child rights. They bring to their understanding a set of history, rhetoric, and ideology that complicates their comprehension. It also underscores the need for intelligent and factual education on the issue of human rights in general and child rights training in particular.

**Summary**

In this three-phase exploratory research project on child rights knowledge in the United States among college students, over 400 students provided input leading to the following conclusions:

One, young people are not taught much about human rights in general or their own rights as children in particular.

Two, young people are eager to know more about what rights they have and would value more instruction on the topic.

Three, both qualitative and quantitative findings indicate that they do not understand the broader context for human rights or how to apply rights-concepts to everyday situations. The degree of misunderstanding of what rights are or how they impact individual lives or decisions is noteworthy.

Four, education and health care rights are the most obvious rights they supported. Sexual expression rights are also of consistent importance. Of less consensus are rights around discipline of children, substance use, or when young people had the right to make their own decisions, as seen in issues of television an internet use, housing decisions, or even voting. Learning how to engage their own agency, which is a dominant theme in the child rights literature, is something that they could fruitfully explore.

It is clear that the issue of what rights are, who has them, and how to use them, is a point of importance that schools could address. As the world becomes more diverse, holding true to an underlying set of standards could benefit individuals and the social collective.

References

To be provided upon request