
From Rhetoric to Reality: Identifying Teacher Opportunities and Barriers in Educating for Human Rights

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ABSTRACT: In this paper we report findings from a four-year study that examined educational opportunities and barriers when teaching legal literacy, citizenship education, and human rights education (HRE). Detailed findings are drawn from interviews with 11 teachers who self-identify as valuing and embedding legal literacy and related themes (human rights, identity, citizenship, and ecological sustainability) in their classrooms. Results show that despite deep rhetorical commitments to HRE, teachers are stymied by perceived barriers to implementation, particularly the action dimension. We name these perceived barriers and examine the case of one teacher who seemingly has overcome them, in order to identify potential constructive interventions in teacher education.

Introduction

“Education provides one important way forward in turning a rhetorical commitment to human rights into reality” (Carter & Osler, 2000, p. 337).

In BC [British Columbia], there is, as yet, no coordinated strategy to make international human rights law known to teachers and students

within the BC school system... The need for IHRET [international human rights education and training] in Canada and BC has been identified by UN treaty monitoring bodies expressing concern about persistent violations of internationally protected rights (Morris & Davidson, 2012, p. iv).

What do students and teachers understand about their rights both locally and globally, the role law plays in securing or advancing those rights, and the impact those laws have on the individual and society at large? We sought to answer these questions as part of a four-year study of students' and teachers' conceptions of citizenship, human rights, ecological sustainability, and identity. In this paper, we focus on the issue of human rights, particularly the legal aspects of those rights. We share quantitative as well as qualitative data from this investigation, identifying key findings related to students' and teachers' understandings of the laws that support and shape human rights, and the extent to which these themes are addressed in classroom activities, as well as action projects outside the classroom.

Human Rights Education

“...for human rights ideals to be implemented in schools and to become meaningful for children and youth, these ideals must speak to and address their own experiences, personal identities, hopes, struggles, dreams, and possibilities.” (Banks, 2009, p. 101)

This paper is framed within a critical social justice education framework, which conceptualizes Canada as a White settler colonial society created on the myth of discovery and the displacement and genocide of Indigenous peoples (Battiste, 2011; Schick, 2014). We believe, therefore, that the education of youth must address a redistribution of current inequitable relations of social power that have resulted from this history, and that educating towards greater social equity is central to the achievement of a just and healthy democratic nation-state (Banks, 2009; Osler, 2013). One way this can be achieved is through a rigorous engagement with the human rights related content of the school curriculum. By rigorous engagement we mean that human rights education (HRE) should not only be learning *about* rights, it should also include learning *through* rights and *for* rights (Osler, 2015, p. 260).

From this starting point, we posit a HRE that encompasses the following three understandings: first, HRE involves more than the study of local, national and international human rights laws, declarations, and documents. Human rights are *embedded* in real-world social issues and experiences, with education playing a crucial role in uncovering these issues and promoting (or preventing) the experience of human rights. In other words, “turning a rhetorical commitment to human rights into reality” (Carter & Osler, 2000, p. 337).

Second, we view HRE as inextricably interconnected with citizenship education and identity recognition (Banks, 2009). Although citizenship education has always been a primary mandate of public schooling in a democracy (see for example, Dewey, 1916; Counts, 1932), different persuasions have found their way into school curricula, including perspectives that seek to increase social cohesion and national identity (Mitchell, 2003), to promote greater engagement of youth in the political process (Sears & Hyslop-Margison, 2006), to improve historical knowledge (Ravitch, 2000), and to unify a diverse nation-state (Banks, 2009). We endorse a conceptualization that moves beyond the simple study of issues that affect the health of the nation-state, toward what Osler and Starkey (2005) refer to as a cosmopolitan model of citizenship. This approach de-emphasizes the traditional focus on the history and politics of a country (Reid, Gill & Sears, 2009), in favour of an emphasis on the global community and our common humanity (Osler, 2015; Osler & Starkey, 2005). At the same time, public schools are “buzzing, contentious, ‘alive’ sites of social construction...” (Parker, 2011, p. 413) which also provide fodder for human rights investigations. In this regard, HRE should include not only broader social issues that impact humanity but also local and seemingly smaller issues, which often provide rich opportunities for learning and action. HRE should include opportunities for all communities to engage, so that decision-making is informed “by the perspectives and experiences of all sectors of society, including those who are disadvantaged” (Osler, 2005, p. 4).

Third, we argue that HRE must be activist-oriented; that is, at its core it must aim to address injustices and support actions for greater (and the greater distribution of) rights and social justice (Osler, 2015). We recognize that human rights are sites of struggle, and that the “whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest struggle... Power concedes nothing without a demand. It never did and it never will” (Douglass, 1857, para. 6). In other words, for change to occur at any level there must be sustained pressure placed on the structures of power.

This three-pillar conception of HRE (as enacted in lived experience, as central to citizenship within and beyond the nation-state, and as activist-oriented) grounds the scholarly commitments that shaped this research project.

Legal Literacy

The study we report here builds on research previously conducted by Cassidy (Cassidy, 2004; Cassidy & Ferguson, 2016; Cassidy & Pitsula, 2005) into the importance of young people becoming legally literate and the relationship between legal literacy, citizenship education, and human rights education. Cassidy and others (Starr, 1977; Manley-Casimir, Cassidy, & deCastell, 1990) argue that legal literacy should develop along a continuum from knowledge about (local, national, and international) law to understanding the concepts, principles, and processes that undergird the law (such as rights, responsibilities, authority, justice, and equality), to critical judgement and action

(for example, critically judging the morality of a given law or process, or acting effectively to change an unjust law). Legal literacy programs in school seek to teach students to participate effectively in a legally regulated world, and to empower them to effect change when the rules no longer reflect a just or fair society. “Often there is a tension between existing law and where society wants to go, but this tension and debate ... is fundamental to an open and responsive society” (Cassidy, 2004, p. 129). Collard, Deeming, Wintersteiger, Jones, and Seargeant (2011, p. 3) talk about a “transforming power” when individuals engage with their legal rights and freedoms and “assert effective choices over their own well-being.” Human rights concerns, both local and global, play (or should play) a central role in legal literacy curricula in schools.

The legal literacy movement, which began in the 1970s, grew as a backlash against a civic education curriculum that was boring to students, and focused on rote memory, the structures of government, and developing a compliant citizenry (Cassidy, 2004; Starr, 1989). Cotton’s (1996) study of civic education revealed twelve criticisms of such a model, including failure to address citizen rights, avoidance of controversial issues, irrelevance to student experience, and memorization of national themes (Ladson-Billings, 2005). However, in recent years, civic education (now more commonly called citizenship education) has begun to embrace global issues, controversial themes, and human rights (Banks, 2008, 2009; Bromley, 2009). Torney-Purta and Barber’s (2005) longitudinal study for the International Education Assessment describes adolescents’ increasing interest in learning about human rights, although the focus of this newer curriculum is still on learning *about* rights as opposed to learning *through* or *for* rights (Osler 2015, p. 260).

Social Studies Education: The British Columbia Curriculum

Social studies is the prime subject area for civic, citizenship, legal literacy, and human rights education since its purpose is to cultivate “citizens ... [who are] aware of their rights and responsibilities; promote equality, inclusion, diversity, pluralism; and respect self and others, the rule of law and our environment” (Broom, 2015, np). Isidore Starr, widely regarded as the father of law-related education in schools (McKinney-Browning, 1998), quotes Professor Hocking of Harvard, who argues that “teaching social studies without the law is like teaching vertebrate anatomy without the backbone” (Centre for Education, Law and Society & TVWashington, 2015).

In British Columbia, Canada (where this study took place), the social studies curriculum, at the time of the study, was mandatory from kindergarten to Grade 11, with required course content to Grade 10, and a choice of one of three course options at Grade 11.¹ In Grade 12, students could choose any number (or no) courses from a list of five social studies options.² Human rights content was explicit in Grades 5, 6, 8, and 10

¹ Social Studies 11, Civic Studies 11, or First Nations 12

² Law 12, Social Justice 12, History 12, Geography 12, or Comparative Civilizations 12

(Ministry of Education, 2006a, 2006b; Young, 2011), as well as in the optional senior electives—Civic Studies 11, Law 12, and Social Justice 12. In Grades 5 and 6, students were expected to demonstrate knowledge of the *Canadian Charter of Rights and Freedoms*, the *British Columbia Human Rights Code*, and various United Nations human rights initiatives (Young, 2011). Students in Grades 8 through 10 were expected to engage in “active citizenship...[to] exercise their roles, rights and responsibilities within the family, community, Canada, and the world” (Ministry of Education, 2006b, p. 1), and be able to analyze and respond to human rights issues and propose courses of action (Young, 2011). A substantial portion of the Civic Studies 11 course (Ministry of Education, 2005), Law 12 (Ministry of Education, 2006c) and the Social Justice 12 course (Ministry of Education, 2008, p. 11) addressed human rights issues, encouraging civic action to effect “positive social change” and a more “socially just world.”

Data Sources and Methods

Following institutional ethics approval, 11 teachers from eight schools in four school districts in the metropolitan region of Vancouver agreed to participate in this study. Eight of these teachers had completed a two-year masters-level program organized around the theme of global education, and a ninth had taught in the program. The program included human rights, citizenship and law-related themes—all from a global perspective, and stressed an activist approach to furthering a more just and equitable world. Each of the 11 participating teachers had expressed a commitment to advancing legal literacy in their respective schools, and to participating in curriculum and professional development in support of this commitment. Each teacher participated in a one-on-one audio-taped, hour-long interview with a member of the research team, which included semi-structured questions related to the human rights and law-related issues they teach, the topics they find most satisfying and most challenging to teach, whether they use current events and/or popular culture to address these themes, and the importance they place on teaching human rights to students. Their responses were transcribed and reviewed/re-reviewed by the three research team members, and coded for salient themes based on the frequency and/or strength of the mention (Merriam & Tisdell, 2016).

In addition to the teacher participants there were students who participated in the study (n=328). Most of these were students from intact classrooms taught by the 11 teachers, plus a few additional classes at the same schools. Students were from Grades 6 through 10, although the majority were in Grade 9 (25%) and Grade 10 (37.5%), with a mean age of 13.6 years. Demographically the breakdown was 54% female, and 42% male, with 66% of students born in Canada and another 22% having lived in Canada for five years or longer. Just over half of the students spoke English as a first language (54.6%), indicating the linguistic/cultural diversity of the student sample population. As defined by standardized performance, 86% of students did well in school, receiving As and Bs on their report cards.

After parental and student consents were acquired, students anonymously completed a ten-page paper survey, which included multiple-choice, Likert-scale, and open-ended

questions designed to examine their understanding of the principles undergirding the *Canadian Charter of Rights and Freedoms*, the *UN Declaration of the Rights of the Child*, and the *Universal Declaration on Human Rights*. Other sections of the survey examined law's role in society and in one's daily decisions, individual versus group rights, classroom curricula and practices, and the importance that should be placed on learning about one's rights. Questions were rooted in the conceptual framework of Cassidy and Ferguson's (2016) work on 'cultivating legally aware and empowered citizens,' with attention given to previous findings from the 1996 provincial assessment of social studies education (Bognar, Cassidy, & Clarke, 1997). Students' open-ended responses were coded and analyzed using similar qualitative processes described above, while the categorical, nominal, and dichotomous data was analyzed using SPSS.

An identical survey to the one the students took was also administered to teacher education students (n=95) from two universities, as a way to compare student findings with those of prospective teachers who were about to enter the profession. These surveys were analyzed separately as well as compared to students' responses.

In the following section, we draw on some of the findings from the surveys while focusing primarily on the in-depth teacher interviews and the challenges identified by them to move from 'rhetoric to reality' or from 'words to action' in implementing HRE in the classroom. We further examine the case of one teacher who *was* able to overcome those named barriers and enact a curriculum that embraced the three identified pillars of HRE and consider whether there are generalizable principles to be drawn from her case.

Findings

Key Findings from the Surveys

Students had only a limited understanding of the rights outlined in the *Canadian Charter of Rights and Freedoms*, the *Universal Declaration of Human Rights*, and the *UN Declaration of the Rights of the Child*, despite these documents being part of the required social studies curriculum at the elementary and secondary levels. For example, two-thirds of students thought that the *Charter* gave them unlimited freedom of speech, one-quarter assumed that it permitted them to "do what they want," and one-fifth thought that it required people to vote in elections. Similarly, students had a very limited understanding of the role law played in their daily lives; they did not see the connections between law and the food they eat, their transportation, leisure, relationships, or consumer activities.

Pre-service teachers, on the other hand, had a better understanding of the interrelationship between law, decisions, and life. There was a greater degree of similarity between students' and pre-service teachers' responses to the questions about individual rights versus group rights, with both groups stating that most people (or groups; for example, the homeless, LGBTQ, teenagers) should have the same rights, although students

thought that the elderly should have more rights than other groups, and people in prison should have fewer rights.

Pre-service teachers responded that it was “extremely important” for everyone to know about their rights, whereas students were more mixed in their responses: from “moderately important” to “extremely important.” Although the pre-service teacher group felt strongly that students should know their rights, this did not carry over into them teaching lessons on these topics during their practicums. Both students and pre-service teachers responded that they “hardly ever” or “only sometimes” address human rights violations in their classrooms, nor do they discuss the lack of rights among certain marginalized populations. Likert-rating scales for both respondent groups were also similarly low for discussions about changing laws to improve society or to help others. This lack of discussion on the issues was matched with ratings of “never” or “hardly ever” regarding taking on action projects related to issues of human rights.

Teacher Interview Findings

The 11 teachers (three males and eight females, all White) were all experienced social studies teachers; the least experienced taught six years and the most experienced taught 24 years, with 12 years being the average of classroom teaching experience. Rick, Dan, Jenna, and Jessica³ taught at the elementary level, Grades 5, 6, and 7, although Rick had also taught younger grades in the past. Daina, Elaine, Barb, Ann, Lana, Colin, and Susan taught at the secondary level, from Grades 8 through 12. Barb and Daina were currently teaching Social Justice 12, along with lower-level social studies courses.

Analysis of the teacher interviews overall indicates that while teachers consistently said it was important to address human rights issues in the classroom, most did not prioritize HRE in their lesson planning, nor take action to implement their beliefs about HRE. Legal issues, as related to HRE, tended to be avoided, due to claims of lack of legal knowledge and perceived curriculum restrictions. Moreover, while the teachers felt that it was important to connect students with real-life human rights issues and to engage them in action projects, for most of the teachers, these beliefs did not carry through into actual classroom lessons—especially activities that involved taking action. The students’ survey responses confirm both a lack of discussion of human rights in their classes, as well an absence of action projects outside the classroom. The two exceptions were Daina and Susan. Daina was further along in an emergent actionable HRE than the nine others, although this was mostly reflected in advanced classroom discussion about human rights, rather than participation in action projects, which she did not undertake with her students. We describe the other exception—Susan—as an outlier, since she demonstrated substantial commitment to HRE, both in terms of priority given in classroom activities, as well as out-of-classroom action projects. Because Susan stands out from the others, we discuss her

³ All names are pseudonyms.

approach to HRE separately to the discussion that follows, which summarizes the findings from the other ten participating teachers.

HRE: A Rhetorical Commitment Only

Although the ten teachers generally felt that “it’s really important” to address human rights issues in the classroom, including the legal dimensions, the interviews tended to be dominated with reasons why they did not give HRE greater priority in their teaching. These explanations mainly involved their real or perceived lack of knowledge of human rights and their legal dimensions, as well as structural or curriculum impediments. The examples that follow are typical of the responses we received.

Daina, like the others, notes the importance of HRE, saying that it is “a way for kids to connect to what’s happened in the past or what’s happened today.”

Dan highlights the importance of getting students to “think critically...and that’s where they need that awareness of human rights and the global rules that govern things [like] ...the convention of rights...to kind of extend their thinking beyond our little world.”

But, as Jenna explains, “in the struggle to get through the regular curriculum, it’s sort of inserted where possible but it will fall in priority.”

For Elaine, HRE “does need to be covered. But I’d give it about a three [out of five, for priority].”

What these responses illustrate is the contradictory value given to HRE, which is *perceived* as a priority, yet not given a priority position in the way the teachers interpret and implement the curriculum. We have softened the possibility that the interview subjects may have been responding to the question about the importance of HRE in a manner perceived to be desirable to the interviewer, for three reasons. First, the subjects had, over years, developed a good rapport with the research team; second, eight of the ten had demonstrated their commitment to HRE themes through their voluntary enrollment in (and completion of) the two-year masters-level program that included HRE themes; and third, they self-identified as “global educators” as espoused by Pike and Selby (1988). That said, this rhetorical move is very much in line with a neoliberal discourse in which it is considered socially undesirable for teachers to present themselves as “against” human rights—and these discourses reveal that teachers know the appropriate response that HRE is “really important.” Yet they remain unable to conceptualize their social studies practice (what they call the “regular curriculum”) as always either teaching about/through human rights or not. The regular curriculum is positioned as neutral and static and prioritized for that reason. In spite of stated commitments to HRE goals and topics, teachers fall back into the habitual way of considering HRE as an add-on, rather than an integral part of social education.

HRE Primarily a Matter of “Law”

The teachers in our study tended to view HRE primarily in terms of legal issues, which they did not feel adequately able to address due to their lack of knowledge about the law. This left them unprepared to address human rights issues, and therefore they preferred not to raise certain topics in the classroom in case they could not respond adequately to questions.

Jessica said, “If any question came up right now off the top I’d be like mmmm, we’ll have to get back to this, so I would have to do a lot of preparation before entering that conversation with my class... I’m not grounded in the rules of the law and so I would be having an empty conversation... it would not be a good teaching moment.”

Jenna said, “I would have to say that I don’t have enough foundational knowledge myself and, as it’s not being something I directly have to teach, but if I am bringing it in it’s usually based around human rights and then, again, it’s things like, well, if these human rights are being violated why... isn’t anything being done, and so it’s more sort of moral issues as opposed to a legal aspect.”

Further, the teachers reported having a limited understanding of how to make the legal aspects of human rights interesting to students; as Elaine explained, “The nuts and bolts of the legal system... how government works, the role of the courts that kind of thing... It’s hard to make it more than memorization.”

When HRE is understood as a matter of law alone, teachers’ lack of legal knowledge becomes an opportune barrier. By analogy, one does not need to have the skills to perform surgery in order to learn how to live a healthier life. Yet on the matter of human rights, the absence of deep knowledge about the law becomes an insurmountable wall that immobilizes any HRE motivations.

Topics Too Complex for Students

A second rhetorical barrier to addressing HRE in the classroom relates to the teachers’ perceptions that students are not ready, or at “the right age” to take on certain topics and seemingly “complex” issues, particularly when those topics include a law-related dimension.

On this theme, Jenna said, “If I think of the younger kids, I think it’s really hard for them to understand but I think they need to understand, um, law as a concept.”

Rick explained, “For me I think it’s really dependent on...that grade level.... So for, you know, grade 12s, obviously you’re gonna get much more in depth with that but... I’m uncertain as to what the younger grades, kindergartens and so on, where you sort of begin with that.”

And Colin said, “I tended to consciously avoid some [topics]...[because] it hasn’t gone over very well with the students. They don’t seem, the grade 9s and the grade 10s...don’t necessarily see themselves in that. So that’s [for] when I’m older, that’s when I’m grown up, I don’t need to worry about that now.”

Teachers’ perceived lack of knowledge about the law and the findings reported above regarding how this keeps them from actionable curriculum has a further consequence: they conclude that young people cannot understand the relevance of legal literacy. As Colin concludes, “given their youth I think sometimes they don’t necessarily understand some of it and think that the majority later on is more, it can be, important.” This “blind spot” in teachers’ own understanding leads to an “uncertainty” in making curricular decisions about what students ought to learn. These decisions made on behalf of their students thus places them on the path of understanding HRE as learning about the law and precludes their students from learning *through* and *for* rights experienced or denied in their own lived experiences (Osler, 2015).

Pressure for Curriculum Coverage

Teachers also identified the pressures to cover the curriculum, thus limiting their opportunities to adequately address HRE themes in the classroom, and further restricting the move from rhetoric to reality. Both Elaine and Barb noted the threat of the provincial exam at the end of the course:

Barb said, “...grade 11 is a little bit stifling because there’s a provincial exam and so sometimes you feel a little bit like you can’t go in depth into things because you have to get through all this stuff.”

And Elaine said, “...the provincial exam...changed the whole scope of Socials 11. So, [HRE]’s certainly not covered the way it used to be in the past.”

Jessica raised a related issue, discussing *when* certain topics are covered in her course sequence. For her, HRE was a discrete topic taught alone in a given term, rather than integrated into other topics throughout the year. She said, “Looking at global issues and current events is really a focus of next term so it’s something that’s sort of about to be happening and we haven’t really been focusing on that in this term.”

In spite of having a graduate-level credential and demonstrating a good understanding of principles of teaching, teachers’ responses regarding HRE reveal a surprising preoccupation with “covering the curriculum” rather than their stated commitment to developing a critical awareness among learners about HRE-related topics. The dominant influence on teachers appears to be the language of accountability and efficiency so pervasive in schools (Au, 2013), rather than what they have expressed as their values and beliefs regarding teaching for social justice.

Need More Resources

Teachers communicated that more classroom materials and resources were needed to support HRE. Daina noted that “to find and create everything from scratch is a challenge... So, examples of teaching strategies and resources and approaches you can take so that it becomes part of the course [are helpful].” Elaine also discussed the need for “good” print and online resources, and also mentioned that “having a guest speaker is good.” Jenna mentioned that she had done a mock trial with her students on a human rights theme, but although students “love dramas and that type of activity,” she found that there was not sufficient background information on the courts and laws, so the students “got to play the roles, but yeah, there wasn’t really legal education.” There is a recognition that, as teachers, they could do more, but feel constrained by the resources available to them. As Daina explains:

For me in a practical sense it would be great to just see how I can do this in the classroom more effectively. So, examples of teaching strategies and resources and approaches you can take so that it becomes part of the course as opposed to every few weeks you study a legal “thing.”

The overall picture created by these teachers is the all-too common teacher experience of having too much to do, with too little time, and having to meet institutional expectations with little support. The teachers identified the lack of professional development in HRE (although most have graduate degrees), and mentors or role models to consult, and few resources that they could use or even adapt for their classrooms. This illustrates how teachers are often isolated and unsupported (or feel that way) in prioritizing specific social justice curricula—in this case, HRE—because these topics are generally perceived as being unimportant in schools. The listing of HRE goals in the provincial social studies curriculum itself becomes hollow and therefore non-actionable without accompanying practical support.

Words but No Actions

Although these teachers admitted that they did not prioritize HRE in their teaching, each of them did offer at least one example of lessons they presented to their students. These lessons tended to be integrated with the existing social studies curriculum for the grade(s) they taught.

Jessica, for example said that “we go over the rights of the child; we look at a few case studies.”

Barb described linking the discussion of feudalism with the courts today, noting that “I’m one of those people who likes to relate everything from the past to what’s going on today.”

Jenna said that she has her students “look at child labour, we relate it to novels...we do stuff on Nelson Mandela,” but that most of what she covers in human rights is not planned, but rather “we are doing something and the kids ask about specific issues that are happening.”

Lana states that she likes talking about Indigenous issues and “anything environmental”; the former because “I really feel like I’m telling them something they don’t know” and the latter “to get kids to think about the bigger issues behind things that we take advantage of here” such as water rights and land rights.

Colin speaks about the need to be “comfortable” teaching HRE topics. He identifies child labour as a topic he can teach:

Students relate to that much better than some of the others because they are children and when they’re learning about “oh my goodness I could be working in some factory somewhere and doing this hard labour and stuff and look how my life is right now” I think this is probably where I’m most comfortable.

Elaine provided a little more detail:

At the end of the course we look at the riots of 1907 in Vancouver and we look at the discriminatory practices of [sic: towards] the South Asians, the Chinese and the Japanese, and so we look at how legally the rights were curtailed...but that’s not until the end of the course.

The one area that a few of the teachers claimed to have taken some local (although limited) action in HRE was in regards to environmental issues. As Jessica states:

we definitely have talked about environmental issues ...we’ve adopted the parks close by to clean up—the kids wonder, you know, what happens if people are caught littering or throwing things out. That’s meaningful to them... They want to see them get punished.

In the above examples, Colin stops short of inviting students to brainstorm ideas regarding how they can raise awareness of child labour practices or what they and their families could do to only purchase goods that are fair trade. Elaine fails to go beyond historical racist policies and misses the opportunity for students to make a connection to, and discuss action on, racism in her students’ communities. Although Jessica encourages her students to act on what she perceives as “a deep sense of responsibility for their community,” the students remain stuck in retributive justice, and are not led into a more in-depth understanding of how these issues connect with human rights, citizenship, and empowerment.

In their study of American teachers implementing HRE in their classroom, Katz and Spero (2015) found that “[o]nce introduced to HRE, the teachers identified unique ways to engage their students by connecting human rights with the experiences of their lives.” However, none of the ten teachers we have discussed thus far provided examples that involved *taking action* in the community (except for the park clean-up environmental activities), or addressing current human rights issues locally or globally, or giving students opportunities to develop and hone skills of activism. They were content to “talk about” issues, and to raise awareness of them, which points to the traditional, more common, understanding of HRE (Osler, 2015).

In general, the interview findings were sobering. These were teachers who (for the most part) had graduate degrees in addition to their undergraduate degrees and teacher certification, not to mention years of classroom teaching. They were experienced social studies teachers who had knowledge about the *Canadian Charter of Rights and Freedoms*, as well as the *Universal Declaration of Human Rights*, and the *UN Declaration on the Rights of the Child*. They expressed strong commitments to human rights, civil rights, global education, and legal literacy. Yet they were also steeped in some of the most classic explanations for inaction: I don’t have enough resources; I don’t have enough knowledge; my students are too young and (presumed) innocent to handle the complexities of human rights; and I have to cover the curriculum. So, if even self-proclaimed committed teachers are not doing HRE, what opportunities are there to intervene in these discourses in constructive ways?

Rhetoric to Action: Introducing Susan

Susan is a secondary social studies teacher (Grades 8 to 12), one of the 11 teachers who participated in the HRE legal literacy study reported in this paper. Teaching is Susan’s second career; before she entered the teaching profession 24 years ago, she worked as a veterinary assistant with large animals. Susan describes herself as a “farm girl,” and her love of the environment is evident in the lessons she co-constructs with her students. She is also an advocate of the inquiry approach to learning (Lee, 2012; Kuhlthau, Maniotes and Caspari, 2007), project-based learning (Walker, Leary, Hmelo-Silver & Ertmer, 2015), and providing opportunities for students to tackle real-life projects centred around themes that they determine. Susan was involved in the two-year graduate program in global education, but as a guest instructor, rather than as a student, as she already held a master’s degree in curriculum and instruction.

We primarily rely on Susan’s own words to describe how she conceptualizes HRE and her mission as an activist teacher, as well as how she determines the topics students investigate.

Susan on HRE and Legal Literacy

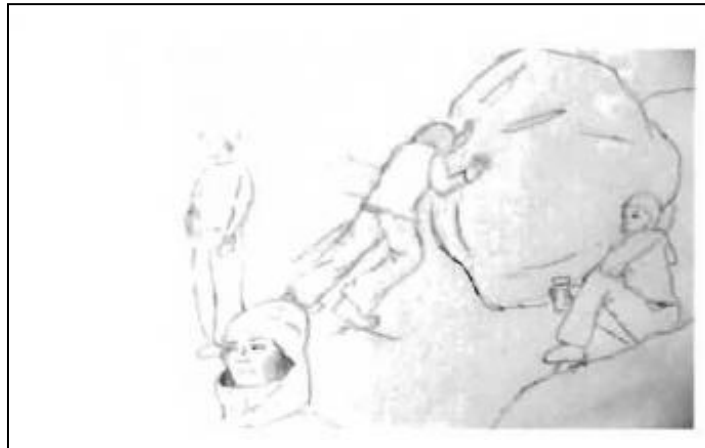
I don't think they should be separated... [or] segregated. I think... it should just flow so that when you're learning... history you understand the violation of rights; you don't stop and say okay "today we're going to look at violation of rights."

Well I like to ask the question, what laws inhibit and what laws enhance when we're going through the inquiry model... it's always student led and so in their own inquiry... they begin to ask their own questions and then I like to ask the question back to them, what laws are enhancing and what laws are inhibiting this issue that you are currently investigating.

I think human rights [is the most satisfying to teach] because that is the umbrella of everything. Democratic rights. Whose democratic rights? Does the planet have democratic rights? Who's on the planet? What does that include? How big is that umbrella?

Susan on Being an Activist Teacher

Susan is grounded in a different discourse regarding the curriculum and her role as a teacher. She sees herself as an activist teacher, rooted in real world problems, but always having to push against a strict interpretation of the curriculum and against obstacles placed in her path by school district policies, class schedules, and unreceptive (sometimes suspicious) administrators and colleagues. She described her activist role in this picture that she drew: she is the one pushing the boulder up the hill, while colleagues look away.



The Bees and Lavender Project: Susan Describes One Activist Project

Susan described a project she facilitated with students that started with a seemingly simple question related to a picture in the Grade 8 social studies textbook. The picture was that of the medieval manor house and how crops were organized in that era. Students

began to inquire about how food production had changed from that time period to today, and this led to an investigation of genetically modified foods, pesticides, and ensuing health issues. As Susan explained:

Their findings were leading to deeper questions and new concerns related to human rights violations, violence and links to wars, and migration of people. I asked students to design recommendations for solutions to the issues they identified. While they each had individual issue recommendations, all students came to the conclusion that the global solution was to re-diversify our local economies; to bring back local markets. In a sense, bring back the manor and its three-field system. Many felt discouraged and needed to feel empowered as citizens who could take action. Perhaps the catalyst of discouragement was the discovery by one student of [the bee] colony collapse supported by a well-known quote from Albert Einstein, “If the bee disappeared off the surface of the globe, then man would have only four years of life left. No more bees, no more pollination, no more plants, no more animals, no more man.”

We decided to take action. We would create a habitat for bees and promote public awareness about the issue. With the support of the City... [various non-profit foundations], student council, marketing classes, art classes, and home economic classes, [we] worked to create awareness of the importance of bees, and to examine sustainable ways of living. It became the Bees and Lavender project, and was spearheaded by the Grade 8 class. They had a voice and were taking action.

The bee habitat included three bee eco-sculptures suspended in the air to raise public awareness. Situated in a high traffic area it... [reminded onlookers] about the work of bees and [brought] attention to the diminishing bee population. Students across the disciplines worked after school for several months with members from the broader community to engage in a public process and learn about the native plants most suitable for bee habitat. In the end, they presented their plan to city council, and planted over 700 native and lavender plants. They had created a bee habitat. Students said they were staging an artistic protest to inspire action, change, and vigilance of global environmental issues. They said, “We are determined students, armed with youth, confidence, and teamwork.”



Lessons from Susan’s Action

While being careful not to romanticize one “good” teacher, we are mindful that there may be much to learn from her approach. Fundamental to it, is a critical capacity to analyze her classroom and work as an educator within a complex matrix of curricular content, administrative oversight, and student interests. She works with an understanding of the relationship between social structures and social agency. In other words, as an activist teacher, she creates what Frederick Erickson (2004, quoted in Parker, 2011) called “wobble room” in the structures of the institution of schooling. The barriers identified as constraints for the other teachers (*Students are too young, the curriculum needs to be covered, I’m not well versed in law, I leave it to the students to bring in current events, if I only had more resources*), all become starting points (not end points) for her decision-making about lessons.

Susan explained that she draws inspiration from Dewey’s (1916, 1938) philosophy of engaging students with opportunities to make, do, create, and produce in *real-life settings, with real-life problems*. This way, students learn citizenship and how to effect change, or what Osler (2015) describes as learning *for* and *through* their experiences, not merely learning *about* what they could do as citizens in the future. Thus, the first lesson from this teacher is that the curriculum should be a catalyst or a starting point for further investigation, not a blueprint or an end point in designing and implementing learning activities.

Susan also works from a Socratic method, drawing from her commitment to inquiry-based teaching. Questions that begin with phrases like *What laws enhance or impede...* are not legal matters requiring legal expertise, but rather *real questions* that drive or provoke student curiosity about (as in the example given), the medieval manor and food production in that era. Lesson two is therefore about rooting questions of human rights in questions important to students—questions where answers are not presently known, but where there is a desire to investigate.

Susan also brings these issues into the present real world of her students. The steps from the medieval manor, to food production today, to pollination and the bee habitat, to an action project centred at their school and city hall, are not pre-designed lessons. These steps emerge as she and her students follow their questions.

Susan also builds coalitions with other teachers and community leaders. In order to create their bee sculptures, Susan had to engage with the arts and ceramics teacher at her school, as well as community members beyond the school such as the farm program at a local college that offered knowledge and support as the students developed their plan for the bee habitat.

Finally, Susan is not dissuaded by problems, but rather uses them as pedagogical moments. In the case of her students' bees and lavender project, when confronted with municipal bylaw barriers to the project, students wrote and presented arguments to city councillors to gain permission to plant lavender and other native species on the public lands adjacent to the school so that the bees could flourish in this new habitat marked by their bee sculptures.

Conclusion

While an understanding of human rights, at the local, national, and international levels, is an integral part of citizenship education, there is a disconnect between what is espoused in the curriculum, teachers' intentions and beliefs, and what students are learning. Students had a limited understanding of the *Canadian Charter of Rights and Freedoms*, and almost no understanding of the principles of the *UN Declaration of the Rights of the Child* and the *Declaration of Human Rights*. Despite teachers' claims that an understanding of rights is "extremely" or "very" important, this belief generally did not translate into significant time spent discussing human rights topics with their students, nor did this belief lead to action projects with students outside the classroom. Although teachers were generally knowledgeable about the role law plays in people's daily lives, this information was not being communicated to students, resulting in an inadequate understanding of law's pervasiveness. The students in the study were ethnically diverse, with many contributing an international, global perspective (only two-thirds were born in Canada; half spoke a first language other than English); this diversity would have enhanced discussions regarding Canadian and international human rights laws and documents, while making connections between Canada and other parts of the world. This failure to make HRE a priority, is perhaps even more troubling, because of the teachers' recent master's program in global education, which stressed the need to engage students with global issues, including human rights, and prepare them to take an activist role in effecting change. Moreover, each teacher in the study also had committed to furthering law-related understandings in their respective schools, and had been involved in professional development workshops in support of this initiative.

There appears to be a disconnect between what the teachers learned in their academic graduate program and the decisions they made in their classrooms (Korthagen, 2001). Ten of the 11 teachers viewed the barriers to enacting their beliefs as challenging and restrictive, and this attitude prevented them from seeing what was possible in the curriculum and with students. These teachers may have been well-meaning—certainly they espoused a strong rhetorical commitment to the principles of human rights, yet this rhetoric did not translate into action.

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