

Chapter 15.

Children's Rights and Human Rights as a Key Condition for the Education of Transformative Teachers

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Abstract: This paper addresses the issue of the importance and needs of teacher education in the aspect of respect for children's rights and human rights. This is a particularly important direction of change which reflection and pedagogical practice should follow, especially in the context of contemporary attempts by citizens to appropriate freedoms for all citizens and widespread examples of assault and lack of understanding for other people. Currently, the education of future teachers about the rights of the child is very cursory, and in many cases it does not take place at all. This chapter argues that a modern transformative teacher should have expert knowledge of children's rights and be able to implement it into his or her daily practice, as well as having the competencies to engage other members of the school community in the implementation of the provisions of the Convention on the Rights of the Child. This thesis is further developed by referring to Jacques Rancière's concept of the 'ignorant schoolmaster'.

Key words: transformative teacher, children's rights, teacher training, education

Introduction

Today's world is in the process of constant change, which is also reflected in education. Teachers and students are faced with new and more complex requirements as a response to market demands and the requirements of neoliberal culture. In this context, it is still true that education has not kept pace with the changes and that they are not of its own making, but rather primary to it. What was a useful skill yesterday may prove to be an obstruction tomorrow. That is why there are questions about educating future teachers, e.g.: What should they be trained for? What practical knowledge should they have? What social competences should they have? Answers to these questions can form a somewhat clichéd model of a

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transformative teacher. Thus new questions emerge: What does it mean to be a transformative teacher nowadays? Is it enough to be fluent with technological tools, hold a prestigious university diploma, and know how to put theory into practice? After all, this is what school principals, parents and society expect (Cutler, 2016; Gautreaux and Delgado, 2016).

In the context of contemporary changes as well as increasing and more complex social issues, the above-mentioned skills are insufficient. Thus, the need arises to prepare future teaching staff for spreading and implementing the idea of children's and human rights, especially through education. It is demanded by the creators of the *Promoting Rights in School* program (ActionAid, 2011), which is addressed to public schools and aims at increasing the quality of education in these institutions. One of the recommendations of the program is as follows: "schools should have a sufficient number of trained teachers of whom a good proportion are female; [and] teachers should receive good quality pre-service and in-service training with built-in components on gender sensitivity, non-discrimination, and human rights" (ActionAid, 2011, p. 4). Another recommendation relates to the necessity of educating children about, in and through children's rights: "**Right to know your rights:** schools should teach human rights education and children's rights in particular. Learning should include age-appropriate and accurate information on sexual and reproductive rights" (ibid.).

Therefore, the education of teachers should not focus exclusively on providing them with knowledge on children's and human rights but, most of all, it should create the conditions for the implementation of rights into daily educational activities (Howe and Cowell, 2010; Śliwerski, 2018; Tomasevski, 2001; Verhellen, 1993, 1994). This requirement is particularly observable now, when many countries are struggling with the crisis of democratic values, a return to populism and increasing nationalistic tendencies (Arditi, 2005; Balibar, 1992; Galston, 2017). Education, especially education focused on respecting children's and human rights, is the only tool which can stop these processes.

This article argues that a modern transformative teacher should, above all, have thorough knowledge of human rights and children's rights, be able to put it into everyday practice and have social competences for engaging their pupils and other members of the school community in this process. These are key competences which should be acquired during the higher education process. Their significance in the context of modern problems related to terrorism, nationalism, and hate speech as well as an increasing social divide and intolerance of otherness is invaluable.

Who is a real transformative teacher?

In pedagogical and sociological literature, there are many models describing who a so-called 'good teacher' should be. According to Carl Rogers (1992) it is a facilitator, whereas for Henry A. Giroux (1985) it is a transformative intellectual; for Peter McLaren (1999) it is a 'luminal servant', and for Jacques Rancière (1991) it is a master *ignorant*. According to teachers and adepts of this profession participating in the Educational Doctorate in Teacher Education program, a transformative teacher "should adapt and be open to diverse classroom practices and embrace multiculturalism; catch up with the latest technological skills; invite learners to be critical thinkers; and prepare learners to be active change agents in an interdependent and connected world" (Paneru et al., 2017, p. 25-26). These characteristics show a view that it is the teacher who should prepare the students for entering the world and critically analyzing it, as well as show them the elements of social structure that enslave them, thus unveiling the hidden reality.

This definition, created on the basis of the opinions of teachers from various countries, places itself in the modern perception of a transformative teacher as a facilitator and a transformative intellectual who, despite his/her openness and positive attitude towards students, remains in a hierarchal relation with them. Therefore, as Rancière (1991) claims, we cannot talk about equality with regard to these two subjects of the educational interaction. Such equality is possible only if both the student's and the teacher's intelligence are recognized and accepted as equal. "To emancipate an ignorant person, one must be, and one need only be, emancipated oneself, that is to say, conscious of the true power of the human mind. The ignorant person will learn by himself what the master doesn't know if the master believes he can and obliges him to realize his capacity" (Rancière 1991, p. 15). This is possible under the condition of respecting human rights and children's rights in the educational process. This issue is crucial since it changes the traditionally fixed relationships in the classroom where the teacher is considered to be the one who knows better and is more experienced; thus, their privileged position is obvious. The student, however, passively submits to these interactions (Jones and Welch, 2010).

When education is based on the idea of children's and human rights, the teacher and the student are considered equal subjects of the interaction who develop throughout its duration. Both parties are perceived, in the first place, as independent human beings who are 'equally intelligent' (Rancière 1991, xix), which means they are equal as cognitive entities.

Therefore, it is essential for reflections upon the concept of a modern transformative teacher to emphasize this aspect of education which, among other significant skills and competences, is key to the whole process of education and development of students, teachers and a democratic civil society.

Human rights and children's rights in educating teachers

Currently, the education of future teachers about the rights of the child is very cursory, and in many cases it does not take place at all, as evidenced by numerous studies both Polish and international (Babicka-Wirkus, 2018a; Covell, 2013; Jerome et al., 2015). Detailed knowledge, understanding and acceptance of human and children's rights by future teachers is crucial for further education in this matter at lower levels of the educational system. Therefore, I emphasize that the training of transformative teachers, as Gert Biesta (2011) argues, requires reliable knowledge and understanding of the essence of children's rights and human rights. This is the main purpose of teachers' preparation, because knowledge and acceptance of these rights will make it possible to change the relationship of domination and subordination prevailing in schools, and also enable an egalitarian dialogue between the student and the teacher. Respect for another person, and for their dignity is the foundation of a democratic society and should be realistically present in educational relations. This is significant for three reasons. First, teachers who know their rights as human beings are aware of the possibility of expressing their own opinions and manifesting civil disobedience to morally reprehensible actions by authorities. Secondly, these teachers respect the right of every human being to express themselves and allow students to speak and listen with attention. This situation is conducive to the practice of hearing children's voices in matters that are important to them, which makes it possible to overcome the 'silent treatment' present in schools. Thirdly, respect for children's rights in educational situations puts teachers in the position of needing to constructively dealing with students' resistance, which is the biggest challenge for the teacher. However, it is a developmental situation for both sides, because it introduces reflection on the accepted way of reading reality and teaches how to manifest civil disobedience, which is so important in the present world.

According to Malewska and Najmowicz (1990), the period of studenthood is crucial for shaping young people's views and values. In study institutions, they learn how to work and how to treat others, especially those who are in an inferior position to them. The kind of experience they get from this will affect their future work. Therefore, it is important to raise the issue of human rights at universities – it may increase the awareness of higher education

teachers and students in this matter. Fritzsche and Tibbitts (2006) stress the notion of human rights education at universities for young people's development, especially for their professional development. Human rights education links theoretical reflection and action, so it is different from the *banking* concept of education² (Freire, 2000).

Despite the obligations imposed on States Parties by the Universal Declaration of Human Rights (Article 13 and Article 26), and the Convention on the Rights of the Child (Article 28, Article 29 and Article 42), issues related to human rights and children's rights are often marginalized in the education of teachers, especially subject teachers. This is indicated by the results of studies on the implementation of human rights and children's rights in the education process conducted in twenty-six countries (Table 1). From the point of view of the present work, the fourth column from the left is especially significant as it contains the answer to the question: Are all teachers trained in children's rights and the CRC as part of their initial training? This kind of training fully takes place only in Scotland. In two of the countries, Iceland and Sweden, teachers are trained in this respect to some extent. However, as many as twenty countries admitted that educating teachers about children's rights is not part of their compulsory education. In Poland, Slovenia and Italy, various subjects taking part in the study gave opposing answers.

According to Polish studies (Babicka-Wirkus and Groenwald, 2018; Kozak, 2013), pedagogical students are not prepared for their future work in terms of respecting children's rights and creating a school environment that would foster their implementation into everyday practice. Research conducted in secondary schools (Babicka-Wirkus, 2018a) shows that teachers have scarce and colloquial knowledge of children's rights, which results from lack of adequate higher education in this aspect. As a consequence of this deficiency, children's rights are perceived in terms of the obligations children have to fulfill in order to apply for having their rights respected (Osler and Starkey, 2005). As emphasized by Howe and Covell (2010), children's rights and human rights are linked to obligations, especially the obligation of respecting the rights of other people and enabling them in the implementation of these rights. Howe and Covell claim (2010, p. 94):

[...] although responsibilities are secondary, they nevertheless are very important. If someone has a right, other persons or their government must

² The *banking* concept of education is the concept developed by Paulo Freire. In this approach a student is perceived as a container which should be filled in by the knowledge. The knowledge is transmitted by teachers who try to educate conformist and obedient citizens.

have a responsibility to provide that right or allow the rights-holder to exercise the right. If rights are truly of fundamental importance, they must have implications for action. And if they have implications for action, there must be persons or governments responsible for taking action in support of rights. Thus, responsibilities are derived from rights.

However, respecting them is not dependent on fulfilling student duties subjectively established by the teacher, such as behaving well during lessons.

Table 1. Child Rights Education in 26 countries

	Is there a requirement in the curriculum for all children to learn about child rights?	Does the government, or a public agency, monitor/inspect the quality of CRE?	Are all teachers trained in children's rights and the CRC as part of their initial training?	Do the regulations concerning who is qualified to teach refer to child rights?	To what extent are schools required to run student councils?
Australia	○	○	○	○	○
Austria	◐	●	○	○	◐
Belgium	◐	◐	○	○	◐
Canada	◐	○	○	○	◐
Denmark	○	○	○	○	◐
Finland	●	○	○	○	◐
France	●	-	○	○	◐
Germany	◐	◐	○	○	◐
Hong Kong	○	○	○	○	◐
Hungary	●	○	○	○	●
Iceland	●	○	◐	-	◐
Ireland	○	○	○	○	◐
Israel	-	●	○	○	◐
Italy	-	-	-	-	◐
New Zealand	○	○	○	○	◐
Norway	●	○	○	○	●
Poland	●	●	-	○	●
Republic of Korea	●	○	○	-	◐
Scotland	○	○	●	●	◐
Slovakia	●	○	○	-	◐
Slovenia	●	-	-	-	◐
Spain	○	○	○	○	◐
Sweden	●	○	◐	○	●
Switzerland	●	○	○	○	◐
The Netherlands	○	○	○	○	◐
For the USA questions were amended to refer to international human rights					
USA	◐	○	○	○	◐

Key:

● Yes

◐ Yes, in some places/to some extent

○ No

- Disagreement among respondents

Source: Jeromie et al. (2015, p. 23)

The fifth column of the above table shows the response to the question about the existence of regulations relating to children's rights that determine if someone is qualified to be a teacher. The situation seems to be even worse than the previous aspect, since such regulations only exist in Scotland. The other twenty-five countries do not regulate such issues.

The above data clearly indicates that education of future teachers in human rights and children's rights is rather marginal, and is not well-established among the competences of a transformative teacher as commonly interpreted. It is only marked (simulated) on the level of

formal regulations and education programs because it is required by the signed international legal instruments that defend human rights.

Human rights and children's rights are often only a catchy slogan which are incorporated into formal education programs on every level of education. They are usually not reflected in everyday practices (Jones and Welch, 2010), as can be seen from the culture of silence that has developed in many educational institutions, as well as the phenomenon of dropping out from the process of education, the violence towards students from different cultural backgrounds that exists in schools, etc.

Respecting human rights and children's rights involves risk while, in the common view, education should be safe. Risk is understood here as a potential of certain dangers, such as undermining a teacher's authority as well as pupils and students calling for their rights and the opportunity to express their opinions. Biesta (2013, p. 3) claims that safe education leads to infantilization. Implementing human rights is associated with risk, and therefore implementing human rights at school carries such a risk.

Why should a transformative teacher be ignorant?

In the light of Rancière's (1991) education theory, which provides a framework for this paper, it can be assumed that there is a culture at schools based on the order imposed by the police, which he understands as a force which creates the prevailing social discourse. However, it is not about the uniformed services but about the order imposed by the dominating logic of inequality. It is based on the discourse created by subjects with social identity, meaning those who have a place and a function in the system. This part of society determines who does not exist socially and who produces 'incomprehensible sounds'³, thus not being able to participate in creating the existing discourse. The only thing they have to do is to surrender to it. The representatives of the privileged group are teachers, educational authorities and politicians. Students are the ones who produce a 'semantic noise' (Franczak, 2017, p. 122).

A traditionally-shaped relation between teachers and students is visible in the names used for describing the subjects in the educational relationship. The teacher is the one who knows and understands more. He/she has access to some secret knowledge and can allow the student to acquire it if he/she chooses to do so, by leaving the proverbial door ajar. The student, on the other hand, is someone who has a deficiency and has to learn something. "The

³ Rancière uses the term 'noise' which refers to this part of society which figuratively has no voice. In other words, in society we have people who speak and those who only make noise. The noise is not part of social discourse because it is meaningless, and nobody can and want to understand it (Rancière, 1999, p.30).

learner is the one who is missing something. The learner is the one who is not complete” (Biesta, 2011, p. 32). The student does not have the skills to self-learn. In this context, the student’s emancipation process can only occur as a result of exposing his or her limited aspects to the teacher (the higher intelligence). However, this does not then equalize the relation of inequality between the teacher and the emancipated student (Biesta, 2013).

This traditional concept is opposed by Rancière (1991) who claims that the teacher’s intelligence and the student’s intelligence are equal in the process of education. The teacher’s role is crucial but it is not only about ‘leaving the door ajar’. On the contrary, it is about keeping it closed. The point is to provoke the student to make an effort, and to draw attention to various aspects of a particular reality. The student’s role is to pursue knowledge and ask the following questions: What do I see? What do I think about it? What can I do with it? (Cornelissen, 2011, p. 26-28). “The educator is still there, but not as an explicator, not as a superior intelligence, but as a will, as someone who demands the effort from the student and verifies that an effort has been made” (Biesta, 2011, p. 35). In this educational relationship, the teacher is ‘ignorant’ since he/she does not recognize the student’s limitations in the form of lack of knowledge or life experience. One can say that this ignorance is based on the equality of all human beings and their ability to self-develop which is inscribed into the concept of human rights.

The ignorant teacher assumes intelligence equality and the importance of the student’s voice. Speaking is the key aspect of the education process because “in the act of speaking, man doesn’t transmit his knowledge, he makes poetry; he translates and invites others to do the same” (Rancière, 1991, p. 65). Speaking is a reality-transforming action because the subject conveys his or her ways of thinking and making meanings through it. Thereby, the speaker encourages discussion and the mental effort needed to face different interpretations. Thus the requirement to speak, discuss and ask questions is the most important aspect of the process of transformative education and the subject’s emancipation.

A transformative teacher who, according to Rancière (1991), is an ‘ignorant schoolmaster’ does not pay attention to the inequality of positions assigned to the roles of student and teacher. He or she also ignores the student’s lack of life experience, and instead focuses on motivating students to actively speak out because this is the most important feature of a human being, crucial in the process of emancipation. By speaking out, students perform their own construction and interpretation of meanings, thus becoming creators, not performers, as in the case of the traditional master-student relation. Students are no longer

deficient entities and they become speakers (Biesta, 2011), capable of creating themselves and their knowledge.

Conclusion

The aim of my paper was to show the importance of including the knowledge of human rights and children's rights in the education process of future teachers. Education based on the principle of equality, where both the teacher's and the child's voices are of the same importance, is possible only when teachers have full knowledge of these rights and understand their essence (Babicka-Wirkus, 2018a; Covell, 2013; Öztürk and Doğan, 2017). Though this practice, the teacher is able to go through an actual and profound transformation on the level of thinking about the world and relations with other people: younger, older, and representative of different cultures and religions.

The responsibility of enabling future teachers to become transformative practitioners rests with the universities which train professionals. Therefore, in order for the implementation of human rights and children's rights to no longer be a pretense or, at best, to be 'decoupled' from each other, it is necessary to introduce it into everyday university reality. However, it should not only be about teaching the concept of human rights and children's rights but mainly about giving the opportunity to practice those rights and protect them when they are violated. Therefore, it is about creating suitable conditions for a dialogue based on the logic of equality in the education process. Only this can lead to emancipation which, according to Rancière (1991, p. 39), "is the consciousness of the equality, of that reciprocity that alone permits intelligence to be realized by verification. What stultifies the common people is not the lack of instruction, but the belief in the inferiority of their intelligence".

Education based on children's rights and human rights changes the traditionally established attitude in education that it is the process of a one-way movement of knowledge (from teacher to student). Concentrating on the process of a student's emancipation is difficult and requires a high level of competence and a change in the way of thinking about education. Apart from adjusting the teacher's attitude, it also requires changing the dominating school culture (Osler and Starkey, 2010; Rasmusson et al., 2016) which will become more open to manifestations of disagreement and disobedience, and thus the culture of resistance (Babicka-Wirkus, 2019). In order for such a change to happen, children's and human rights have to become a starting point of education that is reflected in the knowledge, skills and values of teachers and students (Covell, 2013). This requirement is important because of a student's

development as an individual, as well as a responsible and active member of civil society who knows his/her rights, demands their execution and acts when those rights or the rights of other people are violated. It is important for one more reason: this kind of education is crucial for transforming the traditional school culture into a new one, where students are “equally respected and valued” (United Nations Children’s Fund, 2007, p. 2) and where they have the opportunity to think critically, make decisions and be responsible for them.

Teachers play important role in the school environment and they have a big impact on the day-to-day experiences of children in school. Therefore, they are responsible for a high quality education based on children’s rights in which students want to take part. According to the authors of the report *A Human Rights-Based Approach to Education for All* by the United Nations Children’s Fund (2007, pp. 95-97), teachers need to focus on several main tasks: creating an inclusive and respectful environment accommodated to different needs; treating children as equal partners; encouraging local engagement, and balancing children’s rights and responsibilities. It is a crucial issue because there is a big problem with the real implementation of children’s rights into every-day practice in schools and in the family environment (Wirkus, 2018). This problem is highlighted in many reports. I refer to some of them in this chapter. Nevertheless, most of them emphasize that there is a lot of work to do in the field of respecting children’s rights in daily life (Babicka-Wirkus 2018b). As far as the school environment is concerned, teachers are the most powerful subjects who can introduce this kind of education, but they need to be prepared for this role.

In her article ‘How to Become a Reflective, Innovative, and Self-Critical Educator’ (2018, p. 174), Tatyana Tsyrlina-Spady concludes: “Teachers, like no other professionals, are obliged to be keen observers of their students and learn how to constantly reflect, analyse, and change day-to-day activities in accordance with these observations and reflections”. To fulfill this obligation, teachers should know, understand, accept and practice the idea of children’s and human rights. Only then will they treat children like human beings and avoid making a basic mistake which is, according to Janusz Korczak (1995, p. 37), “not seeing a human in a child”.

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