

EDITED BY

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CHILDREN'S RIGHTS AND EDUCATION

INTERNATIONAL PERSPECTIVES



This book compares ways in which children's rights in, to, and through education, formal and informal, are viewed and implemented in a variety of social and political contexts, aiming to shed light on how policies and practices can improve equal access to high quality education in an environment which is respectful of children's rights. Chapters focus on understanding the opportunities for and challenges of addressing children's rights to participation and to inclusion. Authors draw from a variety of disciplines, including critical and cultural studies of childhood, and bring internationally comparative policy perspectives to share nuanced and contrasting examples of ways in which a rights-based approach to education might empower children and youth. The book deepens and complicates research on children's education rights, and will contribute to courses in comparative education, childhood studies, education policy, and children's rights.

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C H I L D H O O D

Advance praise for

CHILDREN'S RIGHTS AND EDUCATION

“The editors have assembled a thought-provoking and intellectually engaging collection of essays that demonstrate the benefits that flow from the adoption of a rights-based approach to education in a range of diverse social, cultural, linguistic, and religious contexts. This book deserves the attention of anyone genuinely concerned with the realisation of a child’s right to education.”

—*John Tobin, Professor, University of Melbourne, a leading children’s rights expert*

“Be aware! Education and children’s rights are taken seriously in this book. The topics, important and frequently controversial, are illuminated by research, expertise and passion—with particular emphasis on social justice, inclusion, evolving capacities, child agency, and best interests. A rigorous exploration and debate of critical issues is launched and encouraged. The reader is likely to strongly agree and disagree at numerous points—and to be stimulated to do more—all to the good in finding the way forward.”

—*Stuart N. Hart; Deputy Director, International Institute for Child Rights and Development;
Co-Director of Child Rights Education for Professionals (CRED-PRO)*

CHILDREN'S RIGHTS AND EDUCATION

Rethinking Childhood

Gaile S. Cannella
General Editor

Vol. 48

The Rethinking Childhood series is part of the Peter Lang Education list.
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Library of Congress Cataloging-in-Publication Data

Children's rights and education: international perspectives / edited by
Beth Blue Swadener, Laura Lundy, Janette Habashi, Natasha Blanchet-Cohen.
pages cm. — (Rethinking childhood; v. 48)

Includes bibliographical references and index.

1. Right to education—Cross-cultural studies. 2. Children's rights—
Cross-cultural studies. 3. Comparative education. I. Swadener, Beth Blue.

LC213.C55 379.2'6—dc23 2013024275

ISBN 978-1-4331-2122-7 (hardcover)

ISBN 978-1-4331-2121-0 (paperback)

ISBN 978-1-4539-1158-7 (e-book)

Bibliographic information published by **Die Deutsche Nationalbibliothek**.

Die Deutsche Nationalbibliothek lists this publication in the "Deutsche
Nationalbibliografie"; detailed bibliographic data is available
on the Internet at <http://dnb.d-nb.de/>.

Cover image by Damian Charette; photograph by Bill Gibson.

The paper in this book meets the guidelines for permanence and durability
of the Committee on Production Guidelines for Book Longevity
of the Council of Library Resources.



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29 Broadway, 18th floor, New York, NY 10006
www.peterlang.com

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*To educators and young people
working to realize children's rights.*

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Acknowledgments

This volume represents a dialogue that the co-editors and contributors have been part of for several years, in part through our collaboration on the Children's Rights Learning Group of Una (a joint learning initiative on children and ethnic diversity). We have often speculated about how various social institutions—particularly those broadly related to education—would change if children's rights were an authentic priority. We thank all the children whose voices and perspectives helped inform the chapters in this volume—giving their views due weight is at the heart of our work. We also thank the contributing authors for raising critical issues and sharing diverse perspectives on children's rights, lives and education.

We want to thank Christopher Myers, Peter Lang Managing Director, who was very responsive and helpful, as well as our excellent copyeditor, Tom Bechtle. We also appreciated working closely with book series editor, Gaile S. Cannella and production editor, Sophie Appel. We benefited greatly from the assistance of student intern and editor, Nathalia Biscarra in formatting and reference checking. We thank Damian Charette for his cover art, that reminded us that children indeed dream the cosmos. Finally, we appreciate the support and patience of those who supported us throughout the book editing process.

Foreword

Kishore Singh

United Nations Special Rapporteur on the Right to Education

More than 20 years ago, the declaration adopted at the World Summit for Children (1990) stated that “There can be no task nobler than giving every child a better future.” The Convention on the Rights of the Child, adopted the preceding year (1989), laid down a comprehensive framework for the rights of the child, including the right to education. Under the convention, which is the most universally ratified human rights instrument, states that parties have obligations to incorporate its provisions into domestic laws and policies and to ensure their implementation so that all children everywhere enjoy their right to education. At the same time as the World Summit for Children, the Education for All (EFA) agenda, launched at the World Conference on Education for All (1990) and moved forward by the World Education Forum (2000), expressed collective commitment by the international community to the realization of universal primary education of good quality as the right of every child—boys and girls alike.

However, in spite of progress over the past two decades within these international frameworks, there is an appalling gap between the commitments and the reality. Nearly 60 million children remain deprived of their fundamental right to education—including those belonging to economically and socially marginalized and vulnerable groups such as linguistic and ethnic minorities, immigrants, the handicapped, indigenous peoples, child victims of conflict in many countries, and

street children. Millions of those living in poverty suffer educational deprivation and multiple disadvantages. Instead of receiving education, which is their fundamental right, children in many countries are engaged in child labor at an early age or—worse still—are lured into becoming child soldiers.

Thus, the right to education is not fully respected and is often least available to those who need it. Growing disparities in access to education are most worrying. Early childhood care and pre-school education, which, as an integral part of basic education, are the first essential steps in achieving EFA goals, are also scant. Ensuring equality of opportunity in education *in law and in fact* is a continuing challenge that almost all states face. While the right to quality education is the right of all children and a *core obligation* of all governments, many of the children who have access to education do not receive education of good quality, and there is widespread concern over poor learning achievements.

Therefore, at the 2010 Millennium Review Summit the international community made a renewed commitment “to provide equitable educational and learning opportunities for all children” and to ensure “quality education and profession through the school system” (United Nations General Assembly Resolution 65/1). Abiding concern about the impediments to realizing the rights of the child is also expressed in the United Nations Declaration on the Rule of Law (24 September 2012), which recognizes the importance of the rule of law for the protection of the rights of the child. The declaration commits governments to ensuring the best interests of the child in all actions, and the full implementation of the rights of the child.

A rights-based approach rather than a welfare approach should guide state action. Such an approach also enables us to understand better the concept of the “best interest” of the child and its multiple implications—to protect and promote the right to education of every child as an inalienable right; to inculcate in children universally recognized values of human rights and democratic principles, with a child-friendly pedagogical approach; and to nurture in them moral and ethical values and a love for learning. It also implies a school environment that is respectful of human rights and is conducive to preparing children for the responsibilities of freedom. Both the individual and the society are beneficiaries of the right to education, and the best interest of the child is also the best interest of a society, and its future.

The right to education is a primary responsibility of states. It is also a social responsibility—of community, of parents and families, of teachers, of schools, and of all stakeholders in education. It is incumbent upon public authorities to undertake affirmative action and positive measures in favor of children who remain deprived of their fundamental right to education because of historical injustice, social exclusion, marginalization, and poverty—in particular, extreme poverty. A child’s right to education should be protected as a justiciable right and enforced

in any situation involving its breach or violation. It is always useful to bear in mind the General Comment 5 on “General Measures of Implementation of the Convention on the Rights of the Child” (2003) elaborated by the Committee on the Rights of the Child, which states that “for rights to have meaning, effective remedies must be available to redress violations.”

Collective reflections in this volume supported by empirical research on children’s educational rights, and key issues addressing their more effective implementation in various geopolitical and cultural contexts enrich the understanding of human rights law. With its focus on a rights framework, the volume also shows how the right to education is a good example of the interdependence of all human rights, particularly the mutually reinforcing links between the right to education and cultural rights and the interface between the educational rights and religion rights and freedom in education.

A commendable feature of this volume is that it embraces a perspective inspired by social justice and equity as it applies to children’s educational rights. This is of paramount importance in overcoming marginalization and exclusion in education, often grounded in historical and cultural patterns of a society. Education is a common global public good, and world leaders must safeguard this as such, preserving social interest in education. As this volume argues, education is a fundamental human right, not a product.

This volume will be very useful for policymakers in devising equitable and innovative approaches aimed at promoting and protecting the educational rights of children. It will also be beneficial to researchers and human rights defenders, as well as practitioners who safeguard and foster these rights. Educating every child is a noble cause that must receive unqualified support, especially since the right to education is not only a human right in itself but also essential for the exercise of all other human rights.

Introduction

Beth Blue Swadener, Laura Lundy,
Natasha Blanchet-Cohen, & Janette Habashi

When asked about human rights, children inevitably say “show, don’t tell” but they are very, very rarely asked. If we were to honestly and openly answer their questions, we would have to acknowledge that a great deal of change is needed to create space for human rights in education.

—Katarina Tomaševski (2006, p. 140)

We all have stories about what has shaped our engagement with issues of children’s lives and education rights. For Beth, doing research related to impacts of neoliberal policies, and volunteer work in sub-Saharan Africa, particularly with out-of-school children in Kenya, led to work on broader issues of children’s rights. For Laura, a legal scholar and education researcher in Northern Ireland, understanding and advocating for the rights of children in this and other post-conflict settings has been a strong theme in her work. Janette has worked with Palestinian children in the West Bank and Jerusalem on projects related to their understanding of geopolitical issues and a journal project led by youth. Natasha has worked with diverse communities in Canada and focused on children’s rights in Venezuela and Colombia; most recently, she has done research with young leaders of the Québec protests of the rapidly rising costs of education. Together, as colleagues and collaborators, we share a passion for social justice as it applies to children’s rights and, as editors of this volume, to children’s education rights.

This book engages with questions and possibilities related to children's lives, rights, and education. Contributors to this volume discuss, unpack, and share context-specific research from 10 countries on the impacts that children's rights do, can, and should have on children's experience of formal and informal education. Many of us have been in dialogue about intersections of issues, including roles that the UN Convention on the Rights of the Child (CRC) may play in the realm of education for all children, those in post-conflict and other challenging situations, cultural and theoretical tensions, as well as contradictions of universal policies often anchored in Western ideologies and linked to the neoliberal turn in education. We share a collective interest in how child rights-based framing of policy and practice might benefit children at the margins of dominant culture. While a tool for holding governments and communities accountable to the honoring of the protection, provision, and participation rights of children, the CRC is clearly interpreted and enacted in varied ways across differing cross-national contexts. This volume seeks to elucidate, complicate, and enrich such discussions and debates. Throughout, we emphasize the importance of children's experiences and voices in shedding light on how children's rights are—or should be—implemented.

What Are Children's Rights?

Human rights have been defined as rights that are “so fundamental to society's well-being and to people's chance of leading a fulfilling life that governments are obliged to respect them, and the international order has to protect them” (Feldman, 2002, pp. 34–35). Human rights, as set out in international legal frameworks such as the Universal Declaration of Human Rights, apply to all human beings, children included. However, in the latter part of the 20th century, there was increasing recognition that certain groups of people (including women, racial minorities, and children) were particularly vulnerable to human rights violations and, therefore, in need of additional, dedicated legal protections. The key statement of these rights in relation to children is the United Nations Convention on the Rights of the Child (CRC) (United Nations, 1989).

The CRC was adopted by the General Assembly of the United Nations in 1989 and came into force in September 1990. It is the most widely ratified and therefore internationally accepted statement of children's rights standards, with the United States now the major holdout among members of the UN. The CRC is a unique document whose coverage and scope “in recognising the rights of children and young people, and setting out how they are to be promoted and protected is unrivalled in terms of their comprehensive nature, national and international standing and relevance” (Kilkelly & Lundy, 2006, p. 335). It is a touchstone for children's rights throughout the world, providing benchmarks and standards across most aspects of children's lives that are widely supported, rele-

vant, and easily understood. The value of a rights-based, as opposed to a needs- or welfare-based approach, lies not just in its universality or legitimacy, but also in the inherent “moral coinage” of rights, which allows rights holders to make claims for treatment that are not dependent on the goodwill or charity of those who can provide that help (Freeman, 2000).

The CRC is legally binding in international law. The primary enforcement mechanism is a system of periodic reporting to the Committee on the Rights of the Child. Individual countries report on their progress in relation to the implementation of the CRC every 5 years (see www.ohchr.org). Then, states are required to reflect on their progress in implementing the CRC according to reporting guidelines, which specify the information that the state is required to submit (Article 44). In education, the committee asks for relevant and updated information in respect to

laws, policies and their implementation, quality standards, financial and human resources, and any other measures to ensure the full enjoyment of the respective rights from early childhood to tertiary and vocational education and training, in particular by children in disadvantaged and vulnerable situations. (United Nations Committee on the Rights of the Child, 2010, p. 9)

Specific issues to be addressed by the states parties are: the right to education, including vocational training and guidance (Article 28); the aims of education (Article 29), with reference also to quality of education; the cultural rights of children belonging to indigenous and minority groups (Article 30); and education on human rights and civic education. The committee also welcomes submissions from other interested parties, including NGOs, many of whom work collaboratively to produce an alternative report often involving children meaningfully in the process of compilation. The committee conducts a hearing in which it questions state officials on their progress and takes evidence from other parties, at the end of which it publishes “concluding observations,” reports about the individual state’s progress in implementation. While the scope and depth of the reports are limited by the time and space available, the observations, along with the states parties’ self-evaluations, provide rich insights into the state of children’s rights and educational policy in each signatory state (Lundy, 2012). The observations also provide a benchmark for civil society to assess the fulfillment of education and advocate for change.

Why Education Rights and the CRC?

The right to education is one of the most widely accepted of all human rights provisions, having been a consistent feature of international human rights treaties since the establishment of the UN. It is regarded as “an indispensable means of realising other human rights” (UN, 2001, para. 1) and is, consequently, the only

right that is administered compulsorily by the signatory nation-states. Children are required to receive an education, an obligation that recognizes not just the importance of education to society, but the fact that children cannot derive full enjoyment from their other rights unless they have benefitted from an education. It is this interconnectedness of educational rights with other rights in the CRC that makes a focus on educational rights especially important.

Also critical is that, while most human rights can be seen to be either socioeconomic or civil and political rights, the right to education is arguably both (Beiter, 2006). It places the burden on states to make provision for education, and that provision in itself enables the rights holder to engage and participate fully in society and therefore enjoy civil and political rights. The multifaceted nature of the right means that it cannot properly be described as a simple right “to” education in the way that there is a right to an adequate standard of living or to health care. Rather, it has become common to refer to it as collection of rights which, taken together, constitute rights *to*, *in*, and *through* education (Howe & Covell, 2005; Verhellen, 1993).

Prior to the CRC, the most comprehensive statement of the right to education was in the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 13, which places obligations on states to make elementary education widely available and to develop different forms of secondary education. However, the CRC makes provision for educational rights in a way that reflects more fully their complexity and significance. It contains the most detailed statement not just of the right to education (Article 28) but also the aims of education (Article 29): it expands on Article 13 of the ICESCR through an additional provision requiring states to encourage regular attendance at school and reduce drop-out rates. It also addresses a significant aspect of children’s rights “in” education by requiring states to take measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and other CRC rights.

Likewise, Article 29 expands on the stated aims of education in Article 13 of the ICESCR: not only must education be directed to the development of the child’s personality and respect for human rights and preparation for life in a free society in a “spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples” (d), but it must also develop respect for the child’s parents and culture as well as the country in which they are living, the country from which they originate, and for civilization different from his or her own (c), and to the development of the respect for the natural environment (e). Article 29 is also cross-referenced in Article 17, which encourages the media to disseminate information of social and cultural benefit to the child. Moreover—and this is perhaps most significant—all of the other rights in the CRC are enjoyed by the child wherever he or she is and, in particular, are not lost as the child enters a school gate (UN, 2001). For example, students enjoy their civil rights to freedom of con-

science, privacy, and expression as well as protection from abuse and neglect and cruel, inhuman, and degrading treatment. Moreover, all of this must be provided without discrimination (Article 2), in giving his or her views due weight (Article 12), and considering his or her best interests (Article 3). While these provisions, like other human rights standards, are often worded very broadly, their remit and force is strengthened by the fact that they need to be applied collectively and interpreted teleologically, a process supported by the fact that the committee issues detailed General Comments expanding on their meaning—its first was on the aims of education in Article 29 (Kilkelly & Lundy, 2006).

Part of the value of the CRC for education researchers is that it provides a comprehensive set of standards that embrace most aspects of children's school lives and a language of rights and entitlement in which to frame the research, thus providing leverage to those who wish to bring about change (Lundy & McEvoy, 2012). Human rights place an emphasis on entitlement rather than need and enable those who hold rights to demand a response from those who have both the duty and the power to effect change. Rights are thus a key resource for those who lack power and are vulnerable. This is particularly true for children, who are often powerless in their interactions with adults, "being kept in an imposed and prolonged dependence which history and culture show to be neither inevitable nor essential" (Freeman, 2010, p. 16). In the context of research, this view has often resulted in ignoring children's views on the issues that affect them (Lundy & McEvoy, 2012). The past few decades, however, have seen a shift in thinking about children's agency and competence, including an emphasis on grassroots children's movements (Liebel et al., 2012) and an associated emphasis on the importance of engaging children of all ages in research (Habashi, 2008; Kirby, 2002), including in the early years (Lundy, McEvoy, & Byrne, 2011; MacNaughton & Smith, 2008; Swadener & Polakow, 2011).

Questions Engaged and Cross-cutting Themes

While cognizant of the critiques of human rights as universals that may be viewed as part of neoliberal policies or reflecting a Western bias, and challenges of implementation, this collection assumes that the CRC should make a difference in the way in which states choose to provide schooling to children living within their territories. That said, little is known about the extent to which the principles of the CRC are being implemented in practice, since empirical evidence of human rights implementation is generally scarce (Coomans, Grunfeld, & Kamminga, 2009) and particularly rare in the context of education (Tomaševski, 2006). Given that the primary worth of a rights framework lies ultimately in the ways in which its values are internalized and replicated within signatory states, as reflected in their laws, policies, and practices, this book aims to shed light on the efficacy and impact of the implementation of the CRC's right to education within a range of contexts.

Individual chapters in this volume compare the ways in which children’s rights to formal and informal education are viewed and implemented in a variety of national and sociocultural contexts, with a view to providing insights into ways in which child rights–based policies and practices can impact access to education and enhance quality of life for children and society. Throughout the book, a focus is placed on understanding the opportunities and challenges for addressing children’s right to participation and to educational inclusion. We consider the CRC framework as having value in the educational contexts reviewed as either shedding light on injustice or providing a springboard for rights holders and/or their advocates to hold government and other institutions to account. Authors bring internationally comparative policy perspectives from 10 national contexts and academic and practitioner perspectives, and draw from a range of interdisciplinary fields including education, law, and critical childhood studies.

When inviting contributors to the volume, we requested that they engage with the following issues and questions within their national or focal context.

- How are children’s rights to education (as outlined in Article 29 and other articles) understood in particular national, state, or municipal contexts? What is the local discourse and understanding of children’s rights?
- Drawing on their own work and that of others, what are some practices to help ensure that:
 1. children are facilitated to express their views on the issues that affect them and to influence decisions that are made?
 2. minoritized or “other” children’s respect for their identity, language, and values are embraced?
 3. children’s capacity is being built to claim their rights and that their views are given due weight?
 4. adults’ capacity as duty-bearers to fulfill their obligations is strengthened?
- What more can be done to increase state accountability in fulfilling children’s rights *to*, *in*, and *through* education, and to support the idea of children’s rights among the public, parents, and teachers?
- In moving forward and addressing critiques of universal frameworks such as the CRC, what alternative discourses or framings may be helpful?

Several of the contributors have worked together on an international project, Una, a joint learning initiative focused on young children and ethnic diversity in post-conflict settings, as members of the Children’s Rights Learning Group. This book extends our collaborative work on two working papers (Una, 2010, 2011) to include more focused discussion on how children’s rights to education are un-

folding in various geopolitical and cultural contexts, and opportunities for social and educational inclusion.

While each chapter focuses on a specific issue and context, several cross-cutting themes have been identified that can perhaps inform policymakers, educators, and researchers in the future. One contrast is in the choice of the method for understanding children's education rights. Most of these chapters point to the importance of breaking down national data on children's right to education in order to understand nuances and contradictions in how children are experiencing the right to education. In Cañete's chapter on the Philippines (Chapter 12), for example, his quantitative analysis of large data sets serves to show the high percentage of boys from the lower-income stratum not attending school, with lack of interest being the predominant reason for this. This growing disparity between boys' and girls' education is affecting the country's economic and social dynamics. In Chapter 4, on Roma children in northern Greece, Karagianni, Mitakidou, and Tressou's analysis of extensive interviews and other data serves to debunk prevalent stereotypes in the education system and wider society that Roma families are mainly welfare beneficiaries and uninvolved in their children's education.

Other chapters utilize qualitative approaches, focusing on the perspectives of educators, parents, and children to provide contextualized perspectives. Children's narratives of their experience of school expulsion and suspension in the United States, described in Chapter 2 by Baiyee, Polakow, and Hawkins, show the detrimental impact of a system that does not give voice to marginalized children, or respect their rights. Perspectives of young people in Québec (Canada) by Blanchet-Cohen (Chapter 3) show the impact of their political participation in fighting an announced tuition hike, and the risks of violating rights of freedom of association (Article 15), of expression (Article 12), and to education. Other chapters, including those by Emerson and Lundy (Chapter 1), Smith (Chapter 5), and Peters and Lacy (Chapter 6), foreground children's voice and also consider children's participation rights to include being research collaborators or consultants.

Throughout these chapters it appears that children's right to participate is rarely recognized in the mainstream education system, including by parents. In Chapter 9, Ndimande and Swadener report on the priority that parents place on education as provision and how Black students are still educationally excluded in both subtle and explicit ways. However, as suggested by the experience undertaken by Shier and colleagues in Guatemala (Chapter 10), involving children in the design and delivery of education can be an effective way of improving the quality of education. In countries where the state has been unable to provide for quality education because of a lack of economic or social resources, involvement of a community including young people and educators may be a way of providing more relevant education.

Community involvement is equally important in minority world countries such as the United States and Canada as a way of encouraging more socially and educationally inclusive practices. We, as editors, would advocate that states pay more attention to the innovative education programs that are emerging globally as a way of responding to the diverse needs of communities. A one-size-fits-all education model cannot serve the needs of everyone, especially children and youth from marginalized groups. We also recognize the agency, resistance, and energy of children and their allies in such struggles for inclusion and voice. Another theme expressed throughout this volume relates to the need to pay attention to the relationship between the right to culture (stated in Article 30) and to education. One is reminded that the right to education has often resulted in the promotion of singular dominant/state models of “education” and assimilation, at the cost of ethnic minority and indigenous languages and ways of knowing (Battiste, 2010). The case of Irish Travellers, as discussed by Murray (Chapter 11), or South African families concerned about indigenous language loss in their children, examined by Phatudi and Moletsane (Chapter 8), both underscore these concerns. Yet fulfillment of ethnic minoritized/indigenous children’s rights as articulated in Article 30 provides for educational programs that reflect their languages, content, and cultural appropriateness (Stavenhagen, 2005). While progress has been made by states formally adopting policies that support indigenous education, chapters in this book point to the challenges in practice. In Chapter 7, Ritchie and Rau discuss the case of New Zealand, where embedding the collective and holistic indigenous concept in early education (i.e., *mana*) has not been very successful, despite formal adoption of indigenous children’s education rights (i.e., *Tē Tiriti o Waitangi*). Narratives with Māori educators show the need for more training, resources, and parental support. Similarly, the chapters on education in South Africa—Chapter 9 by Ndimande and Swadener, and Chapter 8 by Phatudi and Moletsane—point to parents choosing to send their children to formerly White-only schools or learn in English instead of their own African mother tongue, despite a policy that supports instruction in their primary language, and evidence that learning in the mother tongue in the early years will improve the future schooling experience.

The voices of educators and parents are a reminder that preconceived notions of what type of education will lead to “success” affect parents’ decisions. Policy adoptions that support minority/indigenous education are on their own insufficient; the solution also requires undoing historical and cultural patterns of a society that are based on exclusion and discrimination. As noted by Karagianni, Mitakidou, and Tressou in Chapter 4, education cannot be examined in isolation; it reflects the social fabric of a society and, as such, must be viewed in both local and global contexts.

Organization of the Book

Children's Lives and Education in Cross-National Contexts: What Difference Could Rights Make? is organized around three broad themes: Complexities and Perspectives in Promoting Participation and Inclusion, Child-Rights Approaches in the Early Years, and Education Rights Issues in Diverse Contexts. All the authors engage with many of the questions discussed earlier in our introduction, particularly the broad question of the book: What difference could rights make and, implicitly, what does it mean to children, families, and allies when children are marginalized and educationally excluded? Collectively, the authors in this volume suggest that a commitment to children's education rights could be beneficial at multiple levels, with increased awareness of the potential of a rights framework and meaningful engagement of stakeholders in processes and decisions about education policy and classroom practice—and beyond.

Section 1 of the book, "Complexities and Perspectives in Promotion Participation and Inclusion," frames issues of children's rights and education in four nation-states, each reflecting particular issues of the geopolitical and social context, as well as children's experiences and perspectives. In Chapter 1, "Education Rights in a Society Emerging from Conflict: Curriculum and Student Participation as a Pathway to the Realization of Rights," Lesley Emerson and Laura Lundy examine the implementation of children's rights *in, to, and through* education in a society emerging from over 30 years of violent conflict. Although international human rights law has been deployed successfully to effect change within the Northern Ireland education system at a structural level, fundamental challenges remain, particularly in on-going attempts to address the effect of religious segregation in and the impact of the conflict on education. This chapter reflects on the implementation of Article 29 of the UNCRC in societies emerging from conflict and argues that children and young people are entitled to influence what they are taught in school.

Chapter 2, "Children's Rights and Educational Exclusion: The Impact of Zero-Tolerance in Schools," focuses on children's education rights in the context of U.S. public school discipline policies. Authors Martha Baiyee, Celeste Hawkins, and Valerie Polakow deal with children's experiences of corrosive consequences of zero-tolerance policies in U.S. public schools and their disproportionate impact on poor children and children of color. Each year more than 3 million children are suspended and/or expelled from kindergarten through grade 12. Zero-tolerance policies have infused educational policies and practices in the United States to the extent that punishment, rather than supportive remediation and rehabilitation, has become the norm. Vulnerable children are pushed out and/or permanently expelled from their schools, legal protections are rarely enforced, and many youth are funneled into the juvenile or adult prison system,

creating a school-to-prison pipeline. Once expelled, children are actually deprived of their fundamental right to an education.

In Chapter 3, “The Protagonism of Under-18 Youth in the Québec Student Movement: The Right to Political Participation and Education,” Natasha Blanchet-Cohen draws on discussions with youth leaders of the Québec student movement and frames themes from their narratives in the right to political participation and education. From young people’s leadership and resilience in the events, what can we learn about political participation and education rights as identified in the CRC? Given a growing interest in how young people actively participate in the construction and implementation of their rights, this case of young people’s activism provides a fresh perspective on what is often a circumscribed international narrative on children’s political participation. In examining the context and impact of a youth-led grassroots movement, one can better understand the dynamic role of young people as actors, and give deeper meaning to the idea of “rights from below.”

In Chapter 4, “What’s Right in Children’s Rights? The Subtext of Dependency,” Panagiota Karagianni, Soula Mitakidou, and Evangelia Tressou draw from their extensive experience in anti-racist/inclusive education work, particularly with Roma communities in northern Greece, to unpack discourses of dependency as constructed in public policy. They address the ideology of dependency that affects institutional policies (including education programs) versus the autonomy implied in the agenda of children’s right to education. The ideology of dependency, deeply rooted in the “private charity” and “welfare mother” tradition, permeates every aspect of human rights–related issues. Their chapter provides an example of ways to rethink work with marginalized communities toward a shared social vision.

Section 2 focuses on “Child-Rights Approaches in the Early Years.” Chapter 5, by Kylie Smith “A Rights-Based Approach to Observing and Assessing Children in the Early Childhood Classroom,” addresses a rights-based approach to assessment of children’s learning and development in early childhood education. Using a case study from an Australian early childhood center, the chapter examines what happens when teachers ask children about learning and engagement from their perspective. The chapter illustrates that children’s voices shine a different light on how we see, assess, and support what is happening for children, and provides new insight into the subjectivities of the teacher’s gaze. Changing images of the child are offering motivation and inspiration for early childhood educators to begin to think about how young children might offer their opinions and have them taken into account in curriculum development and implementation.

In Chapter 6, “‘You’re Not Listening to Us’: Explicating Children’s School Experiences to Build Opportunity for Increased Participation Within School Communities in the United States,” Lacey Peters and Lisa Lacy situate children’s rights to participation and education in the context of the United States. They

unpack their experiences working with children, outlining the procedures used to support collaboration and consultation with younger people. They draw from a larger study (Joanou, Holiday, & Swadener, 2012) and other work to understand children's perspectives about engaging in formal education, as well as participants commonly described as having "special needs" within classroom environments. Given that the United States has yet to ratify the UNCRC, they make a case for the need for broader support for children's rights and participation and explore possibilities that manifest when acknowledging that children's rights matter.

In Chapter 7, "Renarrativizing Indigenous Rights-Based Provision Within 'Mainstream' Early Childhood Services," Jenny Ritchie and Cheryl Rau draw on recent research to consider ways in which the early childhood education sector in Aotearoa New Zealand has responded to the challenge of recognizing indigenous children's rights to their language, and how this attention to the indigenous culture can affect all children attending early childhood services. Ritchie and Rau argue that generic attention to notions of "children's rights" may in fact have unintended exclusionary effects, and that it is important to open the dialogue about specific types of "rights" and how these can be acknowledged in early childhood education practice. Their research has demonstrated the potential for renarrativizing the application of an indigenous rights-based provision within "mainstream" early childhood services, for the potential benefit of all participants.

In Chapter 8, "Restoring Indigenous Languages and the Right to Learn in a Familiar Language: A Case of Black South African Children," Nkidi Phatudi and Mokgadi Moletsane frame children's rights in early childhood in terms of access to mother tongue/indigenous languages in South Africa. The authors critically examine the language of learning and teaching and its appropriateness in reaching learners and in creating a rich and engaging atmosphere that benefits learners. The chapter interrogates language policies from a child-rights perspective and analyzes how they are being interpreted on the ground. By engaging with questions of how schools and parents promote and sustain indigenous languages, they make recommendations for early childhood programs.

The third and final section of the book, "Education Rights Issues in Diverse Contexts," addresses cultural complexities and issues of education rights in diverse geopolitical and sociocultural contexts. In Chapter 9, "Pursuing Democracy Through Education Rights: Perspectives from South Africa," Bekisizwe Ndimande and Beth Blue Swadener draw on two related studies conducted with Black parents to discuss children's rights issues as they relate to education in post-apartheid South Africa. They analyze the extent to which children's rights have been understood and achieved, both in terms of equity in access to education and broader understandings of children's rights. Discussions with Black parents in townships revealed tensions between the Children's Act of 2007 and traditional childrearing views, particularly in terms of participatory rights. Education rights were em-