

Editorial

Legal knowledge, rights, and students' lived experiences in HRE

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This volume brings human rights education (HRE) alive by tying it to a range of key issues facing schools and educators in different national contexts; these include LGBTI+ rights, the rights of religious minorities, child sexual abuse, and bullying and harassment. We are delighted to include the contributions of legal scholars Paula Gerber and Phoebe Irving Lindner from Australia and Dawn Watkins from the UK and, perhaps not surprisingly, we have a particularly strong focus here on the role of legal knowledge and legal processes in enhancing HRE in schools.

In their article addressing Australia's recent record on educating children about sexual orientation and gender identity, Paula Gerber and Phoebe Irving Lindner reflect on the impact of the government's decision to survey citizens' attitudes to same-sex marriage, prior to the introduction of legislation enabling marriage equality in 2017. The authors consider the legacy of the 'No' campaign, which included TV advertisements alleging marriage equality would damage children's education. The authors conclude that not only have LGBTI+ students become more vulnerable to discrimination, but that since marriage equality there has been less HRE addressing diverse sexual orientations and gender identities. Such a counter-intuitive

development raises important questions about the impact of political choices on children's human rights when rights legislation is strengthened and the necessity to raise public awareness of human rights and equality principles and practices. Gerber and Lindner remind us of Council of Europe and UNESCO (2018) guidance on homophobic and transphobic bullying. They argue for a comprehensive action plan at national level that provides for inclusive curricula, training and support for teachers, support for students and families, school-civil society partnerships, monitoring of discrimination, and evaluation of the strategies adopted.

Kjersti Draugedalen and Audrey Osler¹ explore the role of teachers in defending children's human rights, with specific reference to safeguarding and the prevention of child sexual abuse. Building on the work of Nel Noddings (2013), they argue that HRE theory can be strengthened by rooting teachers' practice in care-based ethics and equipping them with the skills to recognise and act on potential harmful sexual behaviour. The authors caution against an over-reliance on children's human rights knowledge in safeguarding practices, given the asymmetrical power relations at play in cases of sexual abuse. Teachers have a key role to play in enabling transformative HRE, not only by equipping students with rights-based knowledge and providing them with opportunities to consider how rights are protected, but also by enabling them to engage in a critical examination of injustice in their own lives and wider society. The authors argue that in the field of sexual abuse and safeguarding, teachers have a key role as human rights defenders of vulnerable students.

Taking the case of Pakistan, Farid Panjwani and Camilla Hadi Chaudhary examine how the rights of religious minorities are accommodated in the country's religious education policy. Islamic education continues to play a key role in the Pakistani school system, and the authors explain how it is used to manage public morality and promote national identity. A current reform proposes to include five selected minority religions as curriculum options. Using content analysis of the draft curricula and interviews with state officials and spokespersons from different minority religions, the article examines the reform's improvements and shortcomings in terms of children's and parents' human rights.

In an article focusing on the Nordic folk high school, Johan Lövgren discusses how HRE can be understood as a key aspect of the pedagogy of such schools. Folk high schools historically played a central role in empowering people to become active citizens during 19th century democratisation processes. The article traces this historical development and examines, through an empirical analysis of texts produced by students in folk high schools, how these schools have recently reoriented their national ideological focus towards global citizenship and how this change of focus opens up opportunities for HRE. The author contends that contemporary Nordic folk high schools may be understood as a regional adaptation of HRE practice.

Returning to the role of law in HRE, an issue raised in an earlier volume of HRER by Laura Lundy and Gabriela Martinez-Sainz (2018), Dawn Watkins explores how the inclusion of domestic law and domestic legal processes in children's learning might better inform and enhance HRE in schools. In particular, she argues that knowledge of domestic law, albeit potentially 'complicated', at the same time enables children to reach a critical understanding of the context-dependent nature of rights and the limitations and challenges that might be experienced in enforcing them. Additionally, knowledge of domestic law may strengthen children's capacity to address such violations, whether on an informal or formal basis. Drawing on the framework of English domestic law applicable to bullying, she illustrates how knowledge about the strengths and limitations of domestic law (including the question of justiciability) can serve to inform and empower children to pursue complaints regarding violations of their rights involved in bullying. In this way, Watkins' article returns to the theme of the first two articles in this volume, of how a curriculum that links rights-based learning to children's lived experience may enhance such learning.

References

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¹ The editors confirm that this article has been subject to a process of double-blind peer review and that HRER Editor-in Chief Audrey Osler has not been involved in the peer review process.