Conference on the Institutionalisation of Democracy and Human Rights in Education for the Southern African Development Community (SADC)

Birchwood Conference Centre, Boksburg, Johannesburg, South Africa.
28th - 29th May 2009

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Funded by Open Society Initiative for Southern Africa
Conference on the Institutionalisation of Democracy and Human Rights in Education for the Southern African Development Community (SADC)

Birchwood Hotel, Viewpoint Road, Bartlett, Boksburg, Johannesburg, South Africa

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# Table of Contents

List of Acronyms  iv  
Acknowledgements  v  
Introduction to the Report  1  

**DAY ONE, 28 MAY 2009**  3  
Welcome and Opening Address  4  
  Purpose of the conference  4  
  Message of welcome  5  
  Message from the Open Society Initiative of Southern Africa  7  
Opening Address: Institutionalisation of Democracy and Human Rights as an Empirical Project in Norm Change  9  
Keynote Address: Experiences of Institutionalisation of Democracy and Human Rights in Education at the International Level  20  
  Questions, comments and discussions  27  
Experiences of Institutionalising Democracy and Human Rights in Education within the Southern African Development Community  30  
  Critical response: Education and Human Rights  34  
  Questions, comments and discussions  36  
Report-back by Discussion Groups  40  
  Curriculum  40  
  Human rights and democracy - whole school practice  43  
  Education of non-nationals (including migrants and refugees)  44  
  Gender equity  46  
  Inclusion  48  

**DAY TWO, 29 MAY 2009**  53  
Education in Conflict and Post-conflict Situations  54  
  Education in the Democratic Republic of Congo  54  
  Education in Moçambique  55  
  Education in Namibia  57  
  Training of teachers in conflict and post-conflict situations  58  
  Questions, comments and discussions  60  
Integration and Dialogue within SADC  62  
  Regional Integration and Dialogue within SADC  62  
  The Work of the Office of the High Commissioner of Human Rights (OHCHR) in Supporting Regional Education Initiatives  67  
  Questions, comments and discussions  71  
Summation  74  
Vote of Thanks  77  
Closure  78  
Appendices  79  
  Appendix A: Conference Programme  79  
  Appendix B: List of Participants  82  
  Appendix C: List of References  90
## List of Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACHPR</td>
<td>African Commission on Human and Peoples’ Rights</td>
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<td>AIDS</td>
<td>Acquired Immunodeficiency Syndrome</td>
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<td>AU</td>
<td>African Union</td>
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<td>CEPD</td>
<td>Centre for Education Policy Development</td>
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<td>CGE</td>
<td>Commission for Gender Equality</td>
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<td>DANIDA</td>
<td>Danish International Development Agency</td>
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<td>DHR</td>
<td>Democracy and Human Rights</td>
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<td>DHRE</td>
<td>Democracy and Human Rights Education</td>
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<td>DHRIE</td>
<td>Democracy and Human Rights in Education</td>
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<td>DoE</td>
<td>Department of Education</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<td>ECD</td>
<td>Early Childhood Development</td>
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<td>EFA</td>
<td>Education for All</td>
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<td>EHRD</td>
<td>Education for Human Rights and Democracy</td>
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<td>FRELIMO</td>
<td>Front for Liberation of Moçambique</td>
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<td>HEI</td>
<td>Higher Education Institution</td>
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<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<td>HRD</td>
<td>Human Rights and Democracy</td>
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<td>IOM</td>
<td>International Organisation for Migrants</td>
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<td>MDG</td>
<td>Millennium Development Goal</td>
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<td>MiETA</td>
<td>Media in Education Trust (Africa)</td>
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<td>MPLA</td>
<td>Popular Movement for the Liberation of Angola</td>
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<td>NCS</td>
<td>National Curriculum Statement</td>
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<td>NGO</td>
<td>Non-governmental Organisation</td>
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<td>OAU</td>
<td>Organisation of African Unity</td>
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<td>OHCHR</td>
<td>Office of the High Commissioner of Human Rights</td>
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<td>OSI</td>
<td>Open Society Institute</td>
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<td>OSISA</td>
<td>Open Society Initiative of Southern Africa</td>
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<td>OVC</td>
<td>Orphans and Vulnerable Children</td>
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<td>RENAMO</td>
<td>Moçambican Movement of Resistance</td>
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<td>RNCS</td>
<td>Revised National Curriculum Statement</td>
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<td>RQF</td>
<td>Regional Qualification Framework</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<td>SIDA</td>
<td>Swedish International Development Co-operation Agency</td>
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<td>UDHR</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>UNHCR</td>
<td>United Nations High Commission for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children's Fund</td>
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<td>UNISA</td>
<td>University of South Africa</td>
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<td>UNITA</td>
<td>National Union for the Total Independence of Angola</td>
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<td>WEF</td>
<td>World Economic Forum</td>
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Acknowledgements

The Centre for Education Policy Development (CEPD) expresses gratitude to the Open Society Initiative of Southern Africa (OSISA) for providing funding for the conference. The CEPD also thanks Ms Sherri Le Mottee for providing input into the conceptualisation of the conference.

Inputs from the United Nations Educational, Scientific and Cultural Organization, Windhoek, Namibia are also appreciated.

The CEPD also acknowledges with appreciation Dr André Keet and Prof Catherine Odora Hoppers for their valuable guidance and contribution to the conceptualisation of the conference.

Further appreciation is to all the participants who set aside time to attend and make enriching contributions to the deliberations that took place at the conference.

The CEPD also expresses gratitude to Tsakani Chaka for organising the conference as well as all CEPD staff members that were involved in making the conference a success.
Introduction to the Report

In recent years, there has been an increasing realisation that democracy and human rights play a crucial role in the quality and level of inclusion in education. From this point of view, the level of the institutionalisation of human rights can be regarded as one of the main determinants of quality education. A human rights approach to education provides for higher levels of inclusion and in turn contributes not only to promoting rights and responsibilities, but also to promoting wider participation. The institutionalisation of democracy and human rights within education is seen as a way of advancing transparency, accountability, and democratic governance.

Democracy and human rights have entered education essentially in two ways. The first way is through packages aimed at training and informing people on democracy and human rights principles, values, knowledge and skills. This way is known as Democracy and Human Rights Education (DHRE). The other way is one that moves beyond just training people to systematising processes and practices that ensure that democracy and human rights values infiltrate day-to-day human interactions within education systems. This second way is known as Democracy and Human Rights in Education (DHRiE).

Questions have been raised about the efficacy of DHRE and DHRiE in ensuring that democracy and human rights become part of the wider societal culture. Given the burgeoning evidence that DHRE and DHRiE might not be the panacea we had hoped them to be, it is time to consider efforts to institutionalise democracy and human rights critically with the view to finding new and alternative ways of making education achieve its mandate of promoting equality and equity for all.

Against this background, the Centre for Education Policy Development (CEPD), with the support of the Open Society Initiative of Southern Africa (OSISA), organised a conference on the Institutionalisation of Democracy and Human Rights in Education for the Southern African Development Community (SADC). The conference was held on 28-29 May 2009 with the view to providing a platform for engagement with the issues of democracy and human rights (See Appendix A for the programme). The conference brought together participants from civil society organisations, universities, teacher education institutions, statutory bodies, and governments as well as other interested individuals within the SADC region (See Appendix B for the list of participants).

It was the purpose of this conference to enable participants to do the following:

• assess and critique the state of democracy and human rights in education in the region;
• review progress made in the process of institutionalising democracy and human rights in education;
• exchange experiences and best-practice models regarding the institutionalisation of democracy and human rights in education; and
• seek alternative strategies that will ensure that democracy and human rights become part of societal culture.

In addition, the conference considered the establishment of a permanent regional forum for the institutionalisation of democracy and human rights within education which could co-ordinate information-sharing and other activities at a regional level to ensure that there is better co-ordination and harmonisation and strategies for effective institutionalisation of democracy and human rights in education within SADC.

Engagements at the conference were framed by the following themes:

- Curriculum
- Human rights and democracy - whole school practice
- Education of non-nationals (including migrants and refugees)
- Education in conflict and post-conflict situations
- Gender equity
- Inclusion (including special needs education and education of those affected and infected by HIV and AIDS).

The conference employed various methods, which included delivery of papers in plenary, panel discussions and group discussions to facilitate engagement on these issues.

This is a report of that conference.
The welcome and opening address session started off with the introduction of the purpose of the conference by Mr John Pampallis, Director of the Centre for Education Policy Development (CEPD). It was followed by a message of welcome delivered by Ms Vivienne Carelse, Deputy Director General in the Office of the Director General of the Department of Education (DoE), South Africa. The message of welcome was followed by a message from the Open Society Initiative for Southern Africa (OSISA) delivered by Ms Sherri Le Mottee, Education Programme Manager at OSISA; and the session was concluded with an opening address delivered by Prof Catherine Odora Hoppers, South African Research Chair in Development Education, University of South Africa (UNISA). This session was chaired by Mr John Pampallis.

Purpose of the conference

Mr John Pampallis welcomed all participants to the conference. He highlighted the fact that the conference had attracted a number of people from all over the sub-region with representatives from 11 SADC countries. He expressed his gratitude to the participants for having made time to attend the conference.

In giving an overview of the conference, Mr Pampallis reiterated what the conference was about – that is, the institutionalisation of democracy and human rights in education. He made an observation that in most countries in the world there are programmes for promoting democracy and human rights; however, some of the programmes are more successful than others. It was hoped that the conference would enable participants to hear new ideas and share their own ideas and experiences, reflect on their practice, hear about the theory that informs that practice in their countries, as well as deepen their understanding and improve the quality of education systems in their countries. He stated that the institutionalisation of democracy and human rights goes beyond the curriculum; it goes beyond the practices in our schools. It involves trying to change the very fabric not only of our schools and of our education systems, but also of our whole society.

Mr Pampallis indicated who the speakers for the session were and said that the rest of the speakers would be introduced in the course of the conference when they spoke.
Message of welcome

Ms Vivienne Carelse, Deputy Director General in the Office of the Director General of the Department of Education (DoE), South Africa

Ms Vivienne Carelse warmly welcomed all the participants of the conference as she delivered her speech as follows:

The Director of the CEPD, Mr John Pampallis, officials from the United Nations and Southern African Development Community as well as officials from OSISA, commissioners of the Human Rights Commission and Gender Equity Commission of South Africa, colleagues and participants from various institutions, comrades, ladies and gentlemen.

It is indeed an honour to welcome officially all participants to this conference today, as far as I am aware the first of its kind in the region. I do so on behalf of the Director General, Mr Duncan Hindle, who is presently in Pretoria attending the first Cabinet Lekgotla of the newly-elected government. He is doing so in his capacity as the confirmed Director General of Basic Education, in support of the Ministry under the political leadership of Ms Angie Motshekga. The second arm of government’s mandate for education, the Ministry of Higher Education and Training, now enjoys the political leadership of one of the founders of the CEPD, Dr Blade Nzimande, who for the same reason cannot be here today. However, I am happy to convey their best wishes for meaningful and successful deliberations at this important gathering over the next two days.

It is my pleasure to welcome our friends and neighbours from SADC and other parts of the world to our country. I hope that you will have the opportunity to enjoy the hospitality and the many delights our beautiful country has to offer.

As South Africans we are particularly proud of our democratic achievements of the last fifteen years. As you are no doubt aware, we have recently held our fourth democratic elections and a new administration assumed office less than three weeks ago. The transition has been peaceful, undramatic and as prescribed by our Constitution.

This conference could not be happening at a more significant time in South African and regional history. On the domestic front, we face the challenges of post-election expectations, yet amidst the euphoria of mass participation and multi-party democracy, we are equally forced to acknowledge the fractured state of democracy elsewhere and continued human rights violations both here and in the rest of the continent. Just over a year ago, South Africa experienced the eruption of unprecedented xenophobic attacks and mass displacement of victims of foreign and local origin. It was, I suppose, as much a shock to progressives as it was to the victims, to be so rudely reminded of the under-belly of unsettled scores, the fragile nature of the anti-apartheid unity of purpose amongst activists and the growing frustrations amongst communities, in some cases simply fanned by poor service delivery, and the uneven pace of transformation within communities living in extreme poverty. Likewise, the feeble justifications and in some cases, pregnant silences, which prevailed in the wake of these attacks, simply drove a single point home – that the local nation-building project and visions of a tolerant, respectful and enlightened society in the community of free nations still pose many challenges! The struggle is far from over!
At an institutional level, many young learners are also frequently traumatized by sporadic instances of school violence, endemic sexual abuse, especially of young girls, sadly perpetrated by fellow learners and even teachers, and several other manifestations of ‘undemocratic’ and inhumane conduct within various communities of practice. Schools by their very nature, structure and practices, lend themselves as both positive and negative sites of interventions in the broader education of the nation. The agency of teachers, officials and communities in the development of alternative healthy school cultures cannot simply be the subject of managerialist solutions or heavy-handed, coercive strategies. What I hope this conference will explore are the best-practice models of conflict resolution, within all zones of interaction and policy implementation, coupled with creative strategies for infusing general education with democratic practices and adherence to the principles of universal human rights across the region.

We are proud of our Constitution which has become the bedrock of our democracy and the cornerstone of our freedom. But despite the miracle of 1994 we recognize that there is much work to be done in order to achieve the values enshrined in our Constitution. These are values of democracy, equity, tolerance and pluralism. Education has a key role to play in safeguarding and strengthening these values and we should do much more to broaden this role of education in our country, and indeed the entire region.

The Department of Education developed the National Curriculum Statement that is based on the principles of democracy, social justice, equality and a healthy environment. All the learning areas and subjects are shaped by these underlying principles.

In the process, the South African Constitution has served as a beacon in the post-apartheid social topography. Similarly, the curriculum reforms and social cohesion programmes of the formal education system must be acknowledged. However, the social impact must yet be fully measured against the substantive details of the policy frameworks and instant gratification of public launches. The biggest challenge to human rights and democracy across the globe today is to relate the promise of human rights and democracy to the daily realities of the lives of ordinary people.

In SADC, as elsewhere in the world, democracy and human rights are constrained by a number of factors, amongst these are:

- poverty and underdevelopment;
- national and international debt;
- the HIV/AIDS pandemic; and of course
- the recent global economic meltdown.

The world we live in today is in many respects more fractious, more fragmented and more conflict-ridden than a decade ago. The rapacious greed of a few that has plunged all of us into a global recession, aeroplanes becoming deadly missiles launched into buildings occupied by ordinary working men and women, desperate men and women strapping explosives to their young bodies to kill and maim, refugees on leaking boats refused asylum to face a certain death on the open seas. These are the images of our world today and the realities that confront and test the values of democratic societies across the globe as never before.
Human rights and democracy education are not an elixir for the ills of the world. We have to be realistic about what education interventions can and cannot achieve. Education alone is not enough to change the contradictions inherent in modern societies.

But we should not be overwhelmed by the scale of the challenges that confront us. It is important that we recognise the limitations of the work that we engage in, but that we do not throw our hands up in despair and admit defeat before we have begun. It is, therefore, of critical importance that we put our collective wisdom and critical skills to the test, as we analyse and engage in the issues related to this conference theme in a robust, brutally frank and, lest we forget, a mutually respectful manner. I have no doubt that the symbiotic relationship between democracy and human rights in education would find common experience locked in this room.

I believe that what is necessary is renewed commitment to human rights and democracy education and sober assessment of where we are at present and what we can achieve. The question that comes to mind is, how do we close the gap between the promise of human rights and democracy and the realities of ordinary citizens? Or put in the words of Dr Martin Luther King: How do we “make real the promise of democracy”? This question I believe goes to the nub of this conference, “How do we move from policy to practice?” Or, as reflected in the theme of this conference, how do we institutionalise democracy and human rights?

This is a task I hope this conference will engage with honestly to chart a way forward for the SADC region and all its people.

Again, it is my pleasure to welcome you to this important initiative. May the conference deliberate soberly and meaningfully, in the business of making our education system a vibrant and lasting partner in the journey towards universally acceptable standards of human rights in educational practice and social development.

**Message from the Open Society Initiative of Southern Africa**

Ms Sherri Le Mottee, Education Programme Manager, Open Society Initiative for Southern Africa (OSISA)

Ms Sherri Le Motte, the Education Programme Manager at OSISA welcomed all the participants and stated that OSISA was pleased to be associated with this event and to be engaged in partnership with the CEPD.

The Open Society Institute (OSI) works to build vibrant and tolerant democracies whose governments are accountable to their citizens. To achieve its mission, OSI seeks to shape public policies that assure greater fairness in political, legal, and economic systems and safeguard fundamental rights. On a local level, OSI implements a range of initiatives to advance justice, education, public health, and independent media. At the same time, OSI builds alliances across borders and continents on issues such as corruption and freedom of information. OSI places a high priority on protecting and improving the lives of people in marginalised communities.
Investor and philanthropist George Soros in 1993 created OSI as a private operating and grantmaking foundation to support his foundations in Central and Eastern Europe and the former Soviet Union. Those foundations were established, starting in 1984, to help countries make the transition from communism. OSI has expanded the activities of the Soros foundations network to encompass the United States and more than 60 countries in Europe, Asia, Africa, and Latin America.

OSISA is part of this network of autonomous foundations, established with a vision that seeks to promote and sustain the ideals, values, institutions and practice of open society. OSISA’s vision is that of a vibrant Southern African society in which people, free from material and other deprivation, understand their rights and responsibilities and participate democratically in all spheres of life. In pursuance of this vision, OSISA’s mission is to initiate and support programmes working towards open society ideals, and to advocate for these ideals in Southern Africa. This approach involves looking beyond immediate symptoms, in order to address the deeper problems – focusing on changing underlying policy, legislation and practice, rather than on short-term welfarist interventions.

Given the enormity of the needs and challenges in the region it operates in, and acknowledging that it cannot possibly meet all of these needs, OSISA, where appropriate, supports advocacy work by its partners in the respective countries, or joins partners in advocacy on shared objectives and goals. In other situations, OSISA directly initiates and leads in advocacy interventions, along the key thematic programmes that guide its work. OSISA also intervenes through the facilitation of new and innovative initiatives and partnerships, through capacity building initiatives as well as through grantmaking.

It is within this vision to create open societies that the OSISA education programme frames its work. The programme is committed to furthering education rights for all. Part of that right is the quality in which human rights in education are implicit. This recognition of the interface between education as a right and human rights in education is the basis on which OSISA became involved in this partnership with the CEPD.

Embedding human rights into and across all education endeavours is a way of providing society with much-needed antidotes to discrimination, bullying, intolerance, racism, xenophobia, violence, amongst other injustices, which we continue to wrestle with.

For OSISA, the engagement with human rights in education should be a specific attempt to intervene, in a proactive way, in a world that is in desperate need of justice, equality, dignity and peace. Each person, as well as those with whom they live and work, must become a model of the world that is desirable.

She concluded by expressing her hope that the conference would bring the participants a little closer towards realising education for all as a fundamental human right as well as realising human rights within education as part of that fundamental human right.

Following this message, Mr Pampallis introduced Prof Catherine Odora Hoppers who delivered the opening address.
Introduction

As we contemplate new futures, sometimes a journey into the past may provide useful insights. Experiences from different parts of the world tell us that education, like technology, is not a mere exterior aid to personal development. It leads to interior transformations of consciousness. Education changes the way we perceive, record and transmit information to one another, and across generations. It also changes the way we speak and think, or structure our experience. In a rapidly changing world, literacy holds the key to the promotion of self-respect and independence. It thus contains the pin-codes. But it is education that represents the modality for what Jonathan Sacks has called the democratisation of human dignity.¹

At the same time, we also gather together today as part of a joint search for a new ethics and a morality for the future. There is a search for healing because somewhere, the prior structures have not worked that well, and may have damaged or ruined something. We are part of the bruised past and present, but also the promise of the new future and aesthetic roots. There is a search for horizontal democracy, of new links, new networks, new contracts and a new culture. And it is precisely at this point that we can take a fresh look at these important concepts that are the subject matter of this conference: democracy and human rights – to which I add PEACE.

Democracy

As we warm up to the 21st century, there is no single idea that holds the greatest hope for humankind as democracy, and closely following in tow, human rights. Democracy has emerged as the pre-eminent form of governance. Given the turn of events at the level of geo-politics in the past 20 years, the form of democracy that has taken the spotlight is liberal democracy, and within that, the idea of individual freedom, suffrage for competitive multiparty elections, and popular sovereignty.²

Electoral democracies now represent 120 of the existing 192 countries and constitute 62.5% of the world’s population. If we are to judge by the expansion of popular elections, the number of democratic countries has clearly risen. On the echoes of this triumph, many have gone happily home, and began the snooze, because all now seems just right, if not absolutely perfect.
But as citizens in our time, and in our own episode, we are called upon to remain alert to human signals arising from emergent conditions that demand our attention and ethical action.

We also know that liberal democracy in particular has had a chequered and disturbing history of grave omissions, and turned a blind eye on grossly unjust situations. We know for instance that the liberal representative model of democracy very strong in the US and England which emerged at the end of the 18th century routinised the substantive exclusion of women and slaves from ‘citizenship’; while in England, suffrage was based on property.

From this point of view, it can be argued that West liberal states only became substantive democracies after the political mobilisation of the broad mass of citizens, including urban working class and women, behind demands which included the extension of the franchise to all adult citizens. It is this democratic revolution – which increased citizen involvement in the affairs of government – that expanded the concept of citizenship itself to cover economic, social, as well as political entitlements.3

In fact, it has been stated that in the United States, true democracy was attained only with the rise and triumph of the civil rights movement in the 1960s, which introduced into the American mindset the idea that ‘human beings’ included black people too.

The lesson to be learnt from this is that democracy is not simply a set of governmental institutions, but it is a citizenship capability, and the test of a truly good system, whether nationally or internationally, should be its ability to invest in building a democratic culture, and in particular, preparing all citizens for full democratic citizenship.

**Human Rights**

In the attempt to find tools to help us manage diversity, the human rights framework has emerged as an overarching instrument of choice in international and national discourse. In the 1990s, the human rights approach to development championed by United Nations Development Programme (UNDP)4 became the legislative and social justice-focused strategy which emphasises the balance of rights, not content of rights, in the promotion of tolerance. This approach is backed by the United Nations as proclaimed in its Charter, which states that human rights are “for all without distinction”. Today, it can be stated that human rights is an accepted moral framework globally5.

Democracy and human rights are not “rewards for development” but are critical in achieving it. This implies that there is a collective commitment based on the vision of humanity, and the solidarity required in order to fulfil the vision of a better life for all. The value addition element in the human rights approach is the introduction of the moral dimension, urgency, responsibility and accountability to the implementation of development objectives.6

But like democracy, tolerance and globalisation, the human rights discourse needs some critical attention as well. Falk has drawn attention to the historical fact that when the 1948 Human Rights Declaration (i.e. the Universal Declaration of Human Rights – UDHR) was drawn within the UN framework, the United States was the triumphant
power that had just rescued Europe from itself. The United State's emphasis at that point in time was on the failure of the liberal democracies to heed the Nazi internal repressiveness in the years of the build-up to the Second World War. It seemed important then, to posit an international humanitarian responsibility in relation to the possible re-emergence of totalitarian abuses of the future.

For the old East, the UDHR was not contentious because the communists saw in it a clear ideological high ground with respect to issues of societal well being on which they had scored remarkably well. Moreover, they had the political power to contest the economic model of capitalism on which the development of the West was premised, and had the military power to back their position and safeguard their inherent values, ideology and political systems. They therefore regarded diplomacy related to human rights as an opportunity to challenge the western emphasis on individual civil and political rights by championing and invoking the socialist emphasis on the economic and social rights of a collective nature.

To political and intellectual elites on both sides of the divide as well as in the South, human rights was regarded as providing an arena for the exchange of propaganda charges on the plane of international relations. The small and large scripts associated with the crafting of the UDHR were therefore not about a better world for all, but a mixture of triumphantism, minimalism, and containment.

The liberal democracies with strong class structures in particular were intent on ensuring that redundancy in this area was achieved, because of their worries about potential activism from the poorer sections of their respective citizenries. Authoritarian states in the old East, for their part, could subscribe to such normative standards which were so incompatible with their operating codes because of the sense that there was no prospect for either implementation from without, or pressure from within.

But it was the anti-colonial struggle which involved countries of Africa, Asia and Latin America that drew attention to active forms of oppressive rules at the transnational level; and the anti-apartheid campaign that created robust transnational political support for the human rights of self determination, which, though initially absent from the Universal Declaration, became a foundational basis for human rights in general. The right to self determination was later elevated to the eminence of being posited as a bridge between economic, social and cultural rights, and political and civil rights.

Apart from these movements, there was a significant partially subversive presence within the sinews of government that adhered itself to idealist views and believed in some sort of global community based on law and morality that was both possible and necessary. This force was guided mainly by notions of civilisational solidarity rather than conquest.

But the limitations of the Human Rights discourse have been most patently captured in Howard Richard's analyses. To begin with, he acknowledges that 'rights' is an especially valuable concept because it is a concept that almost everybody respects as having moral authority.

It makes an inward appeal to conscience especially in the respect that most people develop inwardly to guide their own conduct and avoid infringing on other people's
rights. It has moral authority in the sense that one is considered justified while acting within one's rights, and also in the sense that one is considered to be justified in becoming indignant when one's rights are violated. A cultural context where it is acknowledged that the rights of others are supposed to be respected provides a framework for meaningful dialogue.

But according to Richards, what we need is something more than respect for the rights of others for three reasons.

Firstly, citing Hegel, Richards argues that there are too many rights. And where there is a surplus of rights, force decides. Commonly in a war, or in a bar room brawl, both sides can paint with the language of rights to give their cause the colour of moral superiority, and to give themselves the colour of ‘knights errant’ fighting for a righteous cause. And where culturally recognised precepts of right gives both sides good moral arguments, there is a moral stalemate in which both sides are rhetorically armed with good reasons for declaring the other evil. It is at this point that force becomes the final arbiter.

The second argument he makes drawing from Karl Marx, is that the stubborn persistence of poverty, the instability of capitalist systems, and the exploitation of labour are all consistent with recognising the rights of humanity embodied in the laws of commerce. Where everything is sold at its market price, in a free market, with property rights respected, it is often the case that labour is sold for little or nothing. This is a NORM which is also endorsed by the very same societies that harp on human rights.

The third argument, drawn from Solzhenitsyn and Mahatma Gandhi, is that in principle, rights without duties are unworkable. Emphasising rights at the expense of duties is similar to adopting Denis Diderot’s 18th century definition of liberty: “whatever the law does not forbid is allowed”.

Like liberty, rights-talk can easily lend itself to an irresponsible ethic. It authorises everyone to say what they are supposed to be ALLOWED TO DO, and ARE SUPPOSED TO HAVE and SUPPOSED TO GET. But it does not make anyone responsible for contributing to the welfare of others, or to the common good. It is at this point that he points us to the need to go an extra step, and take seriously the need to work towards a culture of peace.

Values and norms in a violence-cultured world order

In its substantive form, ‘values’ is a term that refers to beliefs of a person or social group in which they have an emotional investment. It is the principles of right and wrong that are accepted by an individual or a social group. Norms are formalised out of what are considered as appropriate values. Both values and the norms that emerge from it are not static. They shift relative to pressures brought upon it at different points in a society’s evolution.

Power relations play a great part in determining the level of impact that a group pushing for new directions makes on the common value trove that a society possesses, and on the existing value hierarchy that obtains. The power issue is best captured by the question: whose value counts? In turn, values influence behaviour in society.
Transitions have the effect of leaving recognisable disjuncture between behaviours and norms, and values.

Triggered by events, particular sets of values rise to ascendance relative to other clusters of values. When this happens, the content of those ‘uplifted’ values may appear contradictory or even offensive to people outside of the particular society but who are affected negatively by it.

Different groups within the same society may also experience absorption tensions as the nature and implications of the new values are ingested. Time may also bring changes to people's perception of some values and may generate tensions over validity and legitimacy of an old set of values. In other words, the mirroring effect between a given set of values and the society is not a steady or fixed one.

For example, at a given point in time, it was quite normal to flog children, contain women in the home, deny them various basic rights, have bustling, exclusionary “democracies” pronouncing themselves as “progressive” and “developed”.

Millions of people of African origin could be shipped, sold, and de-humanised, and the countries that do this would call themselves quite civilised. Similarly, there have been values related to the superiority of the white race; values related to inviolability of private property; values underpinning the relationship between people, and that between the citizen and the state, and the like.

All these have been flowing in ebbs and tides over the centuries, and have left their imprints and sediments across the different parts of the world, the most pungent of which period being during the age of imperialism and colonialism.

Thus it can be said that no fixed benchmark appears to exist to assess the correspondence between a set of stated values and the actual daily condition of a given society. The difficulty of benchmarking is particularly complicated by the power differentials in society, which makes (following George Orwell), “all animals equal, but some more equal than others”.

Thus, looking at the present world order, one can easily see how the sediment of violence and intolerance has been in the western default drive. It has dominated the mind space of the entire globe. To get a sense of this, let us revisit the writing of Jonathan Sacks, who, citing Alfred North Whitehead, said that Western philosophy was a series of footnotes to Plato. Sacks wished Whitehead had put it more strongly. It is not just philosophy, but also Western religion, that has been haunted by Plato’s ghost.

The result is inevitable and tragic. If all truth – religious as well as scientific – is the same for everyone at all times, then if I am right, you are wrong. If I care about the truth, I must convert you to my point of view, and if you refuse to be converted, then beware. From this flowed some of the greatest crimes of history.12

Western civilisation has known five universalist cultures: ancient Greece, ancient Rome, medieval Christianity and Islam, and the enlightenment. Three were secular, two religious. They brought inestimable gifts to the world but they also brought great
suffering: to Jews, to Africans, to non-Christians, to indigenous knowledge systems, to African, oriental and other systems of science.

Today with globalisation, we are going through the sixth universal order. It is the first to be driven, not by a set of ideas, but by a series of institutions, among them the market, the media, multinational corporations, and the Internet. The threat to diversity, and thus to democracy and to true civilisation, is very real.

It is true that economic self-interest has always been central to the organisation of societies and the advancement of individuals, but the defining characteristic of the post-modern era is the absolute domination of money as the organising principle of human and international relations. Some days there seems to be nothing else.\textsuperscript{13}

The reality of the money world consisting of money and the institutions of money, primarily corporations, financial institutions and those aspects of government that deal with regulation, budgeting and expenditure of money, is writ very large in the new globalising world. The appetites are insatiable.

Whatever exists today, more is required tomorrow. The call to nurture our capacities for love and transcendence, and the call to indulge our capacities for greed and the pursuit of personal power in disregard for the whole comprise two songs in two competing worlds locked in a mortal struggle for the soul of mankind.\textsuperscript{14}

Money is not just wealth; it now has a soul, and energy. The market within which it is circulated, auctioned, bred, cloned and multiplied is also given human qualities. It talks, it feels, it plans, and it makes demands. Some analysts point to how it is fetishised so as to acquire human attributes as: “anger”, “disappointment”, “displeasure”, or “nervousness”.

With the Hobbesian edict that there are no absolute standards for good and evil in hand,

...modern economics has turned the ideology of rational materialism into an applied science of human behaviour and social organization that embraces hedonism as the goal and measure of human progress...[it] assumes human behaviour is motivated solely by material self interest, and absolves the individual of responsibility for moral choice.\textsuperscript{15}

The moral detachment of rational materialism is also reflected in the argument that scientists stick to single-minded commitment to scientific objectivity and a search for knowledge, and bear no responsibility for the uses made of their discoveries. Thus physicists can lend their knowledge to build life-destroying bombs, chemists can participate in developing weapons of mass destruction, and biologists can re-arrange genetic structures to release new organisms into the environment with unpredictable results.

When the modern corporation brings together the power of modern technology with the power of massed capital, it also brings together the scientist, whose self-perceived moral responsibility is limited to advancing objective
instrumental knowledge, and the corporate executive whose self-perceived moral responsibility is limited to maximising corporate profits. The result is a system in which power and expertise is de-linked from moral accountability; instrumental and financial values override life values, and what is expedient and profitable takes precedence over what is nurturing and responsible.\textsuperscript{16}

But standing very close behind the sixth universal order,\textsuperscript{17} and always just beneath the surface of Western culture is a culture of militarism, the worst of which is being experienced in present times in the overt and discourse culture in the world’s superpower, the United States of America.\textsuperscript{18}

The canvas thus brings to relief profoundly injustices in the forms of violence that a continent such as Africa has endured, and thus its justification to demand a change in the very norms that guide behaviour.

**Understanding violence in order to understand peace**

Johan Galtung has identified three forms of violence that are broadly identifiable in the experience of Africa: direct violence, structural violence, and cultural violence.

Direct violence kills quickly, and is intended to do so. Its victims are counted in terms of the maimed, and in body counts. Slavery, the atrocities of colonial conquest, and that of apartheid sit in this category.\textsuperscript{19}

Structural violence denotes the situation in which the violence that is inbuilt into the structures does not give the citizens equal power and life chances. Other manifestations of structural violence can be identified in paternalistic and selective development which deprives arbitrarily certain areas of possible development; systems of slavery and colonial oppression (including ghettos in contemporary society; violence of the status quo, meaning the routine oppression and racism by the ‘good humour society’ which systematically robs and marginalises people in everyday life situations; structural violence of apartheid, institutionalised through racial legislation unilaterally imposed by whites on non-whites).

Even peaceful laws and practices which help to maintain this order can be seen as instruments, masks or guises of violence.\textsuperscript{20} The empirical analysis of the scale of this has been undertaken by generations of scholars.\textsuperscript{21}

By ‘cultural violence’ is meant those aspects of culture, or the symbolic sphere of our existence that can be used to justify or legitimise direct or structural violence. It is epistemic in the sense that it violates the cognitive space while providing a knowledge base for legitimising the other violences. Cultural violence makes direct and structural violence look, and even feel right, or at least, not wrong.

Cultural violence highlights the way in which the act of direct violence and the fact of structural violence are legitimised and thus rendered acceptable in society. According to Galtung, one way in which cultural violence works is by changing the moral colour of an act from wrong to right or to some other intermediate meaning palatable to the status quo.
Another way it works is by making reality opaque, so that we do not see the violent act or fact, or that when we see it we see it not as violent. Some of these include: preventing consciousness formation (conscientisation), penetration and conditioning of the mind from above, and segmentation, with those below getting a limited vision of reality; and preventing mobilisation, organisation of those below, that is, fragmentation, splitting those below away from each other, marginalisation, setting those below apart from the rest.

Blocking conscientisation and mobilisation means preventing the processes needed to transform the interests in a structural conflict into consciously held values.

A mere act of benevolence from above blunting repression and exploitation is primarily insufficient. A more benevolent structure with the above characteristics intact is still violent.

Clearly, the scale of these atrocities cannot be mediated by formulations that are provided in the UDHR, which, despite laying important foundations in the governance of interpersonal relations and expectations, mentions neither healing, forgiveness nor reparations in any coherent manner. Sacks writes,

> The abstract language of rights fails to enter into the depth of what Hinduism means to a Hindu, or Confucianism to its devotees. It understates the difficulty and necessity for making space for strangers – the very things that has been at the source of racism and exclusion in almost every society known to history. If we are to live in close proximity to difference, as in a global age we do, we will need more than a code of rights, more even than mere tolerance. We will need to understand that just as the natural environment depends on biodiversity, so the human environment depends on cultural diversity, because no one creed has a monopoly on spiritual truth; no one civilisation encompasses all the spiritual, ethical, and artistic expressions of mankind.

Peace, like war, is a disposition, or a set of dispositions and acts of human will – that is, conscious activity. On the road to attaining moral change and cultural transformation we need to study more closely intentionality in human conduct. We also need to pay attention to both aggressive impulses AND calculated self interest as both lead to violence. The building of a culture of peace begins with respect for the rights of persons because it is a cornerstone of the global civic culture that exists.

But peace building does reach further than respect for the rights of others, or regular elections, because it employs and enhances other ethics. Trust, solidarity, love, caring, respect for nature, integrity, honesty, character, forgiveness, non-violence, generosity, sacrifice for the common good can all be found embedded in cultural norms of one group of people or another. Peace building works to draw from the diverse cultures these positive norms and seeks to develop ethical growth points above and beyond the ethic of respect for the rights of others.

Education for a culture of peace would infuse the living and coming generations with a profound aversion against violence. It also means understanding conflict as part of human existence, and learning the skills for transformation of those conflicts.
without resorting to violence. It builds on the good and the best from different cultures, traditions and faiths, to create a new ethics for human existence.

**Conclusion**

In the Foreword to the book, *Spirit of the Nation: Reflections on the South Africa's Educational Ethos*, former President of South Africa Nelson Mandela led a reflection as to how values, education and democracy can complement one another and exemplify the spirit of the movement that emancipated a wounded and fragmented nation.

Looking at the struggle against apartheid as one of the great moral struggles of the 20th century, the subsequent triumph against that aberration can be seen as a triumph of humane values; an assertion of a common humanity of a people, and an affirmation of human dignity as a primordial order of things.

The country’s history enjoins its people and the rest of humanity to find ways of living and working together to create the conditions for realising the ideals of equality and dignity for all. It is this approach to nation building, and the subsequent institutions created to support the consolidation of this democracy, that set South Africa apart.

But institutions as a system of elements or rules are expressions of democratic intent. Core social values do not propagate themselves. Adults have to be reminded of those values and children must acquire those values in order that appropriate interventions that support those institutions are generated and structured in an ongoing basis.

The challenge is therefore to move society from routine injustice to constitutionally ordained justice, enter boldly into the realm of moral conduct, accommodate diversity, and embrace the notion of active compassion and reciprocal human caring.

These principles and values are deeply entrenched in African traditional philosophies and worldviews. It is here that the significance of Ubuntu assumes special significance. By drawing on this philosophy that emphasises human dignity, combining the practices of compassion, kindness, altruism and respect, South Africans could call for reparation rather than retaliation, adopt a posture of understanding rather than vengeance, and practise Ubuntu rather than victimisation.

Equality might require us to put up with people who are different; non-sexism and non-racialism might require us to rectify the inequities of the past, but Ubuntu goes much further. It embodies the concept of mutual understanding and the active appreciation of the value of human difference. It requires you to know others if you are to know yourself, and if you are to understand your place – and that of others – within a multicultural environment.

This is best captured in a quote from a poem written by Chief Tecumseh entitled Shawnee.

> So live your life that the fear of death can never enter your heart. Trouble no one about their religion; respect others in their view, and demand that they respect yours. Love your life, perfect your life, make beautiful all things in your life.
The insurrection of the African world view onto the world stage by towers like Nelson Mandela and Desmond Tutu show how African philosophies could turn narratives of persecution and victimisation into that of healing and reconciliation. This reversal can permit both victim and perpetrator to contemplate the theme of love and transgression together.31

A list of references used in the writing of this paper is attached to the report (see Appendix C).

Session Two of the conference featured the Keynote Address delivered by Dr Vernor Muñoz, followed by questions, comments and discussions. The session was chaired by Ms Alcina Chipeio-Ndjaveria, Education Country Programme Officer, UNESCO, Namibia.

Endnotes
4. see UNDP 2000.
8. Falk 1999: 96
11. Richards 2004
12. Sacks 2002: 20
14. Korten 1999
15. Korten 1999:27
17. Sacks 2002

22. Galtung 1996

26. Mandela in Asmal and James 2002: ix-x
27. Asmal and James 2002
29. Gevisser and Morris 2002: 193
'Dear Teacher; I am a survivor of a concentration camp. My eyes saw what no man should witness: Gas chambers built by learned engineers. Children poisoned by educated physicians… So I am suspicious of education. My request is: Help your students become human.\textsuperscript{32}

Perhaps this quote simply, yet most vividly, illustrates the reason why we are here today.

**Introduction**

The underlying theme of my work as United Nations Special Rapporteur\textsuperscript{33} on the right to education is the need “to move education closer to human rights”, regarding education as a human right that the state must respect, protect and fulfil.

Education has a characteristic quality that enables it to be present in and to nourish all areas of life throughout the lifespan of each person. The interconnectedness of human rights is nowhere more obvious than in educational and learning processes.

Learning encompasses our past and future at once; it is an aspect of life that comprehends everything that makes human development possible. To learn is to adapt, to co-operate and to transform our environment in all its forms. It is the organising principle of every society.

Yet learning can also organise, entrench and strengthen prejudice, discrimination and exclusion. Promoting high-quality education based on the study, experience and daily practice of human rights is essential to the mounting of an effective resistance to all forms and causes of exclusion.\textsuperscript{34}

With these points in mind I have consistently affirmed that while access to learning is a vital component of our right to education, alone it is no indicator of its quality, effectiveness and ultimate purpose.
Concept note

The concept note to this conference questions the “efficacy of DHRE and DHRiE in ensuring that democracy and human rights become part of the wider societal culture”.

In brief response, but raising issues that will be touched upon throughout this presentation, I agree fully with the concept underlying this conference. This is that democracy and human rights education and democracy and human rights in education may not have proved to be the hoped for panacea for the gross inequality, the carelessness towards and the violation of human dignity we see around us.

However, I reiterate my belief that human rights education is a prerequisite of education. The reverse is also equally true. Further, the various purposes of education lead to an insistence that integrating human rights education into educational systems must involve education as a whole, not simply as isolated parts of the curriculum.

Further, and I do not give this as an excuse for state lethargy in implementing human rights-based education systems, attempts to conceptualise, institutionalise and even arrive at a common language on the right to education is still, in historical terms, recent. It may be harsh to call these attempts almost embryonic, but despite our recent attempts at conceptualisation and the development of various sets of practical ‘indicators’, I suspect that few of us here would be able to recognise with absolute certainty when the right to education has been fully realised.

Nonetheless, difficulties in conceptualisation and the often less than enthusiastic engagement with rights-based education of states is not indicative of its lack of relevance and potential in the current global context. Rather it reflects the failure of its proper and adequate institutionalisation at the domestic and international levels and implicates the need for renewed vigour and creativity in facilitating and entrenching such institutionalisation.

The global context

Our learning needs are unintelligible unless placed within our global context. This global context is characterised by economic uncertainty, international instability, technological advances, increased geographical mobility, increased population displacement and increased cultural diversity. Pervasive discrimination contributes to and is found deep within each of these characteristics.

Education, frequently noted as a reflection of society, has played a clear role also in contributing to this global context. It has an equally clear role to play in generating new solutions, international teamwork and active citizenship at all levels of consequent action. Today, more than ever, it is evident that government policies and development processes must be reformulated to ensure that they are harnessed to the true aims of a quality education, in such a way that they are geared ever more closely to the creation of universal opportunities and rights and full enjoyment of the achievements of humanity.
There is clearly, therefore, a pressing need to rethink deeply and critically educational proposals at all levels of action. This implies a commitment to present and future generations and a need to direct learning processes and entire learning environments and infrastructure towards the development of knowledge, abilities and skills within a body politic primed to respect dignity and the higher values of humanity, diversity, peace, solidarity and mutual co-operation.

Education without this commitment, that is not built upon personal development and that is not respectful of human rights, will fail to impact positively our current global context, improve living conditions or contribute to a universal enjoyment of human rights.36

**A global task**

Human rights education is a global task and its endorsement has been seen in various global and regional legal instruments. The United Nations has been particularly active in specifying educational objectives for member states beginning, principally in 1946 and 1948, with respectively its Charter and Universal Declaration of Human Rights. These call for co-operation “in promoting and encouraging respect for human rights and fundamental freedoms”, indicating that teaching and education is the obligation of every individual and every organ of society.37

Numerous subsequent texts have reiterated these calls and have been accompanied by attempts to flesh out their actual meaning and content. In contrast to their rather belated formal recognition in early international human rights texts, children are privileged at least in terms of the right to education. Nonetheless, the imperative of learning throughout the lifespan is well noted.

For the purposes of my role in this conference perhaps I should draw particular attention to the following pertinent developments.

The Committee on the Rights of the Child has robustly interpreted the aims of education contained in the Convention on the Rights of the Child.38 It has stated that education transcends access to formal schooling and embraces the right to a specific quality of education and a broad range of life experiences and learning processes that enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society.39

The 1995 - 2004 UN Decade of Human Rights Education40 was seen as a unique strategy for the “building of a universal culture of human rights”. Its guiding principles suggest that “[h]uman rights education … shall seek both to impart skills and knowledge to learners and to affect positively their attitudes and behaviour”. It further emphasised that “human rights education should involve more than the provision of information but should rather constitute a comprehensive, life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies”.

22 Conference on the Institutionalisation of Democracy and Human Rights in Education for the Southern African Development Community
In this way it clearly moved away from turning human rights into a subject or discipline in the curriculum but instead aimed to encourage and offer guidelines for human rights-based life-long learning and action generally.

In the non-governmental and inter-governmental spheres, a multitude of initiatives, programmes and projects were devised and the principles of the Decade were enthusiastically promoted, with excellent results.

The same could not be said for many states, the general response to this call from the international community to engage with what for many were fundamental educational reforms, being somewhat lukewarm. The reasons varied but rest to some extent upon entrenched national traditions and practices\(^\text{41}\) that have previously been identified as obstacles to the fulfilment of the right to education by, amongst others, my predecessor and myself. These include:

- A perception of the irrelevance of abstract human rights norms and their translation into local contexts,\(^\text{42}\) and a concomitant resistance to what is seen as their imposition from ‘outside’;\(^\text{43}\)
- The tendency of states – and individuals – to define education as efficient production of human capital, its purpose then to structure “the supply of qualified people over a long period of time to make it more in line with economic demands”. The human-capital approach moulds education solely towards economically relevant knowledge, skills and competences to the detriment of human rights values;\(^\text{44}\)
- The consequent perception of the role of teachers as being to manufacture this ‘human capital’ forgetting that learners are people with rights and developmental needs.\(^\text{45}\) A teacher is thus seen as a skilled tradesperson and there is a consequent transformation in the notion of accountability in teachers' work, which places greater emphasis on external accountability rather than accountability based on professional responsibility with an underpinning conception of moral agency;\(^\text{46}\)
- The dissociation of the right to education from the right to specific educational content;
- Persistent discrimination for instance against women and girls, persons in detention, minorities, persons with HIV/AIDS, those with disabilities and/or on the grounds of race of religion;
- The inadequate knowledge of the human rights framework pertaining to the right to education outside the human rights ‘community’, a community itself often distanced from pedagogical knowledge of the formal education sector;
- The failure to acknowledge the interconnectedness of all human rights and their justiciability resulting in judicial or quasi-judicial reluctance to adjudicate on challenges to educational provision or its lack; and
- The intense focus on increased access to learning to the detriment of quality and effectiveness.

Resistance by States to reforms to overcome these obstacles has not, fortunately, resulted in bringing an end to international efforts to act as a catalyst for change.
Perhaps the most visible of these continuing efforts is the World Programme for Human Rights Education\(^4\) which continues and complements the work of the UN Decade through an ongoing series of phases. Its professed aim is to seek to promote a common understanding of the basic principles and methodologies of human rights education, to provide a concrete framework for action and to strengthen partnerships and co-operation from the international level down to the grassroots.

Its current phase which is to end this year and which focuses on primary and secondary schooling, identifies five components core to human rights-based learning: educational policies, policy implementation, the learning environment, teaching and learning, and education and professional development of school personnel. The phased implementation of State plans of action implementing ALL five components must, if they are to succeed, be accompanied by regional and local assessments and the provision of associated technical and economic resources.

Despite these international normative standards and the essential associated activities of non-governmental organisations (NGOs) and inter-governmental organisations, until the concept of education as a business or a patriarchal levelling mechanism is overcome, the essential meaning of education, to build knowledge within a context where all human rights come together to be studied, is unlikely to be restored.

**Quality and content of education: pivotal to the realisation of the right to education**

The current broad unwillingness of states to let education function in accordance with its fundamental mission results in the denial of the human right to education. Pivotal, of course, to realisation of that right is the quality and content of education.

I am convinced further that integrating human rights into education systems contributes to ensuring the construction of quality education. To reiterate, the integration of human rights requires, on the one hand, ensuring that all the components and process of learning, including curricula, materials, methods and training, are conducive to their understanding; and on the other hand, ensuring the respect of the human rights of all actors within the education system, especially students.

To stimulate and support international and domestic initiatives towards a universal culture of human rights within education, it is first necessary to study the impact of education policies on learners’ and teachers’ reality and experiences. Where these initiatives are found to be lacking, it is of course necessary promptly to promote remedial adjustments in educational institutional structures, ministries, schools, other pedagogical systems and student-parent communities, adjustments underpinned by sound research.

It is most unfortunate therefore that so little is known about the actual and current experiences of actors within education systems, in particular those of teachers and learners, and more particularly still of learners traditionally vulnerable to discrimination within society and within education. Clearly, without identifying and understanding these experiences and their short- and long-term effects, any remedial adjustments required will be impossible even to know, let alone to meet.
It was for this reason that upon my appointment, I decided to focus attention on groups where the least is known, those traditionally discriminated against and marginalised in education. I have sought specifically to establish the causes and circumstances surrounding such discrimination and the challenges that must be faced in order to promote the realisation of their right to education. To date I have reported on discrimination as it relates to gender, to persons with disabilities, those deprived of their liberty and those experiencing situations of emergency. In 2010 I anticipate reporting on the right to education for migrants, refugees and asylum seekers.

My intention throughout my mandate has been to ensure a participatory approach in my work and direct input from learners in particular. From this process I have learnt that without such an approach and input, the experience of human rights within educational systems is almost impossible to determine confidently, as indeed is what students actually learn, formally or informally. The implication is clear – states must ensure participation of learners at all stages of their learning process, and instigate consistent and participatory monitoring mechanisms to ensure these ends.

I will end this address with a small selection of examples of experiences of the consequences of the failure to institutionalise human rights within education, experiences I have heard of time and time again during the course of my mandate. I do so whilst explicitly recognising that each person is unique in their learning needs and experiences although these experiences are, nonetheless, invariably of global relevance. The picture they paint must be remembered and acted upon, an endeavour to which we all at this conference, I am sure, are committed.

In relation to gender I restate what is clearly well known: gender parity in education is the focus of a global educational strategy that is obviously inadequate.

This inadequacy is partly reflected in pregnancy and motherhood in teenage girls being common motives for discrimination in education; worse, when pregnancy is a disciplinary offence girls risk expulsion from school and are forced to consider abortion if they wish to continue their studies.

More specifically I have learnt of female and male teachers’ low expectations of the intellectual skills of girls. These are reinforced by a clear tendency to use sexist language and the use of textbooks, curricula and assessment material in which few or even no female figures appear, or if they do, they do so in stereotypical roles.

Girls are known to suffer sexual assault and harassment by male teachers and classmates, of which education authorities are often unaware. If they choose to make themselves aware or are informed of such assaults, they may even be reluctant to intervene, especially if they consider such conduct to be ‘natural’.

Protecting girls from the gender discrimination in education is a vital requirement worldwide; it is also implicating and engaging the entire educational apparatus, from textbook publication and the construction of sanitation facilities to the training, recruitment, awareness-raising and further training of teachers.

In emergency situations, states and the international community generally are notably tolerant of denials of the right to education with the impact on the education
of girls, refugees and persons with disabilities often being particularly serious, given that historically they have been the victims of discrimination. It is, of course, of fundamental importance to develop and implement appropriate curricula and teaching materials fully adapted and relevant to their needs and rights, in addition to providing comprehensive protection, guaranteeing safety en route to and from school and environments free of aggression, by means of strategies that will encourage all to stay in school.

In relation to all emergency situations, natural or those of conflict, it is clear that the education of young people and adolescents has been traditionally disregarded by governments and the international community, since priority is invariably given to primary education. There are justifications for this emphasis, but the result should not be a total lack of attention to the other levels.

Nonetheless, I make specific note here of the increasing number of experiments in accessible, realistic, relevant and flexible learning, promoted primarily by international NGOs, that offer youngsters an alternative basic education. These initiatives have largely been ignored by governments and donors, possibly owing to their lack of emphasis on standardisation.

The eager willingness of governments to reflect public stereotyping, indifference and ignorance of detention, its causes and consequences, has led to focus on education linked to prison management rather than the specific needs and rights of prisoners. In this regard I have learnt, amongst many other examples, of troubling examples of education interrupted or terminated on the personal whims of prison administrators and officers; the absence of libraries; the withdrawal of educational ‘privileges’ as a punitive measure; and discriminatory, inappropriate and inadequate education for women, minorities and those with disabilities, particularly learning difficulties.

The deeply embedded social stigmatisation of persons with disability has led to their experiencing, amongst others, low educational expectations from teachers and family, particularly if female; inadequate skills among teachers and administrators; inaccessibility of education, particularly physical access to buildings and access to learning materials; and inadequate attention to the special education needs of learners in mainstream education.

It is pertinent here to note the Convention on the Rights of Persons with Disabilities, which formally records that it is not “disability” that hinders full and effective participation in society, but rather “attitudinal and environmental barriers” in that society. Such barriers and stigmatisation underscore the imperative of keeping rights clearly articulated and entrenched in policy and legislative frameworks. Consequently, the institution of awareness-raising campaigns on inclusive education and, more broadly, on the Convention on the Rights of Persons with Disabilities, as well as training programmes for teachers and other professionals related to lifelong learning, are essential.
Conclusion

The gap between the aims and actions in the field of education is the product of long-standing historical distortions that encapsulate in particular the contradictions and tensions of economic systems and patriarchal cultures.

The ‘international community’ has attempted to address these tensions and contradictions, principally by way of setting and disseminating international legal and political standards. These standards will, however, have limited impact until the States that they aim to regulate, fully endorse their underlying principles: even though States have had a pre-eminent role in setting these, their endorsement and full compliance remains limited. The imperative of the raising of awareness and promotion of these standards, together with continued and reinvigorated research and dialogue amongst all educational actors at the domestic and international levels, is consequently never more apparent than it is today.

Following the keynote address were questions, comments and discussions.

Questions, comments and discussions

One of the questions raised related to the possibilities for children who are forced into child labour by the circumstances they are in. An example was made of those children orphaned as a result of the HIV/AIDS pandemic who consequently head their households. Such situations impede the possibility of education for the affected children; they force children into making difficult choices. Because the capitalist thinking that dominates the society dictates that you earn a living based on what you have worked for, children are put in a situation where they have to work to get food. The state, on the other hand, would argue that there are no resources to provide for such children.

In response, Dr Muñoz indicated that although he agreed with the above comment, child labour is still about the financial exploitation of children. It is unfortunate that the convention on children's rights speaks of financial exploitation and not about child labour. Child labour needs to be looked at from two points of views within human rights. Firstly, the state should transfer resources to affected families in order to provide their children with the support they need. Secondly, governments should offer educational processes to children that work, fashioned to accommodate their needs and duties. The state is ultimately obliged to offer education processes that may be adapted to the social realities of these children. For example, in the case of child-headed households, if the children work during the day, education should be offered at another suitable time.

A suggestion was made for a need to look critically into the purpose of education, especially since education has been drawn into the philosophy of neoliberalism. Linked to this issue, other questions were raised including: Whose knowledge? What kind of knowledge is valued in society and globally? It was argued that these epistemological questions are fundamental. It is significant in this region today, in a context where there is an economic crisis, to see education from a viewpoint contrary to the utilitarian view. Seeing education as instrumental to the needs of the economy poses a seduction for
all people to seek to climb the same ladder of ranks. An example was made of South Africa, where teachers who specialise in science subjects are granted bursaries over other subject specialists. A further example is that of further education and training institutions that are providing education and training linked to the labour market requirements of capital, sometimes more directly. Dr Muñoz was requested to give advice to policy makers in relation to the issues raised.

Dr Muñoz responded by agreeing with the above observations. He went on to stress the need to contextualise education within the general society. Education cannot solve the world’s problems; some of these problems have to be solved by politicians and financial powers. The ways in which to think about education are established in the rights of children. In practice, these objectives are forgotten and education is in the main used to follow market requirements. The focus on the market often results in harmful actions towards the environment and human beings. If education continues to be perceived this way, it will hinder the development of people. We need to give back to education its original purpose, that being, the development of knowledge for life and dignity.

An observation was made that norms are developed in a society and in most cases they benefit a particular segment of that society. Often that segment develops power which can be used to defend these norms even if they are suppressive to the majority of the population. It becomes difficult to change these norms because those who benefit from them have the power to defend them. For example, the masses, on the one hand, may want a change in certain norms in relation to education, while the people in power, on the other hand, would be perpetuating these very norms. A question raised in this regard was whether there are possibilities for challenging suppressive norms using alternatives such as a minimum amount of force or violence that could be instigated towards those in power to change or adjust these norms.

Dr Muñoz responded by indicating that within a human rights framework, human rights norms are not positive. There is a need to look at the principles of human rights and draw on the historical learning of people who have fought for their freedom.

Prof Odora Hoppers also responded by stressing that the best way to fight unfair norms is to capacitate people to be able to demand rights from the government through other means, for instance, through the law. Quoting Dr Muñoz, she reiterated, “We have to change only one thing and that is everything.”
Endnotes

32. Haim G. Ginott (1922-1973) was a teacher, child psychologist and psychotherapist, who worked with children and parents. He pioneered techniques for conversing with children that are still taught today.


39. UN Committee on the Rights of the Child ‘General Comment 1: The Aims of Education’, UN Doc. CRC/ GC/2001/1 (17 April 2001) , See also CRC, article 29.


42. ibid

43. ibid


45. ibid

46. Snook, I., Values Education in Context in Aspin, D, and Chapman J., (eds), Values Education and Lifelong Learning (Springer 2007), Chapter 4


50. See further the thematic report of the UN Special Rapporteur on ‘The right to education of persons in detention’, UN Doc. A/HRC/11/8 (2009) to be presented to the Human Rights Council in June 2009


Experiences of Institutionalising Democracy and Human Rights in Education within the Southern African Development Community

This session consisted of a paper delivered by Mr Noel Chicuecue, National Programme Officer: Education, UNESCO, Moçambique, followed by a critical response by Ms Elizabeth Missokia, Director, HakiElimu, Tanzania. It was concluded by questions, comments and discussions. The session was chaired by Mr Benedicto Kondowe, National Co-ordinator, Civil Society Coalition for Quality Basic Education (CSCQBE), Malawi.


Mr Noel Chicuecue, National Programme Officer: Education, UNESCO, Moçambique

Introduction

This paper provides an overview of the experience of piloting a UNESCO-supported project on education for human rights and democracy (EHRD) in Southern Africa highlighting the key lessons learnt, the challenges and conclusions that may be considered in the process of institutionalisation of democracy and human rights in education.

Background

In line with UNESCO’s commitment to promoting peace, human rights and democracy world-wide and the needs expressed by the member states of SADC, UNESCO provided technical and financial support for the implementation of a pilot project on education for human rights and democracy in Moçambique, Namibia and Zimbabwe, financed by the Danish International Development Agency (DANIDA).

The project was launched in 1997 and phased out in 2003. While it was being pilot tested in these three countries, it was also intended that the lessons learnt during the pilot phase would be shared with other countries, in particular those in the sub region which had expressed interest, namely Botswana, Malawi, Lesotho, Swaziland and South Africa. Angola has recently integrated human rights and democracy in the school curriculum, drawing much from the results of the EHRD pilot.
Aims and objectives

The project aimed to contribute towards the development of a culture of peace characterised by respect, tolerance, equality and mutual understanding. It further sought to promote democratic, anti-racist, and non-sexist communities. It highlighted the importance of regional co-operation in addressing human rights, peace and democracy issues and sought to strengthen capacity in this context.

More specifically, it intended to help learners to develop values, concepts and skills essential for living as responsible citizens in free and democratic societies.

Strategy

The project sought to achieve its aims and objectives by integrating human rights and democracy into the formal school curriculum as well as into the curriculum of teacher training institutions.

UNESCO supported the project activities at both national and sub-regional levels and built institutional capacity at both these levels. It also promoted the establishment of networks with other organisations working in the field of human rights and democracy in the target countries. The project worked through a small sample of schools in each of the three countries. Although the second phase did not materialise, the lessons learnt from the pilot have been shared with other countries in the sub region through exchange visits and the use of consultant services provided by the experts who had worked with the project.

Activities

The main project activities include the following:

- development of a core curriculum for human rights and democracy education;
- development of an appropriate strategy and methodologies;
- integration of human rights and democracy in the school curriculum;
- development and production of teaching and learning materials;
- training of key personnel such as curriculum developers and material writers, teacher educators, school and cluster heads and teachers; and
- development of a curriculum for pre- and in-service training teachers and educators.

Outcomes

The main outcomes of the projects were the following:

- increased availability of materials relevant to teaching and learning human rights and democracy at national and regional levels namely, teacher’s resource manuals, teacher manuals and learners’ textbooks for primary and secondary schools;
- increased awareness and observance of human rights and democracy in pilot schools and to some extent in the communities and society as whole;
• integration of education for human rights and democracy in the curriculum of schools and teacher training colleges;
• increased knowledge, skills and capacity for children to protect themselves from human rights violations;
• increased awareness of responsibilities and obligations by learners;
• learning to live together, contributing to a society characterized by a culture of peace, tolerance and respect for human rights;
• increased knowledge and skills for the teaching and learning of human rights;
• creation of an enabling environment for the respect of human rights and practice of democracy in pilot schools; and
• establishment of a regional and network of experts in EHRD.

Lessons learnt

The following are lessons learnt from the pilot process:

• The regional team reached a common understanding that education for human rights is not a stand-alone subject, rather, it is learning to live together through active acquisition of knowledge, social and personal skills, values and attitudes as well as behaviours conducive to the respect of human rights and the practice of democracy in day-to-day life. Education for human rights and democracy can be integrated into any teaching subject and gradually become a part of the school ethos. At secondary school level the notion of carrier subjects was adopted in recognition that some subjects provide more opportunities than others. However it was recognised that human rights should be present in each teaching method and relationship.
• Learners prefer following examples rather than having teachers teach them about human rights and democracy principles that are not practised.
• The project teams reached agreement on the core values, content objectives and methodologies as a regional team.
• The school development model should help learners to master their role as active citizens of a democratic society. The integration of EHRD implied organisational change in schools and interventions at both the school and community level.
• The project activities were embedded in the existing structures of the ministries of education under the ownership and leadership of the existing staff. This ensured sustainability of the project as well as increased capacity within the institutions involved in the implementation of the project.
• The exercise was a practical lesson on regional integration involving educators from the three countries.
• Partnerships with civil society organisations working with human rights played a crucial role in sensitisation of the local communities and creation of an enabling environment for learning at home, in the community and at school, and
• A critical mass of experts and educators in the field of education for human rights and democracy is available both at national and regional level.
Challenges

The project was met with challenges along the way. Some of the challenges are:

- Language barriers: while the two countries Namibia and Zimbabwe use English, Moçambique uses Portuguese. Later this disadvantage became an asset during the exchange with Angola.
- The school development models are still incompatible with the enabling environment for EHRD.
- Differences of culture and democratic practices posed a challenge for the teams to agree on common values.
- Dependence on external funding. The lack of funding did not allow an expansion phase.
- Examination-oriented attitudes constitute an obstacle in the integration of EHRD into the school curriculum.

Conclusion

In Southern Africa, as elsewhere, there is a widespread acceptance of the need for human rights and democracy education. The perceived lack of public understanding of human rights values and democratic principles and practices in the last decade has led various governments in the SADC region to commit significant resources and effort to human rights and democracy education programmes.

The primary and secondary schools implementing EHRD have to actively foster conditions conducive to creating and sustaining education in and for democracy and human rights. A holistic approach to the development of schools is crucial to the creation of an enabling environment for the learning and teaching of human rights and democracy in schools.

This pilot project suggests that political engagement and civic learning is most effective when schools commit themselves to deliberately embedding a set of democratic educational principles in everyday practices. Involving students in selecting their representatives, elaborating the regulations and rules, and participating in decision-making enables the learning of human rights and democracy.

In contrast to traditional approaches to human rights and democracy education that tend to focus on the operational aspects of representative governments, institutions and history, the implementation of the pilot demonstrated that education for human rights and democracy can be effectively achieved through the fostering of human rights and democracy in education.

The Universal Declaration of Human Rights is rooted in a range of basic values about the treatment of human beings in schools and elsewhere, and encompasses basic rights to which children are entitled.

It is important to view learners under the care of the schools as subjects in development with increasing rights and responsibilities, rather than as objects to be manipulated, controlled and protected.
The pilot project results suggest that experiencing democracy and human rights in daily school life in a variety of situations and on a number of different levels can effectively contribute to the learning of the meaning and advantages of democratic values.

There seems to be a relationship between parental socio-economic background and the possibilities available for students to engage in effective human rights and civic learning and citizenship practices. However, the relationship between socio-economic background and other structural factors, including gender and ethnicity, needs to be further investigated in a specific study.

The project achieved positive results in terms of integration of EHRD into the curriculum, development of institutional capacities, training of human resources at both national and regional levels, production of learning and teaching materials, introduction of appropriate methodologies and sensitisation of all actors working in the field of human rights and democracy.

Mr Chicuecue concluded that he had tried to share with participants the experience acquired during the implementation of a regional project on the integration of education for human rights and democracy into the formal school curriculum implemented from 1997 to 2003 in three countries of the SADC namely Namibia, Mozambique and Zimbabwe. He had covered issues related to the objectives, contents, strategy, activities, outcomes, lessons learnt and challenges resulting from the institutionalisation of human rights education and democracy in the three participating countries.

Upon concluding his presentation, Mr Chicuecue handed over to Ms Elizabeth Missokia to respond to the paper.

**Critical response: Education and Human Rights**

Ms Elizabeth Missokia, Director, HakiElimu, Tanzania

Ms Missokia emphasised that education is a fundamental human right and that EHRD would contribute to bringing about true democracy, equity, respect, tolerance and access to information and contribute to achieving quality education. She observed that the countries that had given their presentations came from environments of war, civil war or conditions where there were violations of human rights and she was impressed that these countries had embedded concepts of human rights and democracy into their education structure by looking at issues like community or citizen engagement and tolerance. Their challenges associated with issues like language and the cultural context changed when people were empowered to have the freedom to ask questions and demand change.

The respondent declared that Tanzania had a vision to ensure that all children have the right to quality basic education, that schools respect the dignity and human rights of people, and that education promotes equity, creativity, critical thinking and democracy. Based on this vision, governments should not separate human rights and democracy issues from education. In Tanzania, however, this has proven to be a struggle.
Ms Missokia added that the presentations were an excellent depiction of the UNESCO-supported pilot programme of integrating human rights and democracy into education. The approach of integrating human rights and democracy into the formal school curriculum and providing teacher training helped empower everyone to start asking questions, challenging the state of affairs of the respective countries and to begin demanding change.

The respondent also made some observations, comments and recommendations in relation to the pilot programme. She said that the pilot programme demonstrated the strong political will of the countries represented and proved that through struggle good could come out. She also noted that it was possible to integrate human rights and democracy into the education system and curriculum but the question that remains is: How can human rights and democracy concepts be incorporated into the education systems of other countries in Africa?

When comparing a country like Tanzania, which has not experienced conflict, to the other countries, the speaker noted that there was a tendency to view the issue of human rights and democracy without much consideration because people believed that there was true democracy and human rights in Tanzania. For her, however, this was far from the truth as true freedom involved people deciding what their children should be taught, being able to make a contribution and being involved in any developmental activities that concerned education.

Based on the lessons learnt from the practice of institutionalisation of human rights and democracy in education in the three countries involved in the pilot programme, Ms Missokia posed a number of challenging questions to the audience as follows:

- How can a country like Tanzania learn from others whose human rights have been violated?
- Apart from integrating human rights and democracy in the school curriculum and making provisions in the national budgets, how were these initiatives supported in the existing education policies? How have education policies in the countries involved responded to human rights and democracy?
- In the countries where the EHRD programme did not materialise, the question is, was it really due to financial constraints or was it due to a lack of ‘political will’?
- Can other African countries honestly claim that it is costly to integrate human rights and democracy into the curriculum or education and, as a result, that they cannot afford it?
- Are there any meaningful and practical strategies that have been used in the countries involved?
- What synergies could be moulded across the SADC region to strengthen the institutionalisation of democracy and human rights in the education system?
- In the face of possible successes and challenges, where do the participants of the conference want to take the agenda of the institutionalisation of democracy and human rights to, beyond the conference?
Ms Missokia pointed out that the paper did not give enough facts and evidence of the successes on a country level, and that it would be valuable to have a summary of the studies that showed the comparisons in the programme implementation and strategies used by the different countries, especially in their ‘pilot phase’.

She also stated that the human rights approach to providing education would create room for true democracy, equity, and inclusion in education that would take into account questions of gender, disabilities, language difficulties and cultural issues and also contribute to quality education.

A human rights approach to providing education would also contribute to ensuring the “cascading relevance” of education, as people need to realise the importance and the added value of education. In Tanzania, for example, there are increased cases of parents taking their children out of school as, according to them, school does not have any relevance to the kinds of environments learners come from.

There is a need, the respondent added, to assess critically the various initiatives from other countries in order to develop ‘home-grown’ strategies that would be able to create better education for children in the region and in Africa in general, and to begin seriously to advocate for change and for the institutionalisation of democracy and human rights within education. In closing she stated that change is necessary and it is long overdue, so there is a need to begin agitating and advocating for the institutionalisation of democracy and human rights in education if we are to achieve equality and equity.

This response was followed by questions, comments and discussions.

Questions, comments and discussions

A concern was raised that the community is often viewed as one, yet there is a lot of internal diversity and contradictions within communities, which can pose a challenge to education endeavours.

Another concern raised was that the nature of the EHRD project in general seems to be addressing how to include human rights and democracy in education without paying attention to ethical concerns when we speak of human rights. An argument made in this regard was that ethical issues should be taken into consideration because human rights are themselves a moral construct. It makes sense to have ethical issues as the starting point of human rights research.

In response, Mr Chicuecue said that whether ethical issues should be starting point is debatable; there are views for and against that. He indicated that it depends on what suits one’s situation and context.

On the issue of the sustainability of human rights in education, one of the participants mentioned that the integration of human rights across the curriculum in South Africa has proven to be a challenge. The human rights concept is not a universal concept. Implementation of human rights has been left to the Social Sciences and Life Orientation learning areas, and teachers have their own way of implementing human rights within
education. In addition, there are cultural differences amongst teachers. The question posed to the presenters and the respondent, therefore, is: what guarantees are there that the EHRD project will be sustainable in each country, taking into account that there might be particular cultural and traditional differences, even between teachers and learners?

In response to the above questions Mr Chicuecue acknowledged that there are homogeneous societies in Swaziland and Lesotho, but there are heterogeneous societies in most of the SADC countries including South Africa and Zimbabwe and this, already, poses a challenge. In Moçambique, communities in east of the country are culturally different from others in the country. He mentioned that one of the reasons project leaders consulted with parents at the inception stages of the project was to get the consensus of community members and parents. A further reason was to assure the communities that the values promoted by the project are the same values that they would like to see.

Mr Chicuecue also acknowledged that project leaders encountered contradicting values, which they had to deal with. With teachers, the project used different approaches, starting with establishing teachers’ own identity. He drew from an experience in a seminar in Zimbabwe where a female teacher pointed to a difficulty in explaining the cultural practice where when a woman marries she loses her identity. For this teacher, explaining this ‘early death’ to learners posed a difficulty. As a result, the project team has guarded against homogenising the institutionalisation of human rights and democracy. Instead, they encouraged each school to build consensus within their community in order to get the support of the community.

One participant questioned the sustainability of the project; he argued that experience has shown that pilot projects in most developing countries, especially African countries, are not sustainable once their piloting finishes. He indicated that he presumed this project was limited to the schools involved in the pilot project despite the fact that some materials were produced. Governments themselves do not train teachers. He therefore wanted to know if there were any measures taken to ensure that these issues are integrated in the curricula of colleges of education and universities which are training teachers so that when the teachers graduate they go to schools with knowledge and the necessary values related to human rights and democracy.

In addressing the question on sustainability Mr Chicuecue indicated that the project is being continued in Moçambique and Namibia and it was embedded into the curriculum primarily to ensure its sustainability. The curriculum developers as well as other education staff including managers and teacher trainers were all involved. Currently, part of the curriculum requirements has been to encourage teachers to teach in a democratic manner that inculcates respect for the rights of children. In such an approach to teaching and learning learners can, for instance, be involved in the development of school rules. He also mentioned that although the project was a pilot, Moçambique has fully adopted it; it is now part of the curriculum and all teachers are expected to implement it. Whether it is being implemented properly is a different matter. He stressed that this alone should indicate something positive on the sustainability of the project.
Adding to the above, another respondent stated that this project is not the only one that is dealing with issues of democracy and human rights in education. Instead, there are a number of projects in this area and there are different technical, logistical and financial constraints for countries that did not implement the project.

A participant suggested that there was a need to create a balance between teaching education for human rights and trying to avoid taking positions on conflictual situations. For example, parents became suspicious especially if teachers like political activists were doing things for the benefit of their political parties instead of just teaching. A question was raised regarding whether such situations had been encountered during the implementation of the project and how they were dealt with.

A question was raised relating to Prof Odora Hoppers’ earlier assertion that human rights and democracy are probably not an issue for the curriculum, but are supposed to be seen within the society. What this implied is that human rights and democracy are something that is innate to human beings. The reality, however, is that these principles are not innate and people have resorted to teaching them. It was argued that the way teachers teach the subject is hugely important. Teachers need to be democratic in their approach and so should institutions. It should also be acknowledged that most Africans live in a world of suspicion and witchcraft, and there is a need to find ways of dealing with these issues, as they are a distortion of our society.

Prof Odora Hoppers clarified that she is not against the integration of human rights and democracy into the curriculum; however, shifting our problems to the teachers and schools should not be the point of departure. Doing so is indicative of a highly irresponsible attitude of society. Citing Former President of South Africa, Nelson Mandela, she stressed that “core social values do not propagate themselves, adults have to be reminded of those values, and children must acquire those values in order that appropriate interventions that support those institutions are generated and structured.”

She also highlighted the need for a comprehensive approach to human rights and democracy in education, including looking at African culture and how it can contribute to human rights. There is a need to move away from the paradigm where African culture is seen as a bundle of problems. In doing so, the contribution of African culture to indigenous knowledge systems and multiculturalism from birth should be acknowledged. For example, ‘Ubuntu’ needs to be mentioned in human rights and education; it embodies the concept of mutual understanding. African children, for example, grow up in a naturally multilingual setting and this must be acknowledged. There is a need to deal empirically with the question of African culture. Prof Odora Hoppers stressed that if the above issues continue to be ignored, the sustainability of human rights and democracy would suffer.

A question was raised regarding how easy it was for governments in the three countries that participated in the EHRD programme to accept changing the status quo with regard to institutionalising human rights and democracy. Linked to this, a question was asked regarding what the reaction of parents was towards the abolition of corporal punishment.
In response, Mr Chicuecue mentioned that there was an intensive discussion on how human rights are positioned within African communities. Through discussions, it was discovered that these are not new concepts. In fact, the values of human rights, democracy and respect for other people’s opinion are embodied in African proverbs. One of the proverbs he used as an example is; “There is no King who is King without respecting his people”. He went further to argue that it is not expensive to integrate human rights and democracy. For him, there is no need for a project, but just some experts. To a certain degree, parents can be suspicious but there is a need to begin from a premise most people identify with: the common values they know, for example, the respect for parents, and neighbours, amongst others.

In conclusion of this session, the chair thanked the presenters, respondent and participants. He acknowledged that the regional perspective has made it apparent that the institutionalisation of democracy and human rights is a possibility in education, although not an easy thing. It requires positive energy to do things right. The project has also made it apparent that there is no ‘one-size-fits-all’ strategy to institutionalising democracy and human rights. Instead, there is a need for strategies that are responsive and meaningful to the context in which they are being implemented.

The session that followed focused on group discussions and report-back.
Participants broke into five groups each assigned to discuss a specific theme and to report back on their discussions at the plenary session. The five themes were: curriculum; human rights and democracy – whole school practice; education of non-nationals; gender equity; and inclusion. Group discussions were framed by the following guiding questions:

- What initiatives have been undertaken since independence to ensure democracy and human rights culture?
- What progress has been made in this regard?
- What are the challenges facing the institutionalisation of democracy and human rights within SADC?
- What changes need to be made to ensure that human rights and democracy become part of the culture?

What follow are reports of group discussions. This session was chaired by Dr Itumeleng Kimane, National University of Lesotho, Lesotho.

On the whole, discussions that took place during the break-away session suggest that SADC countries have made some progress in relation to issues of institutionalising democracy and human rights education. Some countries have made more progress in some areas than others. In some cases, practical examples of strategies adopted are provided, which other countries can learn from. Discussions also suggest, however, that there are still key challenges that face the project of institutionalising democracy and human rights, therefore, the need to continually press ahead with efforts in this front remains.

**Curriculum**

One of the key mechanisms for institutionalising democracy and human rights within the education system is through the curriculum. The discussions highlighted efforts by the countries represented in the group in terms of ensuring that the curriculum takes into account issues of human rights and democracy. Some countries were reportedly yet to begin the process of reviewing their curricula, whilst others have completed the process. Reports from countries that have already reviewed their curricula show that different approaches have been adopted in ensuring the institutionalisation of democracy and human rights through the curriculum. Further details are presented in the following country-specific reports:

**South Africa:** In South Africa the experiences were drawn from how democracy and human rights have been addressed in the National Curriculum Statement (NCS). During the curriculum development process, teachers were invited to engage in dialogue with the rest of the stakeholders. It was noted that teachers were very progressive
and those teachers who were pro-human rights ended up facing conflicting views. After discussions, a consensus was reached that cultural values ought to be upheld in effectively implementing a culture of democracy and human rights. It was argued that human rights and democracy are not just about content, but also about methodology, textbooks, language policy and assessment. Some of the challenges encountered with infusing democracy and human rights within the NCS include the following:

- Teachers do not understand what is meant by infusing a culture of human rights within the NCS. There are insufficient teacher training programmes and some programmes do not train teachers on DHRE and DHRiE.
- Not only is teacher training needed for teachers but the question is how subjects such as Life Skills can be taught in schools for DHRE and DHRiE to be taken on board?
- Teachers often address the issues of democracy and human rights from moral, cultural or religious perspectives.
- Human rights are equated with legal statutes.
- Teachers interpret values in different ways according to their individual perspective, experiences and environments.

**Zambia:** In 1991, the Zambian curriculum was reviewed starting from lower basic to upper basic education level. Some progress has been made as follows:

- A subject called Civic Education has been introduced into the curriculum.
- Some progress was made in the training of teachers, although this needs to be improved to ensure that the training is adequate.
- A degree course in Civic Education has been introduced.
- There has been a campaign and training of community leaders and parents to raise awareness.
- Learners want their rights to be informed by their parents; therefore, there has been a call to work with civil society to address the issues of democracy and human rights.
- Early Childhood Development (ECD) is also an issue that has been taken into account. Zambia was to hold a national symposium on ECD during the week of 1-5 June 2009 because ECD has been identified as “a missing link” in the education arena, following years of neglect. Policy makers have been working on a policy and ECD is going to be integrated into the education system.
- The Zambian government involved many stakeholders in the curriculum review process. As a result of this and other efforts, Zambia has made some strides in giving human rights and democracy an indigenous face that people can relate to, instead of the concept being foreign.

**Swaziland:** A project on human rights and education was piloted in Grades 1 to 4. The curriculum was audited with the aim of establishing its core values and concepts. Skills were also incorporated and in the process stakeholders were invited to make input. The Inspectorate and the Curriculum Development initiators selected teachers from pilot schools and trained them.

Challenges were encountered, especially in relation to cultural-related clashes. Following the Beijing Conference on women, a portion of the general population in Swaziland was against the idea of human rights and education. Some people understood
human rights and democracy as a non-spiritual humanism that is in opposition to their religious views and has been used as a tool to criticise others.

People in Swaziland only started accepting principles of human rights and democracy once they were linked to cultural practices. In 2007, the programme was rolled out to include Grades 5 to 7. The project was monitored and a report was prepared for UNESCO; and there are currently positive reviews about the democracy and human rights undertaking in the education arena.

**Lesotho:** Lesotho looked at human rights and democracy in education as a cross-cutting issue that required training of teachers. A new curriculum and assessment policy has been recently developed and approved. It has been organised around the learning area approach. There is Life Orientation learning area, which focuses on issues of personal, spiritual and social development – wherein issues of human rights are housed.

**Namibia:** Namibia had a project similar to Lesotho, and the outcome of the project informed the curriculum review process and teacher training.

**Tanzania:** There is a mainstreaming of human rights in education evident in topics in secondary education and components in human development education that have been introduced. However, there are some challenges which relate to traditional practices such as women’s circumcision and the killing of albinos that hamper progress of human rights education. These problems are aggravated by the lack of human rights policies.

**Democratic Republic of Congo:** In the Democratic Republic of Congo from 1960 to 1970, there was almost total absence of human rights. From 1970 to 1997, political education took precedence over moral and civil education in the country. After 1997 there were no appropriate programmes for education for life. A book was published on this, and later lead to the creation of the Ministry of Human Rights.

It is important to note that in the DRC, there is no basis for democracy in schools, and children’s rights have not been officially acknowledged. There are, however, associations that organise discussions around the topic. These discussions are not on democracy and human rights in schools only, but in the larger society. The challenges, however, are around the fact that there are few systems that cater for human rights and democracy.

To this effect, there is a manual that has been edited recently and translated into four languages: Swahili, French, Lingala and Katalanga. The manual is going to be revised to include human rights and democracy in schools, the rights of family, the rights of the child, and gender equality, and will be adopted in schools. These issues are also being included in the Constitution.
Human rights and democracy - whole school practice

In general, discussions in this group highlighted efforts by various countries to put in place legislation and programmes that would allow democratic and human rights practice within schools at macro-levels. At school level, discussions suggest programmes such as school feeding programmes and free education. Also reported is the existence of democratically elected school governance structures that are representative of parents, teachers and learners. What follows are country-specific reports on human rights and democracy - whole school practice:

**Malawi:** Participants from Malawi indicated that there was a need to recast the Constitution in accordance with the Bill of Rights and that it was essential to establish institutions that would “safeguard” democracy and human rights. On the progress made, the Office of the Ombudsman as well as a Centre for Democracy have been set up. In education, human rights topics have been incorporated into the curriculum.

**Zimbabwe:** By 1980 in Zimbabwe the concept of human rights was introduced into the Religious and Moral Education subjects. Certain rights that had been downplayed in the past due to cultural beliefs are now being upheld, for example, the rights of a girl child are being recognised and being implemented.

**South Africa:** In 1994, the Bill of Rights was incorporated into the Constitution and many institutions to safeguard the rights of people were established, for example, the South African Human Rights Commission, the Commission for Gender Equality and the Congress of Traditional Leaders. In addition to this in 1998, the *Manifesto on Values, Education and Democracy* was launched. In terms of the curriculum, the Life Orientation learning area was introduced from Grade R to Grade 12. In terms of governance at the school level, there is provision for school governing bodies on which parents (forming the majority), teachers, non-teaching staff plus learners are represented. On the labour front, there are labour bargaining councils established in an attempt to promote democracy, taking into account South Africa’s turbulent, apartheid past.

**Zambia:** In Zambia, the Bill of Rights was written into the Constitution and there is no institutionalised discrimination in the schooling system. Free education was introduced up to primary level; and the Human Rights Commission was set up which is in charge of the education of teachers on the concepts of human rights. Such concepts were first introduced into the primary school curriculum and have now been introduced up to university level.

**Swaziland:** Swaziland has a new Constitution, which incorporates the Bill of Rights. Elections are to be held every five years according to a constituency-based political system. In 2004, Swaziland ratified the Convention on the Elimination of All Forms of Discrimination against Women. It has also introduced the National Development Strategy and the Poverty Eradication Strategy, and established Child Friendly Courts. In terms of education, there is a “draft” curriculum on human rights and democracy that is yet to be implemented. In addition, democratically elected governing boards composed of parents have been set up. Student representative councils have been established at college and university levels.
Moçambique: Following independence, there was considerable political education in Moçambique aimed at educating the public around issues of human rights and democracy. Education for Human Rights has now become part of the curriculum starting from the primary school level. Further, a centre was established which looks at how human rights are integrated into the education system.

Lesotho: Compulsory free primary education and feeding schemes were introduced as some of the strategies to address the issue of HRE. At school level, human rights issues are part of the curriculum. To protect children, corporal punishment was abolished by law. A Bill of Rights has not yet been entrenched in the Constitution and this poses many challenges for Lesotho. However, a Child Protection and Welfare Bill has been set out to protect and promote the welfare of children. In addition, a non-formal education programme has been introduced for disadvantaged groups in society like domestic workers, herd boys and prison inmates to ensure that learning can continue in a more inclusive manner. To ensure effective implementation, the government of Lesotho introduced district child protection teams to monitor adherence to the law.

Botswana: There is free education; and feeding schemes have been introduced in all remote schools.

Education of nonnationals (including migrants and refugees)

Countries within SADC, like others within the global community, are to varying degrees having to deal with the issue of how to educate nonnationals in their countries – be it migrants or refugees. Discussions in the group considered the issue of what international structures exist to cater for migrants and refugees. Further, discussions in the group looked at some strategies adopted by SADC countries, albeit limited to South Africa and Botswana, given the limited representation in the group.

The group started by distinguishing between refugee and migrant children. They concluded that for refugees, there is a structure in place, the United Nations High Commission on Refugees (UNHCR), that deals with access to education. Although currently there is no specific agency in charge of migrants, the International Organisation for Migrants (IOM) is working towards building a conceptual framework for the rights to education for migrants.

The group also discussed education and the fact that it can be looked at in terms of what is referred to as the 4-As framework, that is, Availability, Accessibility, Adaptability, and Acceptability. Some governments have also included “Accountability” as the fifth “A.” This framework may be used to gauge progress in terms of the education sector as a whole.

The questions emerging from this discussion are as follows:

- Are there strategies in place by governments to make education available?
- Do migrants know about these opportunities?
- What kinds of education do migrants receive?
- Is the quality of education adequate?
At a country level the following was highlighted in terms of education of non-nationals:

**Botswana:** Non-nationals in Botswana have to pay higher school fees than nationals.

**South Africa:** In South Africa, there have been projects focusing on the issues of human rights such as the Education Rights Project and the Forced Migration Project. A third of the children in the communities studied during the above research projects were not in schools. Although the South African Constitution states that everyone has the right to education, this does not happen in practice. Obstacles to education access include:

- lack of identity documents;
- school registration processes;
- language;
- school fees, and
- unaccompanied migrant minors.

The group also argued that “declarationism” exists through the phenomenon of countries signing numerous human rights declarations while not implementing them in practice. This is not a problem within the education system only but it influences societal perceptions as a whole. The xenophobic attacks exemplify the fact that although there has been progress in policy terms, the situation on the ground is quite different in reality. These realities in turn feed into the school system.

The group argued that the word “challenge” in the guiding questions is misleading as it simply glosses over what the state has not done. Not ensuring education access is a question of “weakness” and not of “challenge.” The class and gender dimensions within education access are even more profound, and need to be looked into and addressed.

Other issues identified by the group are the following:

- There is a problem of integrating migrant and refugee children back into society within their home countries.
- It is important for all countries to ratify international conventions such as the African Charter and the International Declaration on the Rights of the Child.
- In many countries, there are concerns over a lack of ratification of international conventions relating to migrants and refugees.
- A question may be raised whether the government of a country that people are migrating from has a responsibility for their migrants and refugees in other countries.

The group pointed out, however, that the problem is bigger than simply adjusting education policies. It is about how people see others. For example, with respect to xenophobia, there is a need for campaigns in society aimed at explaining the plight of foreigners. The Refugees Act in South Africa, for instance, speaks to the issue of refugee access to schools. It was emphasised that South Africans need to remember that the South African economy has been built on labour from within the broader African region. Moreover, South African refugees were welcomed by numerous African countries during apartheid; and there is a need to reciprocate such generosity.
Overall, education access is not about changing the curriculum in the technical sense but about being empathetic to the plight of another person, in this case foreigners, and about developing a social consciousness for humanity as a whole. As a society, there is a need to find ways to prevent social exclusion. Schools and educators need to be educated on existing policies affecting migrant and refugee children, and education campaigns are vital in this regard. The South African government needs to highlight ways in which foreigners enrich our country. The country needs to learn about how to better deal with diversity. Further, communities need to become more integrated, and schools need to be open to all children regardless of whether they are nationals or non-nationals. It must be clear to all that education is a basic human right that everyone (citizen or not) is entitled to.

Once the issue of access to education is addressed, there is a need to deal with the issue of assimilation and segregation in terms of different cultural views. In other words, do we develop a “universal curriculum” which views the learner as a “universal learner” (through the process of assimilation) or do we address the curriculum in a way that maintains cultural and other differences (segregation)?

**Gender equity**

In a society where gender inequality has been rife and has determined that male children receive preference at the expense of female children, ensuring gender equity (with attention to both female and male) in the education system becomes a crucial way of institutionalising democracy and human rights. Group discussions reflect that various strategies including legislation, and structures such as ministries and commissions focusing on women or on gender, have been used to ensure gender equality. However, there are still challenges relating to cultural practices that put female learners at risk and insufficient funding for structures that are charged with ensuring gender equity that need to be addressed.

Experiences in terms of gender equity in education are detailed in the following country-specific reports:

**Namibia:** In Namibia, gender is an integral part of democracy and human rights. Namibia had a difficult background in relation to this and has established a Ministry of Gender and Equality which looks at issues of gender in the society and shares experiences of equity in institutions. There is an Affirmative Action Bill in the country that seeks to open up opportunities for black people and women in society. Ministers report annually on their achievements in terms of addressing issues of gender equity and equality.

**South Africa:** In South Africa, indications were that Department of Education officials were of the view that the department was gender-neutral or gender blind. By implication, there was no recognition that there was gender inequality in schools. Policy guidelines were developed on the management of gender-based violence in schools to protect learners, especially girls, but also boys as they also tended to be exposed to violence. A bill on pregnancies in schools has been introduced.
**Malawi:** Participants from Malawi reported that there is a Ministry of Gender, but no further details were presented.

**Botswana:** Participants from Botswana reported that there is a ministry responsible for women's affairs, but it is inadequately funded and empowered. At national government level, women account for 30%, but these women are appointed rather than elected because women often do not get elected. An explanation given for this is that this is because women do not support fellow women who stand for elections. The focus is reportedly more on gender equality than on gender equity. Gender initiatives are in place in the country, but many of these are only on paper and not in practice.

**Swaziland:** Although there is a lot of documentation about empowering women in Swaziland very little is done to empower women. The recent drafting of the Constitution that now allows married women to buy land is one positive move that the country has made.

**Tanzania:** Tanzania has policies on gender equity in place, but these have not yet been implemented. There is a bill aimed at ensuring that girl learners are allowed to return to school after giving birth, which it is hoped will be fully implemented by 2010.

**Lesotho:** Lesotho has a Ministry of Gender. Unions in the country campaigned very strongly for women to be put into ministerial positions, and this has proven to be successful.

In terms of challenges facing the institutionalisation of democracy and human rights within the SADC region, the group agreed that there were a number of challenges:

- While monitoring and evaluation of gender issues are imperative, these pose challenges.
- HIV and AIDS is an even bigger challenge as it is devastating, often leaving many ‘child-headed’ families. In most situations, girls become the main providers, forcing them to drop out of school. Further, girls become more vulnerable to HIV and AIDS as they are in some cases forced to turn to prostitution as a means of earning an income.
- Cultural practices often do not promote gender equity and as a result, there is a lot of resistance to bringing these issues to the grassroots level to be resolved. For instance, women are often not elected into political positions because, culturally, public office is viewed as a male domain. Education in this regard is important in order to change people's mindsets and 'liberate' people.

On the question of changes needed to ensure that human rights and democracy become part of the culture in the SADC region, the following were suggested:

- Governments and all stakeholders need to embrace the values of human rights and democracy and see to it that these are instilled in society. For example, girl-children need to be acknowledged as human beings as well, contrary to the traditional views that tend to acknowledge only boy children.
- School cultures should encourage girl learners to take on school activities and subjects that are often the preserves of boys, including subjects like Mathematics, Science and Technology and sports such as rugby, football and cricket.
• To ensure effective implementation of human rights and democracy, there is a need for monitoring and evaluation systems to be put in place and enhanced through conducting research studies.

Inclusion

Discussions on inclusion were premised on the understanding that there are a variety of barriers to learning that go beyond disabilities that can lead to learners being excluded or experiencing a breakdown in learning. These include, amongst others, poverty, inappropriate communication and inadequately trained teachers.

Whilst the report of this discussion group shows that there has been some progress in terms of legislative provision and in some cases policies aiming at the mainstreaming of learners with special needs, discussions also suggest that there is still a long way towards ensuring inclusion. Some of the key challenges raised include inadequate training for teachers, a lack of expertise to deal with specific disabilities, and shortage of staff within units responsible for inclusive education.

The group suggested a need to clarify how inclusive education is understood in relation to human rights.

Participants in the group presented reports of the inclusive education situation in their respective countries as follows:

**Namibia:** Namibia’s education policies are guided by the Macro Education for All Policy. Policies are aimed at addressing issues of access, democracy, equality and equity. Within the framework provided by the Macro Education for All Policy, a national policy on HIV and AIDS, which cuts across the workplace and schools as well as dealing with orphans and vulnerable children (OVC), was developed to deal with issues of inclusive education.

OVCs were identified and were granted Namibian dollars equivalent to R400 but unfortunately these grants became subject to misuse. Mobile schools, which follow learners, were also introduced to ensure the implementation of the EFA policy.

One current debate in Namibia is on whether or not special schools should be integrated into mainstream schools.

**South Africa:** Education White Paper 6: *Special Needs Education, Building an Inclusive Education and Training System* came into effect in 2001. As a means of piloting inclusive education, 30 special schools were converted to resource centres and 30 ordinary primary schools were converted to full-service schools in 30 districts in the country. This pilot was undertaken based on donor funds, availed for getting the inclusive education project off the ground. The aim of the pilot was to educate the public as well as to inform refinements to the policy before rolling out the programme on a large scale. The pilot, however, experienced funding challenges, and the government provided some funding in 2007 that ensured continuation. A further challenge to the project is limited expertise on inclusive education within the country. For example, teacher development in this sphere has been inadequate. It is crucial for teachers to
understand issues of inclusion. Further, teachers need to be trained in specific skills to deal with learners with special handicaps, such as learners who are deaf and those who are visually impaired.

Subsequent to the pilot study, South Africa decided to preserve approximately 400 schools as special schools based on an understanding that inclusive education is unlikely to be catered for by all schools in the system due to the lack of expertise in special education needs.

South Africa has also undertaken some research on orphaned and vulnerable children (OVC), who by virtue of their situations had been excluded from schools, mainly because such learners lack parental support and schools lack awareness of their situation. It was felt that countries need to be aware of their contexts and limitations while implementing policies on inclusion. The argument was that South Africa, for instance, has policies on HIV and AIDS but such policies do not guarantee implementation.

Moçambique: In Moçambique, some teachers have been trained to equip them to teach in special schools. However, a lot more work still needs to be done in terms of training teachers as there are large numbers of learners with special education needs in the country. Amongst the challenges cited are a lack of buildings designed to enable easy access to people with disabilities, the limited number of people with sign language skills, and lack of training and support for teachers responsible for teaching children with special education needs.

Curriculum reform is currently underway to take into account issues related to inclusive education, but it is feared that a lack of skilled teacher trainers will hamper the efforts of inclusion.

Zambia: There are special schools in Zambia, but some learners with special needs have been assimilated into mainstream schools since the policy on inclusion was introduced. Learners with special needs complain, however, that their learning needs are not being met as they are taught by teachers who lack relevant skills to deal with their disabilities.

Swaziland: Swaziland has not dealt with issues of inclusion as these have not yet been incorporated into the curriculum. Teachers are not equipped with the relevant skills to deal effectively with learners with special education needs. Special schools teachers were trained outside Swaziland because the country does not have internal expertise to train teachers in special schools. A further challenge is that of inadequate support for specific special schools.

Zimbabwe: Zimbabwe has also initiated a process of mainstreaming learners with special education needs; however, special schools continue to operate mainly because they are predominately private establishments, operated by missions or trusts. Teachers in special schools in Zimbabwe are mainly trained for primary level education, specialising in different aspects of disabilities, and are then assigned to teach in special schools accordingly.

Despite some changes over the years, there are continuing challenges such as the fact that most parents with disabled children tend to prevent them from attending school.
Democratic Republic of Congo: The DRC is a young country in terms of democracy. The first initiative taken by the country to ensure democracy and human rights in education was to train teachers. This was a primary goal because the war had destroyed everything. It has not been easy to address issues of inclusion because of the conflicts which prevailed in the country over many years.

In addition to the above country-specific experiences, the group discussed further issues including the following:

- An argument was made that the various disabilities need to be addressed with special attention in their own right. For example, challenges of training and teaching people with visual impairment or physical disabilities are different from those with hearing impairments. The problem with teaching learners with hearing impairments is that sign language is not sufficiently widely known to enable inclusivity. To benefit deaf learners, teachers need to have in-depth knowledge of sign language and not just the basics. Sign language is a complex language with different dialects; it also differs from one region to another. It was emphasised that before the issue of inclusivity is put into practice, governments and practitioners need to ensure that there is relevant expertise, personnel for those special needs areas, as well as facilities.

- On the issue of the inclusion of OVCs, it was argued that the confidentiality and dignity of these children is compromised if special schools are developed for them only. Creating special schools for such learners exposes their status of poverty, vulnerability and health conditions to the public, thus compromising their rights. A further point made is that OVCs are not just vulnerable because of poverty. Instead, there are a number of factors that contribute to their vulnerability including language. Therefore, vulnerability should not be seen only as an issue that is attached to being orphaned, but should be approached in its broader sense, where other issues that are part of the barriers to learning should be tackled.

The following challenges were raised as obstacles to the institutionalisation of inclusion:

- lack or inadequacy of funding;
- lack of political will evident in inadequate human and material resources being assigned;
- lack of school-based counsellors for OVCs (for example, Namibia);
- teachers in special schools being inadequately trained in basic skills necessary for the development of learners with disabilities (for example, Swaziland);
- teachers being randomly posted to work in special schools rather than given a choice (for example, Swaziland);
- a small unit rather than the whole system being charged with the responsibility of safeguarding the implementation of the policy on inclusion (for example, South Africa).
The following were suggested in terms of changes necessary to ensure inclusion:

- There is a need to cultivate a culture of peace and democracy.
- Emphasis needs to be placed on issues of values, respect and human dignity in the curricula because these are the foundation for human rights and democracy.
- In laying the foundation for human rights and democracy, there is a need to integrate special and ordinary schools when discussing issues of inclusive education.
- There is a need for sensitisation of all stakeholders in society, including politicians, all government departments, especially those that have the responsibility of ensuring children's wellbeing, NGOs and the communities at large for the public to understand, appreciate and participate in inclusion initiatives.
- It was suggested that countries need to begin holding forums such as this conference and sharing ideas because it is through sharing that people can support each other. If countries were to work together, there would be a notable change in the society.
The session on education in conflict and post-conflict situations consisted of a panel discussion by four people, and was chaired by Prof Nasila Rembe, University of Fort Hare, South Africa. The panel presentations were guided by the following questions and points:

- Background on what the conflict was all about, including details of who was involved and when it happened.
- How did the conflict affect education, in particular, people's democratic and human rights in relation to education?
- What strategies have been employed to deal with the situation?
- How effective were these strategies?

While the first three presentations were made by specific countries, namely, the Democratic Republic of Congo, Moçambique and Namibia, in that order, the last presentation was a view of a teacher training organisation.

### Education in the Democratic Republic of Congo

**Mr Guy Mafuta, Ministry of Education, Democratic Republic of Congo**

In the DRC, the human rights concept does not apply in the education system given the existing war conditions that affected the lives of so many people, their communities and the environment. Given the existing negative scenario, the entire school infrastructure has to be redeveloped from virtually nothing. There is a need for an educational partnership between the government and the private sector in the reconstruction of school infrastructure and the schooling system as a whole. Non-conventional teaching methods need to be practised in order to promote human rights and democracy within the education system.

The impact of the armed conflict was devastating and impacted negatively on the education system. The following are some of the ways education was impacted upon:

- Out of the 46 000 schools in the DRC only 15% of the schools remained with any viable infrastructure in a system which needed to take care of the needs of 12 million learners.
- During the time of conflict, permanent structures could not be built; teaching sessions were mostly held under trees as people moved from one place to another. Also, a volcano eruption destroyed a lot of the school infrastructure as well.
• There was a lack of teaching aids as few manuals and books were distributed due to the lack of financial resources and lack of distribution networks.
• Teachers were greatly disadvantaged as, in addition to the conditions stated above, there was no programme in place to manage any retirement provision for them.
• Compounding the situation was an absence of substantial programmes for the continued training of teachers, resulting in the DRC being left with teachers of a poorer quality.
• The war left in its wake untold human rights violations in the society; with the rampant rape of women, the HIV and AIDS pandemic was accelerated and in turn this had an adverse effect on the education system as a whole.

Mr Mafuta concluded by indicating that with the signing of the peace deal between the warring factions, the DRC was faced with an atmosphere of relative peace and stability. Further, there is national consensus around the need to increase the availability of teachers. New strategies are also being advanced to review the legal context of the educational system and also to increase the budget allocation for education. For example, every child is to have access to free primary education.

In reconstructing the education system, the government needs to be sensitive to the conditions that the teachers are operating under, to reward them accordingly and afford them national recognition in their field. More importantly, the speaker stated that there is also a need to professionalise teacher-training programmes and to develop and increase the health care benefits available to them.

Education in Moçambique

Ms Madalena Chiconela Santana, Universidade Pedagógica de Moçambique, Moçambique

Background of the conflict

Moçambique was thrown into a cruel civil war which lasted from 1978 until 1992. The conflict was between the ruling party, the Front for Liberation of Moçambique (FRELIMO), and the Mozambican Movement of Resistance (RENAMO). The bloody fight included shooting executions, knife, axe and bayonet killings, people being burnt alive, people being beaten to death, and people killed by asphyxiation and forced starvation.

Effects of the conflict on education

The war in Moçambique had and continues to have an enormous human, social and economic impact, in terms of death, disability, displacement, and trauma suffered by the population. The war destroyed the social and economic infrastructure, including health posts, trading posts, schools, factories, roads, bridges, railways and energy facilities.
Between 1983 and 1991, more than 1,25 million pupils and 20 000 teachers were affected by the war and out of a total of 5 886 schools operating in 1983, 58% had been destroyed or were forced to close during the war.

**Strategies to deal with the situation**

In the aftermath of the war, a number of strategies have been employed to deal with the situation and ensure the promotion of democracy and human rights. Some of the strategies are:

- The Constitution declares education as a right and a duty of each citizen. This national commitment was reaffirmed when Moçambique signed on to international agreements such as the Education for All (EFA) objectives and the Millennium Development Goals (MDGs).
- Current education policy emphasises basic education and is attempting to reallocate resources to this level. However, provision of secondary and higher level education also needs to be increased in order to meet the demand from the increased number of learners graduating from primary schools, and to address the massive skills gap at junior administration and management and professional levels. As a consequence of the war, a large number of young people missed out on some or all of their education, or had it interrupted and require additional non-formal and adult education provision.
- Emergency relief in Moçambique began in the mid-1980s, during the war, with programmes run by international NGOs in conjunction with the government emergency relief organization. The current phase of the post-conflict situation in Moçambique might be described as between rehabilitation and development. Since the end of the war, schools are being built and rebuilt in rural and urban areas.
- The Government struggles to provide adult literacy services to make up for lack of opportunity in the past. An estimated 60% of adults still cannot read and write, with the illiteracy rate higher among women. Those with little or no formal education face limited job prospects despite a growing economy. Such citizens are disadvantaged when it comes to learning new skills to improve their lives.
- The Ministry's gender strategy targets Moçambique's major problems related to girls' education and female illiteracy; an average of 71% of the women in the country are illiterate with higher numbers in rural areas. Lack of access to education and early drop-out rates contribute significantly to the high illiteracy figures.
- The Ministry's gender strategy aims at strengthening school access and school retention as well as reducing high levels of drop-out among girls at primary level. The strategy further addresses issues of relevance and quality in order to promote gender equity and strengthen management capacity in order to achieve gender objectives.
- The government's five-year programme for education (2005-2009), presents education as a fundamental right and as a tool for the integration of citizens into the social and economic life and as a basic instrument to face the challenge of development. In that sense, the curricula of primary and secondary education approach different topics of interest for the community like HIV/AIDS, gender, children's rights, democracy, human rights, poverty or environment.
• In primary education, it is mainly in social sciences where there is a clear reference to human rights. However, human rights are a cross-cutting theme in the school curriculum particularly in the field of communication and social sciences. In secondary education, Moçambique is developing a curriculum transformation programme which puts an emphasis on human rights. Structural problems of education in Moçambique resulting from the lack of teacher training or the high number of students per class affect the effective implementation of human rights education programmes.

**Effectiveness of strategies**

The strategies employed to deal with the effects of the conflicts on education have been effective in that Moçambique has increased the number of people with basic education, thus reducing the number of illiterate people, more schools are being built and many people are graduating at all levels of education. With the government policy on gender equity in education, women and girls are attending schools without being discriminated against. In conclusion, all people have the right to education in Moçambique; and the government is still striving to promote this right.

**Education in Namibia**

Mr David Sampson, Ministry of Education Social Sciences Division, Namibia

Mr Sampson started his presentation by highlighting the long political armed conflict that Namibia had endured. He said that because of the occupation of Namibia by Germany from 1700 – 1915, and then by South Africa from 1915 – 1990, there was resistance to the policy of divide and rule (apartheid). This resulted in a situation where local people were pushed back into the ‘native reserves’ in order to suppress the emergence of black consciousness, resulting in the armed struggle undertaken by the South West Africa People’s Organisation (SWAPO).

The speaker emphasised that the apartheid policy had dramatically affected people’s education for democratic rights. Bantu Education in itself widened the gap for educational opportunities for the different racial groups. In the segregated separate schools Afrikaans was imposed as a medium of instruction. There was general dissatisfaction and violent demonstrations amongst the parents and students and as a result excessive force was used in the school system, with the use of corporal punishment in schools and censorship in the curriculum.

With the advent of independence, the new government of Namibia was faced with the mammoth task of dealing with the post-conflict situation. All the players concerned had to plan new strategies based on restorative justice to build social inclusivity, and also to focus on building disrupted relationships in order to plan a pathway to peace.

A new constitution was drawn up concretising the mission statement of “education for all” based on the principles of access; equality; equity; and democracy. More attention was paid to the marginalised communities and mobile schools were set up for the San and Himbo communities, who still practised the nomadic way of life, to provide access to education for them as well.
Attention was paid to the readmission of the girls into the school system and the introduction of school feeding programmes. An education fund was established by the newly formed Ministry of Education, which targeted the revision of textbooks and also the provision of teacher training programmes.

In addition to these strategies of ensuring access to education, corporal punishment was abolished.

Namibia has deployed several other strategies such as school feeding programmes, regional education forums, education funds for OVCs, revision of textbooks, the gradual integration of pre-primary education, colleges of education for minority groups, life skills and development of skills on guidance and counselling, vocational training and lastly teacher education. Mr Sampson added that the Ministry of Education in Namibia also offered education for refugees at the Oshira Refugee camp.

On the question of human rights and education, Mr Sampson informed the participants that a human rights and democracy project was introduced which focused on a “whole school approach” where these concepts are treated as a cross-curricula area incorporating HIV and AIDS education, environmental education, human rights and democracy in education, as well as population education. This curriculum is based on citizenship, governance and constitutionalism. Certain learning areas cover the electoral system in terms of advocating and making learners aware of the government and administration structures.

The effectiveness of these strategies is still being evaluated. It has been a learning process and the Ministry is evaluating the successes and failures. These initiatives have been undertaken with the aim of creating a peaceful society that is characterised by mutual respect and social stability.

In conclusion, Mr Sampson indicated that Namibia is still getting to grips with the issues of the past in order to change its tomorrow for the benefit of all.

## Training of teachers in conflict and post-conflict situations

**Ms Bolette Strandbygaard, Humana People to People, Zimbabwe**

### Introduction

Ms Strandbygaard introduced Humana People to People as an international organisation involved in teacher organisation working in 42 countries. It has national development organisation members in Moçambique, Angola and South Africa. It is also working in Malawi, Zambia and Namibia.

Teacher training is one of the biggest programmes of Humana People to People with 11 teacher-training colleges in Moçambique, 10 colleges in Angola with intentions to open two more during the year, and two colleges in Malawi. In all the countries it is involved in, the organisation works closely with the ministries of education. Humana People to People contributes 1 600 teachers per annum in Moçambique and 800 teachers per annum in Angola.
Experiences of teacher training in conflict and post-conflict situations

Humana People to People started their teacher-training programme in Moçambique in 1993 with the view to contributing to peace in that country. The principles of the programme are as follows:

- It combines theory and practice.
- The method of training is heavily student-centred.
- There is a community development skills component that is regarded as the strongest component of the programme.
- Boarding life is regarded as part of teacher training.

Humana People to People has developed experience in training teachers to work in conflict and post-conflict situations. The teacher has to be prepared for and able to face those practical conditions. That teacher has to see herself or himself as being part of resolving the problems involved, rather than waiting for the government to resolve the situation. For example, despite the fact that it has been many years since war ended in Moçambique, there are still cases where teachers and parents have to work together to construct classrooms where these do not exist. Such situations require someone who is prepared to lead the process of constructing classrooms together with parents and learners; and that person is the teacher. Humana People to People trains teachers for these situations.

In addition, Humana People to People trains teachers in co-operation skills. This is an aspect that involves boarding life. Teachers have to learn to live together with others. However, teaching people to live together is not easy. It is hard work— it involves working with personalities and ethics amongst other things. Teachers have to respect others, and have to deal with conflict in a respectful manner.

Another difficult aspect of the programme is the classroom work. The biggest challenge is democratic teaching. What makes democratic teaching a challenge is that practising democratic teaching with 80 learners of different ages, some of whom understand the language used and others not, requires a teacher to implement an advanced level of democracy. It is, therefore, difficult and demanding. Nevertheless, it is a continuous process and an issue of further engagement with others involved in the field.

In the case of Angola, Humana People to People was involved during the conflict period and managed to keep its colleges open, although at times it was forced to give up some of these colleges because National Union for the Total Independence of Angola (UNITA) took them. With the advent of peace, Humana People to People found itself working in one of the provinces which was hard hit by the war. For the first time, the organisation had students from traditional UNITA and Popular Movement for the Liberation of Angola (MPLA) areas. As a result, one of the organisation’s first tasks was the difficult task of getting students from traditionally MPLA areas to accept to share a room with a student from a traditionally UNITA area. This training continues throughout the training period.

The teacher-training programme has a strong school practice component, and Humana People to People co-operates with many schools in this regard. The organisation has
worked consciously together with school leaders, teachers and parents to overcome differences and create unity.

Humana People to People is also part of a process of bringing about unity at the departmental level including provincial and district levels. Here, official policy has been very strong and very successful in creating unity.

In conclusion, Ms Strandbygaard pointed out that the biggest challenge is to overcome conflict situations in a progressive and forward-looking manner.

**Questions, comments and discussions**

It was suggested that in terms of upscaling from primary education, Moçambique should consider going beyond secondary school education to include tertiary levels, to help develop the necessary skills education. In response, Ms Santana mentioned that apart from ensuring access to financial assistance there are also efforts to enable people to attain higher standards of living. The end result would be to ensure that every community had their own share of skilled professionals, so as not to be left out in the developmental processes.

A number of questions were directed to Mr Sampson. How did Namibia deal with the mobile type of education being implemented there? What about the different languages? And how did they develop skills? Mr Sampson responded by indicating that the San and Obahimba people are very proud of their culture, traditions and status. As a result, something had to be done to accommodate their culture. Mr Samson added that this approach has worked so well that some of the children have found their way into normal schools in both the urban and rural areas.

A question was raised as to whether the numbers of learners that came to the mobile schools were consistent. Mr Sampson indicated that the attendance rates are haphazard, especially amongst those who attended normal schools in town.

A question was posed to all four countries regarding their definition of ‘basic education’. In response, a Namibian delegate mentioned that basic education was from ECD up to Grade 12; and was compulsory and free up to age 16. Further, the ministry does not allow those who failed to go back into the system, but allowed them to attend open learning colleges for Grade 10-12 in order to let them continue with their basic education.

One of the participants posed a question to Ms Strandbygaard regarding whether they have any assessment of the international community’s assistance for education during the conflict and its aftermath. Ms Strandbygaard responded by stating that Humana People to People’s international funding was targeted at primary schools, especially those in the rural areas. Their statistics showed that 80 to 85% of their graduates actually worked in primary education in the rural areas, so that graduates were definitely mainstreamed into the education system.
Mr Sampson added that when Namibia began the reconstruction of the education and reform processes it received support from agencies such as the UNDP, UNESCO; and United Nations Children’s Fund (UNICEF), as well as agencies like Swedish International Development Agency (SIDA) and DANIDA.
This session consisted of two presentations. The first presentation on regional integration within SADC was made by Dr André Keet. The second presentation on the work of the United Nations Office of the High Commissioner of Human Rights (OHCHR) was made by Ms Jacqueline Nzoyihera. The session was chaired by Mr Allan Keitseng, Botswana Coalition on Global Campaign for Education, Botswana.

Regional Integration and Dialogue within SADC

Dr André Keet, Lecturer at the University of Fort Hare and Commissioner at the Commission for Gender Equality (CGE), South Africa

Introduction

Dr Keet began his presentation by highlighting the fact that regional integration on human rights within SADC was probably the weakest in comparison with other regions globally. There is not enough dialogue between countries with respect to human rights issues. As a result, there is a lack of regional responses to regional human rights challenges. An example of a challenge that required a regional response is the xenophobic outbreaks of 2008 in South Africa.

Context

Globalisation, according to Dr Keet, confirms human rights challenges as local, regional and international challenges that are interweaved and that do not have boundaries. Such challenges include:

- Poverty, development and inequality
- Diversity, identity and democracy
- Environmental challenges
- Indigenous knowledge and African thought systems
- Health challenges.

Looking at some of the democratic practices that have taken root within the region, he said that there was some reason to hope and some reason to despair.

Environmental challenges, indigenous knowledge and indigenous systems as well as health challenges should be confronted. For example, the question of the convention that provides for additional protection for the San and other indigenous groups of people is one of the critical issues that the region has to deal with. There is a need, therefore, to have regional collaboration in many forms, so that there can be a transnational structure to deal with these issues. Dr Keet argued that if people have the energy to put years of practice into the creation of trans-national parks for animals, they can
put similar energy into greater integration of social issues such as human rights - a process aimed at dealing with the kind of social challenges the region is facing. Such a trans-national structure for human rights can assist the region to put together some strategies around the common issues that confront them.

Dr Keet added that there is also a need to work against regional armed political conflict. According to him, the strength of human rights is the fact that it presents itself as a highly sophisticated protective mechanism. However, some of the wars that have been fought in the SADC region and abroad have been fought in the name of human rights, and this gives rise to the “discourse of armed human rights politics”. Ironically, permanent members of the United Nations Security Council are responsible for more than 60% of the weapons industry in the world. Issues such as these ought to be looked into even within SADC.

A further imperative is that of supporting and developing regional human rights juridification. New forms that are regionally embedded in human rights standards, and that transcend the nation states, need to be found to provide a link between the African Charter and the way human rights issues are approached at regional and national levels.

The lack of regional integration has allowed states to monopolise violence and authority. Dr Keet used the circumstances in Zimbabwe as an example of human rights violations in the name of sovereignty. The solution is to develop a “critical citizenry” that could work against the potentialities of conflict within the SADC region.

Another aspect to be considered is the loss of autonomy by nation states in certain spheres. Clear examples of these are spheres such as environmental degradation, industrialisation practices as well as people’s mobility. The complexity is that there are limits to citizenship within the nation state. The answer is to move to “cosmopolitanism” where a normative standard can be found that will be above any kind of human rights standard presently known, something that requires people to move towards a “common justice” agenda within the region. Dr Keet added that the state could be self-protecting and self-destroying at the same time, as evident within SADC.

The other reason for the need to dialogue about issues of human rights and democracy is that DHRE and DHRiE have had an exponential growth over the past 15-20 years. Despite this growth, a conversation between education theorists and human rights activists has been lacking. There is a need to come together and give form to the linkages between education and human rights. Education systems are complex and there is a need to understand this complexity if they are to be expected to implement human rights.

**Dialogue and integration on DHRE**

Dr Keet felt that the dialogue and integration on human rights and democracy in education should focus on equalising the discourse. It must not be used as an adjudicatory framework. Currently, human rights are used as a ‘yardstick’ to adjudicate others. He raised a question relating to whether SADC could use the same yardstick used by Britain and the United States of America to invade Iraq. Therefore, there is a need to have a discourse that makes voices in the region stand in equal value to one
another in order to begin to listen to one another. This is necessary especially in relation to human rights and culture.

Further, the meaning of DHRE and DHRiE is always a contested one within SADC.

**Why integration and dialogue?**

Dr Keet also considered the purpose of integration and dialogue and outlined it as follows:

- Integration is necessary to build a strong, critical, regional citizenry.
- Integration and dialogue push electoral democracies towards sustainable, deliberative democracies. With a critical citizenry able to make judgments on what type of governance they would like, the SADC region will be better able to protect human rights in various forms as well as defend constitutional democracies. Sadly, people sometimes actively participate in their own oppression by voting in regimes that do not respect human rights.
- Integration and dialogue could help the region to move from ‘tolerance’ to ‘hospitality’ to start talking about ways in which they could be hospitable to one another and not just to tolerate one another, as a common people despite certain differences. The concept of tolerance assumes an unequal relationship where one becomes tolerated as a charitable thing and this has its limitations and is probably responsible for the xenophobic tendencies the region faces. On the contrary, the concept of hospitality is different because one becomes hospitable to difference. There is a need, therefore, to start a dialogue about ways in which people can be hospitable to one another as a common people. Further, there is a need to find ways for justice to transcend the law, rather than fighting for a justice set by the law, because law is a social and human construct, which might have limitations. One of the reasons governments can avoid confronting issues of human rights is because of the limits that have been set by justice through law. But justice is a notion that transcends law, so there is a need to fight for something much higher than law.
- Integration and dialogue serve to allow people to grasp socio-economic inequalities and other forms of human suffering as regional ones. There is a need to begin to move towards the notion of ‘collective futures’ – for instance, that child suffering has the same form regardless of the country in which it is occurring.

**How can regional collaboration be deepened?**

Dr Keet argued that there is a need to get the meaning and concept of DHRE within SADC sorted out in order to deepen regional integration and collaboration. In other words, is DHRE about political literacy or about critical citizenship?

Further, there is a need for people involved in DHRE in the region to broaden their minds and to make the boundaries of the field more flexible and fluid. One of the challenges about the human rights field is that it is not known where DHRE is located in relation to other current educational responses to the need for informed and active citizens such as multi-cultural education, prejudice and anti-racist education, civic education, global and development education, peace, environmental and moral education.
What kind of approaches?

Dr Keet also considered approaches to DHRE and Table 1 below presents approaches together with explanatory questions and notes as well as pedagogical configurations for each of the approaches.

Table 1: Approaches to DHRE

<table>
<thead>
<tr>
<th>Approach</th>
<th>Explanatory questions/ notes</th>
<th>Pedagogical Configurations</th>
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<tbody>
<tr>
<td>Compliance</td>
<td>• What are the national and international obligations in relation to human rights?</td>
<td>• Human Rights Education</td>
</tr>
<tr>
<td></td>
<td>• Understanding human rights to comply with human rights norms and standards</td>
<td>• Environmental Education</td>
</tr>
<tr>
<td></td>
<td>• Political literacy • What are rights, laws and governance structures?</td>
<td>• Democracy Education</td>
</tr>
<tr>
<td></td>
<td>• How does democracy work and how can we participate in it?</td>
<td>• Civic Education</td>
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<tr>
<td></td>
<td>• Knowing rights and responsibilities as a way to enhance citizen participation</td>
<td>• Citizenship Education</td>
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<tr>
<td></td>
<td></td>
<td>• Political Education</td>
</tr>
<tr>
<td>Political Literacy</td>
<td>• What values and attitudes are necessary to heal our society?</td>
<td>• Human Rights Education</td>
</tr>
<tr>
<td></td>
<td>• How do we build a national identity and respect and promote diversity?</td>
<td>• Peace Education</td>
</tr>
<tr>
<td></td>
<td>• Developing respect for human rights, human dignity and diversity as a way to bind societies together and promote equality and non-discrimination</td>
<td>• Conflict Resolution Education</td>
</tr>
<tr>
<td>Social Cohesion</td>
<td>• How can HRE contribute to developing human agency?</td>
<td>• Multicultural Education</td>
</tr>
<tr>
<td></td>
<td>• How can HRE assist vulnerable people to change their material conditions and life experiences?</td>
<td>• Moral Education</td>
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<td></td>
<td></td>
<td>• Human Rights Education</td>
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<tr>
<td>Resistance</td>
<td>• How can HRE speak truth to power?</td>
<td>• Environmental Education</td>
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<tr>
<td></td>
<td>• How does HRE mobilize for human rights?</td>
<td>• Development Education</td>
</tr>
<tr>
<td></td>
<td>• Internalizing human rights as a form of resistance against human rights violations</td>
<td>• Human Rights Education</td>
</tr>
<tr>
<td>Empowerment</td>
<td>• How can HRE contribute to developing human agency?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Understanding human rights to change unequal cultural, political, social and economic relations</td>
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</table>

Based on observations in his studies, Dr Keet argued that the compliance and political literacy approaches are the dominant approaches to DHRE. The compliance approach requires one to comply with a set of defined things, while the political literacy approach requires one to know constitutions and laws. While these are crucial, Dr Keet argues that the social cohesion, resistance and empowerment approaches are also important and are crucial to DHRE.
What forms?

The presentation also looked into the kind of form that integration and dialogue on democracy and human rights could take. Options given are:

- Building on existing initiatives? RQF governmental structures/African Commission of Human and Peoples Rights (ACHPR)/other African Union (AU)-United Nations mechanisms?
- A network or a forum? They do exist!
- African Social Forum?
- A SADC embedded mechanism?
- A transnational structure?
- Civil society/government?

Dr Keet said that he strongly believes that the structure to champion the regional integration and collaboration course would be the ACHPR. The ACHPR previously received some funding from AU structures for work in human rights education, but this was taken away because people have not been doing that work. In his view, the ACHPR is a struggle body that has done well. Further, it is one of the structures that have respect because they do independent assessments of countries. Linked to this, Dr Keet felt that a trans-national structure linked to the ACHPR would be the most appropriate in this regard because it would be able to bring together inter-governmental and civil society organisations in a much more protected space.

While there have been concerns about the functioning of these ACHPR, Dr Keet is convinced that participation of the SADC DHRE structure in ACHPR would contribute to making the Commission functional.

Function and position of an integration and dialogue structure

Dr Keet concluded the presentation by looking at the function and position of a SADC regional integration and dialogue structure in relation to DHRE as follows:

- Setting conceptual parameters/purpose and role of DHRE
- Responding to anti-educational DHRE
- Co-ordinating regional initiatives стрategies/resource observatory
- Positioning, that is, how and where to locate?

He suggested that the structure should meet at least once annually.
The Work of the Office of the High Commissioner for Human Rights (OHCHR) in Supporting Regional Education Initiatives

Ms Jacqueline Nzoyihera, Regional Human Rights Officer, Office of the High Commissioner for Human Rights, Pretoria

Introduction

Ms Nzoyihera spoke about the work of the Office of the High Commissioner for Human Rights (OHCHR) in supporting regional initiatives for human rights education (HRE). The OHCHR is responsible for protection, promotion and monitoring of human rights. She indicated that up until now OHCHR has dealt with promotion, advocacy and access to information in terms of HRE. In terms of access to information, the office translated the Universal Declaration of Human Rights into about 200 languages so that people could access it and be more informed. She also outlined her presentation as follows:

- Human rights education as a priority of all states
- The World Programme for Human Rights Education (2005-ongoing)
- Support provided by and partnership with the Office of the UN High Commissioner for Human Rights.

Human rights education as a priority of all states

Human rights education as a priority of all states was reaffirmed at the World Summit in September 2005 when all Heads of State and governments committed,

We support the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encourage all States to develop initiatives in this regard (para. 131).

Human rights education provisions are contained in the following United Nations instruments:

- Universal Declaration of Human Rights, 1948 (article 26)
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (article 7)
- International Covenant on Economic, Social and Cultural Rights, 1966 (article 13)
- Convention on the Elimination of All Forms of Discrimination against Women, 1979 (article 10)

Despite provisions in these human rights instruments, monitoring of the implementation of human rights was lacking. As a result, the 2005 World Summit and the resultant World Programme for Human Rights Education were the stepping stones for the promotion of HRE.
The World Programme for Human Rights Education (2005-ongoing)

The World Programme for Human Rights Education is a United Nations’ initiative to encourage human rights in education. It was proclaimed in 2004 to advance implementation of HRE programmes in all sectors. Further, it organised the implementation of HRE programmes into consecutive phases in order to focus national efforts on specific sectors and issues. The period 2005-2009 was designated for the First Phase of the World Programme for HRE. The focus of the First Phase involves the integration of HRE into the primary and secondary school systems.

Since 2005, letters have been sent around the world, mainly to ministries of education encouraging them to integrate human rights education into the primary and secondary curricula. Following that there was a Plan of Action adopted by all States (General Assembly Resolution 95/113 B, 14 July 2005).

First Phase: Human Rights Education in the School System

In the Resolution, distinction is made between the two processes of “human rights through education” and “human rights in education”. “Human rights through education”, on the one hand, is a process of ensuring that all the components and processes of learning, including curricula, materials, methods and training, are conducive to the learning of human rights. “Human rights in education”, on the other hand, is a process of ensuring the respect of the human rights of all actors, and the practice of rights, within the education system.

The First Phase: Human Rights Education in the School System consists of five interlinked components: policies; policy implementation; learning environment; teaching and learning processes and tools; and education and professional development of teachers and other educational personnel (see the Appendix of the World Programme’s Plan of Action). Each of the five components are detailed below:

Policies: These include educational policies, legislation and strategies that include human rights education. Mechanisms for ensuring that policies include human rights education are as follows:

- reviewing educational laws
- adopting specific legislation
- ensuring coherence in related plans of action
- reviewing national curricula
- developing comprehensive training policy for educational personnel.

Policy implementation: This includes appropriate organisational measures plus involvement of all stakeholders. Policy implementation measures are as follows:

- providing adequate resources
- setting up co-ordination mechanisms
- developing concrete strategy and process for implementation
- conducting research on impact
- establishing resource centres.
Learning environment: This involves opportunities for all actors (students, teachers, staff, administrators and parents) to practise human rights. Measures for ensuring such an environment are:

- adopting explicit and shared rules, such as charters of school actors’ rights and responsibilities
- adopting non-discrimination policies protecting all school actors
- recognising and valuing positive contributions
- providing opportunities for students’ self-expression and participation in decision-making
- ensuring interaction between the school and the community.

Teaching and learning processes and tools: This component seeks to ensure that curricula, teaching methodologies, and materials including textbooks reflect human rights principles. Mechanisms for ensuring the necessary teaching and learning processes and tools are:

- reviewing and revising the curriculum, at all levels
- reviewing and revising textbooks, at all levels
- using and developing complementary materials
- adopting learner-centred and empowering teaching methods
- developing support projects (networking and exchanges, information technologies, resource centres)
- developing assessment and evaluation tools.

Education and professional development of teachers and other educational personnel: For the OHCHR, education and professional development of teachers and other educational personnel is one of the key elements of the strategy, as children learn from their teachers. The following measures are proposed in this regard:

- including not only human rights content but also teaching methodologies, social skills and leadership styles
- using learner-centred training methodologies
- tailoring to contextual need and target group
- planning evaluation
- using and developing appropriate training resources
- supporting networking.

Focus on national implementation

There are four stages involved in terms of national implementation of HRE and these are as follows:

- Analysis of the current situation of HRE in the school system.
- Setting priorities and developing a national implementation strategy.
- Implementing and monitoring.
- Evaluating.

The main responsibility rests with the Ministry of Education or equivalent institution.
The main responsibilities are:

- to assign or strengthen a relevant department/unit responsible for co-ordination with all relevant actors; and
- to identify and support a resource centre responsible for collecting and disseminating relevant initiatives and information.

Within the Ministry of Education, there are agencies that will be involved in the mainstreaming of HRE in the education system and these include agencies dealing with the following aspects:

- Educational policy
- Programme planning
- Curriculum development
- Teaching and learning material development
- Pre-and in-service training of teachers and other educational personnel
- Teaching and learning methodologies
- Inclusive education
- Regional/provincial/local administration
- Research
- Dissemination of information.

In addition to the Ministry of Education and its agencies, the following are other key actors in the process of implementation of HRE:

- Teachers' colleges and faculties of education
- Teachers’ unions, professional organisations and accrediting institutions
- National human rights institutions (human rights commissions and ombudsmen)
- National/local non-governmental organisations
- National commissions for UNESCO
- National, federal, local and state legislative bodies
- Education research institutes
- National and local human rights resource and training centres
- Parents’ associations
- Students’ and youth associations.

**Progress made in relation to the World Programme for HRE**

At the time of the conference, the OHCHR had received information on activities undertaken in only 50 countries (as reflected on OHCHR’s website) that have implemented the World Programme recommendations. This shows limited progress since there are about 190 countries in the world, and since 2009 is the final year of the First Phase. The Office has also received numerous reports relating to some challenges peculiar to the school system; and these include the following:

- difficulties of integrating HRE into various subjects versus separate subjects for human rights;
- proliferation of “international educations”, for example, global citizenship, sustainable development, peace education, multicultural education, diversity,
whereas some countries do not support global citizenship, or HRE into their systems; and
• status of teachers – the training differs according to the status of teachers.

The OHCHR also provides system-wide support to national implementation: UN Inter-Agency Co-ordinating Committee for HRE in the School System (since September 2006).

Support provided by and partnership with the OHCHR

The UN High Commissioner for Human Rights is the United Nations official with principal responsibility for United Nations human rights activities, under the authority of the Secretary-General. Headquarters are in Geneva, with several field offices. The OHCHR co-ordinates United Nations education and public information programmes in the field of human rights, exclusively, including the World Programme.

The OHCHR does the following:

• Developing OHCHR education and training materials.
• Information-sharing on worldwide materials, programmes and institutions: Database and Resource Collection.
• Providing support for specific events (participation of UN staff, and so on).
• Networking to share ‘good practices’ and contacts in different countries.
• Providing methodological expertise.
• Serving as the entry point for the UN system in the area of HRE.

Questions, comments and discussions

A comment was made that some of the programmes of human rights education are not applicable to all contexts, especially in terms of methodologies. Some of the research being undertaken by students suggests that learners know their rights but do not understand the moral underpinnings of these rights. This is a pedagogical problem. Is there no basis for moving towards human rights literacy to assist learners become literate in human rights?

Ms Nzoyihera responded by saying that in implementing human rights literacy, the OHCHR encourages creativity. While the OHCHR has expertise in human rights, it has no expertise in HRE and the curricula. When countries are creative they will come up with good practices that can be shared with other countries, and this will show the impact that HRE has on society.

Dr Keet added that from the political literacy approach, human rights education and human rights in education have created an industry of human rights with different players that seem to protect existing pedagogical frameworks. As a result, the massive financial and political input into the HRE field has not created any kind of transformative spaces outside that particular field. It is almost like a self-containing political literacy approach that plays up within the symbolism of human rights normative standards. There is a need, therefore, to break out of the confines of the current dominant approaches and consider social cohesion, resistance and empowerment approaches.
as alternative pedagogical approaches. This will require an understanding of the importance of normative standards and of juridification of human rights, but also the limitations of such. There is a need to create stronger conceptual links between rights, moral obligations and ethical issues that can transcend each construction as a codified law or as a juridical form.

Regarding inclusive education, a question was raised regarding how inclusive education is conceptualised from a human rights education perspective, what it is, and what it seeks to achieve. Dr Keet responded that it is difficult to create an inclusion/exclusion debate in this regard since a large number of learners require education given the challenges faced by education systems. However, from a human rights perspective, inclusive education deals with the issue of eradicating barriers that limit access to the right to education. The rights-based perspective dictates that the structure of the system needs to respond to challenges that people face in accessing the education system.

Further, knowing about human rights should go beyond the political literacy approach to knowing about limitations and the kind of possibilities that can be pursued to ensure that HRE is a much more widespread form of educational practice.

On the World Programme for Human Rights Education of the OHCHR a comment made was that, generally, teachers and officials of ministries of education do not know about this programme. It has not been adopted as a human rights tool, but it is still seen as a proclamation of human rights. Further, there is a lack of technical assistance for the implementation of the programme.

In response, Ms Nzoyihera indicated that the Pretoria office is a field office and is responsible for the entire SADC region. However one of the challenges is that while the OHCHR has sent letters to the ministries of education, it is difficult to establish the focal points and persons in the various countries. One of the reasons for this difficulty is that there is no single focal point as various ministries are involved in the implementation of human rights issues.

When responding to the issue of lack of technical assistance, Ms Nzoyihera mentioned that while the OHCHR would wish to focus on promotion of human rights and technical assistance, they overlook HRE given the lack of pedagogical expertise within the office.

A question was asked regarding the experiences of South Africa in implementing the World Programme for HRE. In response, one of the participants indicated that during the period 2005-2009, there were robust activities undertaken in South Africa. There was a programme of technical assistance that was driven by the OHCHR, which involved massive awareness-raising, and capacity-building for ministries with responsibilities for promoting human rights. As part of this programme, the Centre for Human Rights was established at the University of Fort Hare. In addition, there was a plan of action which was consultative – involving government departments, NGOs and the civil society at large.

A comment was made that, in South Africa, a lot of work is being done around implementation of the programme. The key problem, however, is around poor communication of the experiences.
One of the participants questioned what the role of higher education institutions (HEIs) is in terms of human rights integration across the SADC region. Dr Keet responded that HEIs would be best placed to start the integration process, given the centrality of teacher education to HRE as well as the independence of HEIs from their nation states. However, there is still a need to pursue the idea of transnational collaboration structured through the ACHPR specifically focussed on the SADC region. There is a need for countries within SADC to start talking to each other about challenges they face, sharing ideas and breaking the boundaries, in order to form a social creation that is SADC-based.
In summation, Mr Salim Vally stated that although the conference could not come up with concrete programmes in the two days, the conference was in itself progress in that it has provided the space for preliminary discussion on human rights and democracy. Additionally, there was a need to see the conference as a significant milestone in bringing together so many different and important people. Discussions were rich and provided many examples that need to be concretised. Regional co-operation, for example, needs to be encouraged.

He further raised an issue about the rhetoric around human rights. He expressed concern about the use of the word “challenges” throughout the conference. For him, this word is used to gloss over what are, in fact, “violations” of human rights. “Change” is another word that has been used. “Ubuntu” and “peace” are other words that can be open to abuse. If people are not brave and courageous, the rhetoric of human rights, as Prof Odora Hoppers says, is like a fish and is slippery.

Mr Vally also made an observation that there are real synergies between participants from government and those in civil society. For him, it is not a patronising relationship, but a sincere attempt to give meaning to what people have struggled for in the SADC region.

He went further to indicate that at the start of the conference Mr Pampallis urged that participants start by looking at what countries have set out to do, what they have achieved and what they have not achieved in terms of human rights. The conference has made some progress towards answering these questions. He made an example of Ms Carelse’s speech in which she talked about issues such as xenophobia, service delivery, managerialism and the curriculum which does not talk to the reality of daily lives. For him, Ms Carelse made a distinction between the glossy rhetoric of many governments and agencies and what actually happens on the ground.

On the issue of culture, Mr Vally indicated that Prof Odora Hoppers made some comments around the issue of cultural change. According to him, in doing so, Prof Odora Hoppers was not talking about a superficial change in culture, but in the way Amílcar Cabral spoke about it before the age of conventions. Amílcar Cabral talked about human rights in a fundamental way, that is, returning to the source and how the source does not speak to the commercial imperatives, but to the notions of companionship, empathy and Ubuntu in the way explained by Prof Odora Hoppers.

Mr Vally also touched on the notions of authority and how quite often, according Prof Odora Hoppers, an authority that is based on repression, including the army, secret police and other repressive state apparatuses, is not based on a solid foundation. Prof Odora Hoppers argued for an authority that is derived from a cultural strength of
particular norms that talk to issues of peace. The kind of peace referred to here is one that is able to exist only if there is justice. He made a link with a conversation that Dr Martin Luther King Jr had with some of the moderate clergy when he was in prison in Alabama following a civil rights march. These clergy were criticising him, objecting to some of his methods of protest. Responding to such criticism, Dr King indicated that what the clergy were looking for was a negative peace, which is the absence of tension. On the contrary, what Dr King wanted, and Prof Odora Hoppers spoke about, is positive peace – the kind of peace which is the presence of justice.

On tolerance, he raised a question regarding the kind of tolerance that is being envisaged. This is obviously not about tolerating sexism and racism. He likened words to money in that they can also be counterfeit. In light of this, he argued that the experiences in the SADC region can give meaning to some of the terminology used in the human rights rhetoric.

Mr Vally also argued for the need to move beyond what Dr Keet, in one of his writings, calls “declarationism” in terms of human rights issues. For him, human rights are not declarationism. Whilst documents such as the UN Declaration on Human Rights and constitutions need to be used, just mentioning them thinking they are some kind of magic wand to change the situation is not helpful.

Commenting on the issue of changing mindsets that was raised by Prof Odora Hoppers, he mentioned that there are a number of people in the African continent who, through praxis, spoke to this issue. For example, Ngugi Wa Thiong'o argued for the need to decolonise the mind. Another example is Steve Biko who argued that the best weapon in the hands of the oppressor is the mind of the oppressed. Mr Vally argued that these are clear examples of African contributions to human rights. Human rights as a concept is not a European import and it is not a foreign ideology. Instead, it is a contextual and historic; and it is important that Africa does not lose sight of this.

He also reflected on the quotation raised by Dr Muñoz of the concentration camp survivor during the holocaust who suggests that in addition to the 3Rs (reading, writing and arithmetic), learners should be taught how to be humane. He drew a parallel between the human tragedy of concentration camps, which involved educated people such as engineers, and what Wouter Basson did in South Africa.

Linked to this, he commented on the education promoted by the global economy, which advances competition. This raises the question of the purpose of education. Within this global competitive framework, education is viewed as an instrument for one to get a job in order to advance one’s career. Mr Vally argued that while education has a link to the economy, seeing education in this reductionist manner is doing a disservice to education. That is the death that Dr Muñoz talks about in his paper. He went on to indicate that there is more to education and concurred with Dr Muñoz who argued that education is not competition, but is there for humanity to help each other and to help all people to advance in a particular, healthy way. To illustrate this point, Mr Vally took an example of Rwanda where a group of young people were asked whether they were Hutus or Tutsis, to which they responded, “We are Rwandese.” The unfortunate thing is that these young people were all killed for refusing to say whether they were Hutus or Tutsis. However, this is a clear example of an element of humanity – that of protecting each other and working together despite particular differences.
Mr Vally further reflected on various initiatives to promote human rights and democracy that participants shared. Some of these efforts occur within contexts of lack of resources or in hostile contexts. There was talk of possibilities and challenges that remain. However, there is a need to expand on these based on the richness of examples within the SADC region.

In terms of the discussion groups, Mr Vally highlighted limitations of time as well as the framing of questions. In his view, while the questions were helpful in guiding discussions, some of them required groups to come back with information about what is happening in their contexts, sometimes even empirical information. This was a limitation and it could not be done. Nonetheless, in both group and plenary discussions, important issues were raised. For example, there were valuable comments about the importance of sign language as a human right because it is marginalised in many ways. A further issue is that relating to groups of people that are marginalised, such as migrants, refugees as well as some nationals, and the ways that some countries are beginning to deal with these. An example of this is that of Namibia attempting to deal with the marginalisation of the nomadic communities.

Linked to this, is the issue of emergencies, conflict situations, civil wars and detention, which tend to be overlooked. Dr Muñoz’s office is interested in these issues; and there is a need for the SADC region to engage with these issues. The region has valuable things to say to the world out of the hardship and suffering caused by conflict situations. As a Roman philosopher, Pliny the Elder said; “Ex Africa simper aliquid novi”, which translates: There is always something new out of Africa.

Mr Vally went on to argue that there is a need to understand that the right to education is, as Dr Muñoz asserts, closest to the right to life. Without education, one is in danger of a miserable death – the kind of death that can result from living without meaning, intensity and focus.

Another issue that Mr Vally raised is that of human rights abuses internationally, which Prof Odora Hoppers likened to a smiling buffalo when those who pretend to be pursuing human rights throughout the world are, in fact, the very people who are violating human rights.

On change, Mr Vally argued that if the region comes together and combines available expertise, experiences and vision, SADC can make a difference. He clarified that the difference will not come from formal documents, academics, bureaucrats or human rights activists, but from those whose rights are most violated. For this to happen, there is a need for bureaucrats, NGOs, and international agencies amongst others to collectively tap into that wisdom. These people experience violations every day of their lives; and as a result, they have a lot to teach people working with human rights issues as they also learn about struggles in other parts of the world.

In conclusion, Mr Vally congratulated the CEPD, OSISA and all participants for having come to share and recommit themselves to the vision of human rights and democracy, and to a particular process which he believed would succeed if those involved really and genuinely were true to the vision of truth and genuine peace.
In delivering a vote of thanks, Ms Beatrice Hamwiinga indicated that she trusted that all participants enjoyed the conference having been exposed to and contributed to a wealth of knowledge on the institutionalisation of democracy and human rights in education. She also mentioned that she hoped that the conference forms the basis for further discussion and debate surrounding the issues raised during the conference.

Ms Hamwiinga pointed out that the CEPD would like to thank all of the participants for attending the conference and making it such a success. In particular, the CEPD wished to thank the following:

- OSISA for giving the CEPD the opportunity to host the conference;
- UN agencies represented;
- the guest speakers, chairpersons and rapporteurs; and
- delegates from ministries of education, civil society organisations, teacher training institutions and human rights commissions.

Ms Hamwiinga concluded by requesting participants to convey the CEPD’s appreciation to their respective organisations for allowing them to take part and contribute to the enrichment of the discussions that took place over the two days.
In closing, Mr John Pampallis urged participants to write to the CEPD to express their views on the conference. He also urged participants to make suggestions on how to take forward the issues discussed at the conference. Such suggestions would form the basis for further discussions on the issues of human rights and education and inform follow-up conferences.
Appendices

Appendix A: Conference Programme

Programme

Conference on the Institutionalisation of Democracy and Human Rights in Education for the Southern African Development Community (SADC)
Held at the Birchwood Hotel on 28-29 May 2009

Day 1: 28 May 2009

<table>
<thead>
<tr>
<th>Time</th>
<th>Programme</th>
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<tbody>
<tr>
<td>8.00-9.00</td>
<td>Arrivals and registration of participants</td>
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<tr>
<td>9.00-9.10</td>
<td>Welcome: Ms Vivienne Carelse, Deputy Director-General of Education Department in the Director-General’s Office, Ministry of Education, South Africa</td>
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<tr>
<td>9.10-9.30</td>
<td>Message from the Open Society Institute for Southern Africa (OSISA): Ms Sherri Le Mottee, Education Programme Manager, OSISA</td>
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<tr>
<td>9.30-10.00</td>
<td>Opening Address: Prof Catherine Odora Hoppers, South African Research Chair in Development Education, University of South Africa</td>
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<tr>
<td>10.00-10.15</td>
<td>TEA</td>
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<tr>
<td>10.15-10.50</td>
<td>Keynote Address: Mr. Vernor Muñoz Villalobos, United Nations Special Rapporteur on the Right to Education (Costa Rica)</td>
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<tr>
<td>10.50-11.10</td>
<td>Questions and discussions</td>
</tr>
<tr>
<td>11.10-11.40</td>
<td>Experiences of Institutionalising Democracy and Human Rights in Education in the SADC Region: Noel Chicuecue, National Programme Officer: Education, UNESCO, Moçambique</td>
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<tr>
<td>11.40-12.00</td>
<td>Critical Response: Ms Betty Missokia, Director, HakiElimu, Tanzania</td>
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<tr>
<td>12.00-12.20</td>
<td>Questions and discussion</td>
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<tr>
<td>12.20-12.30</td>
<td>Announcement</td>
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<td>12.20-13.20</td>
<td>LUNCH</td>
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<tr>
<td>13.30-15.00</td>
<td>Group break-away sessions (See next page for discussion themes)</td>
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<td>15.00-15.15</td>
<td>TEA</td>
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## Session 5: Group Report-back

**Chair:** Dr Itumeleng Kimane, National University of Lesotho, Lesotho  
**15.15-17:30** Group report-back and discussion  
**17:30** Closure  
**18.00** Cocktail function

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### Day 2: 29 May 2009

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<th>Time</th>
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<tr>
<td></td>
<td><strong>Session 1: Education in Conflict and Post-conflict Situations</strong></td>
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<tr>
<td></td>
<td>Chair: Prof Nasila Rembe, University of Fort Hare, South Africa</td>
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<tr>
<td>8.30-9h30</td>
<td>Panel discussions:</td>
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<tr>
<td></td>
<td>Democratic Republic of Congo, Moçambique and Namibia</td>
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<tr>
<td>9.30-10.00</td>
<td>Questions and discussion</td>
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<tr>
<td>10.00 –10.15</td>
<td><strong>TEA</strong></td>
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<tr>
<td></td>
<td><strong>Session 2: Regional Integration and Dialogue on Democracy and Human Rights in Education</strong></td>
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<tr>
<td></td>
<td>Chair: Mr Allan Keitseng, Botswana Coalition on Global Campaign for Education, Botswana</td>
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<tr>
<td>10.15-11:05</td>
<td>Panel discussions:</td>
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<tr>
<td></td>
<td>Regional Integration and Dialogue within SADC: Dr Andre Keet, University of Fort Hare and Commission for Gender Equality (CGE), South Africa</td>
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<td>The Work of the Office of the High Commissioner of Human Rights (OHCHR) in Supporting Regional Education Initiatives: Ms Jacqueline Nzoyihera, Regional Human Rights Officer, (OHCHR), Pretoria</td>
</tr>
<tr>
<td>11.05-12h00</td>
<td>Questions and discussion</td>
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<tr>
<td>12.00-12.20</td>
<td>Summation: Mr Salim Vally, Education Policy Unit, University of the Witwatersrand, South Africa</td>
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<tr>
<td>12.30-</td>
<td>Thanks and Closure: Ms Beatrice Hamwiinga, Ministry of Education, Zambia</td>
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<tr>
<td>12.30-13.30</td>
<td><strong>LUNCH</strong></td>
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<tr>
<td>13.30</td>
<td>Departures</td>
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</table>

## Discussion groups

Discussion groups will be in terms of the following themes:

<table>
<thead>
<tr>
<th>Themes</th>
<th>Chair</th>
<th>Rapporteur</th>
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</thead>
<tbody>
<tr>
<td>1. Curriculum</td>
<td>Mr Mota Sekonyela, Ministry of Education and Training, Lesotho</td>
<td>Mr Gcina Mabuza, The National Curriculum Centre, Swaziland</td>
</tr>
<tr>
<td>2. Human rights and democracy - a whole school practice</td>
<td>Ms Jenipher Mkandawire, CSCQBE, Malawi</td>
<td>Mr Benjamin Thebe, Curriculum Development, Botswana</td>
</tr>
<tr>
<td>4. Gender equity</td>
<td>Ms Etambuye Andrea Mbuye, Ministry of Education, Namibia</td>
<td>Mr Joseph Matola, Ministry of Education, Malawi</td>
</tr>
<tr>
<td>5. Inclusion (including special needs education and education of those affected and infected by HIV and AIDS)</td>
<td>Mr Makhosini Makhubu, Swaziland National Association of the Deaf, Swaziland</td>
<td>Ms Mary Krug Ndlovu, National Education Advisory Board, Zimbabwe</td>
</tr>
</tbody>
</table>
Discussions in each of the break-away groups should be guided by the following questions:

What initiatives have been undertaken since independence to ensure democracy and human rights culture?

What progress has been made in this regard?

What are the challenges facing the institutionalisation of democracy and human rights within SADC?

What changes need to be made to ensure that human rights and democracy become part of the culture?
## Appendix B: List of Participants

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<th>Designation</th>
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Appendix C: List of references


