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School Social Workers: A Call to Action in Support of Human Rights

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School Social Workers: A Call to Action in Support of Human Rights

Abstract

The global climate of extremism and direct attacks on marginalized groups such as LGBTQI persons, Muslims, women, immigrants, and refugees creates a need at this critical juncture for school social workers to ground themselves in the international definition of social work, which defines social work as a human rights profession. While there are many challenges to upholding human rights conventions across the world, a human rights framework can assist school social workers in promoting human rights and advocating for vulnerable and marginalized populations. In the context of global migration, children can be especially vulnerable to human rights violations. A human rights approach calls on school social workers to practice in a way that allows for maximum participation of service users in decisions that affect them, addresses power differentials, considers the social context, and privileges an intersectional, strengths based, trauma informed, and recovery oriented approach.

Keywords

human rights, migrant children, UNCRC, school social work, hate crimes

School Social Workers: A Call to Action in Support of Human Rights

Recent events in the United States and globally call on us as school social workers to remember that social work is a human rights based profession. In 2017, the number of hate groups in the United States rose 4%, with the largest growth among neo-Nazi¹ groups, which grew by 22 percent (Beirich & Buchanana, 2018). Anti-Muslim² and anti-immigrant³ groups continued to steadily grow (Beirich & Buchanana, 2018). While the United States has seen an increase in hate crimes and groups since the election of Trump, there are forces akin to Trump around the world with similar or even worse consequences. These manifestations include Britain's Brexit movement, and right wing ethno-nationalist parties across Europe, Duterte in the Philippines, and the recent electoral win by Bolsonaro, a far right populist who has railed against women, the queer community, Brazilians of color, and democracy in Brazil.

In the United States, we have seen the consequences of this type of rhetoric in the human rights violations of migrant children and their families, separating them at the border, or detaining families in what many have essentially described as prisons (e.g. Mandell, 2018). In movements across Europe and in the United States, fear of outsiders is stoked and hatred is central to political movements such as Trump's focus on demonizing Muslims and criminalizing Mexicans and Central Americans. Most recently, this rhetoric has created a climate that has led to the deadliest attack on the Jewish community in the United States during the Tree of Life synagogue shooting (Selk, Craig, Boburg, & Ba Tran, 2018).

This global climate of extremism and direct attacks on marginalized groups such as LGBTQI persons, Muslims, women, immigrants, and refugees create a need at this critical juncture for school social workers to ground themselves in the international definition of social work, which defines social work as a human

¹ Neo-Nazi groups share a hatred for Jews. While they also hate other groups such as other racial minorities and LGBTQ individuals, they perceive Jews as their main enemy.

² Anti-Muslim groups are a fairly new phenomenon in the United States, with many groups emerging post 9/11. These groups exhibit extreme hostility toward Muslims, portraying Muslims as violent, intolerant, and irrational.

³ Anti-immigrant groups are considered the most extreme of nativist and vigilante groups, often confronting, harassing, and assaulting immigrants as well as promoting racist and xenophobic propaganda.

rights profession. The International Federation of Social Workers states the following as a core principle of the profession:

Advocating and upholding human rights and social justice is the motivation and justification for social work. The social work profession recognizes that human rights need to coexist alongside collective responsibility. The idea of collective responsibility highlights the reality that individual human rights can only be realized on a day-to-day basis if people take responsibility for each other and the environment, and the importance of creating reciprocal relationships within communities. (2014, Principles, para 2)

Schools are often the places where violations of human rights take place, with the Southern Poverty Law Center documenting that at least 10% of hate crimes have occurred in educational institutions, which include elementary schools, high schools, colleges, and universities (Shanmugasundaram, 2018). In addition, perpetrators of hate crimes are often youth, with no prior history of involvement with the juvenile justice system (Steinberg, Brooks, & Remtulla, 2003). Steinberg, Brooks, and Remtulla (2003) emphasize the critical role of schools in fostering peace and human rights by creating anti-bias school environments and the need for clinicians to develop the skills to ask about hate crimes and identify potential perpetrators of those crimes. Effective hate crime prevention begins in the schools. Therefore, school social workers, no matter where they are located in the world, must think about their practice through the lens of human rights and consider what a human rights based approach means for practice.

Defining Human Rights and The Challenges to Upholding Them

Human rights are the inherent rights of *all* regardless of any social identity or status. The United Nation defines human rights as:

...[R]ights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination. (United Nations, n.d.c., para 1)

With this in mind, it is possible to draw the conclusion that the protection of human rights are above any country's particular law or policy. Therefore, each country should work to create a governing body that protects and enhances human rights. However, this remains an aspirational goal, as it is not the reality that we see across the world, even within countries assumed to be leaders in promoting human rights such as the United States. For example, the United States is the only country that has not yet ratified the United Nations Convention on the Rights of the Child (UNCRC). The United States had previously been in the company of Somalia and South Sudan until 2015, when both of those countries ratified the UNCRC, leaving the United States as the only member state of the U.N. to not ratify this convention. The United States' failure to ratify the UNCRC has implications particularly for youth belonging to marginalized groups. For example, not ratifying the UNCRC limits the ability to advocate for the youth in the criminal justice system, which disproportionately impacts children of color who are exposed early to the criminal justice system, are funneled into the system in what is called the "school to prison pipeline," and treated as adults by the courts in many states (Mehta, 2015). However, even if the U.S. ratified the UNCRC, there are no guarantees that human rights violations against children would cease.

The United Nations (UN) is an organization with 193 members that was created in 1945, post-World War II (United Nations, n.d.b). According to the United Nations (n.d.a), their founding mission is "the maintenance of international peace and security" (para. 1). In order to prevent conflicts, the UN assists in peace treaties between parties in conflict and helps create and maintain international peace by developing specific "conditions to allow peace to hold and flourish" (United Nations, n.d.a, para 1). According to the United Nations, the Universal Declaration of Human Rights was proclaimed in 1945 and since then the UN has developed several core treaties such as: the Convention on the Prevention and Punishment of the Crime of Genocide, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women, Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities. When governing countries become parties to these, they then assume obligations and duties to respect the human rights which are laid out in the treaties. However, as Posner (2014) points out, the development and ratification of these treaties has not been sufficient to ensure the protection of human rights.

Posner (2014) argues that one of the reasons human rights violations continue to be wide spread lies in both the ambiguity of human rights laws and the use of a top down approach similar to development economics, which ultimately failed to alleviate poverty. Furthermore, the sense of hypocrisy that stems from countries' political strategies or agenda contributes to the ineffectiveness of international human rights law, such as the United States' use of torture post-9/11:

The United States was a traditional leader in human rights and one of the few countries that has used its power to advance human rights in other nations. Moreover, the prohibition on torture is at the core of the human rights regime; if that right is less than absolute, then surely the other rights are as well. (Posner, 2014, para 12)

The United States is not the only country to undermine international human rights law when it pleases. China and Russia have also implemented international strategies through economic pressure and military force in order to dismiss and limit the progression of human rights. Saudi Arabia continues to subordinate women despite ratification of the convention for the Elimination of All Forms of Discrimination against Women in 2007. According to Posner, not only is the vagueness of human rights conventions a factor in the lack of enforcement, but resource constraints within countries also play a role. If governments choose to focus on an area of human rights, it might mean that there are not enough resources to focus on another area.

While the vagueness of human rights conventions and resource constraints pose challenges in enforcement, another challenge to upholding human rights is the concept of cultural relativism. While the human rights documents' vague language and protection of cultural rights provide an avenue for culturally specific adaptations, countries continue to use the claim of cultural relativism as a reason to fail to comply with human rights conventions, leading to the systematic oppression of people or groups such as cultural beliefs associated with the punishment of crime in Sharia law and female circumcision in different parts of the world. While Wright (2014) concludes that human rights are a Western cultural concept and that the implementation within a diverse cultural society is extremely complex, in the end, universal human rights must be paramount. Despite complications with enforcement, ratification of various conventions by nation states provide strength and coherence to local rights-based activists, leading to the introduction of rights inspired policy and legal

frameworks in those countries (Grugel & Peruzzotti, 2010). These can be effective tools for school social workers to use internationally in their efforts to advocate for students, as was the case in Argentina, where the ratification of the UNCRC led to the ability for children's rights activists to call for policy that addressed the rights of low income or migrant children to an education, providing street children access to education for the first time (Grugel & Peruzzotti, 2010).

Human Rights Framework in School Social Work Practice

Two key components to practice from a human rights frameworks include the shift in focus from human *needs* to human *rights*, and the call for the people with whom social workers work with be actively involved in the decision-making process regarding policies and practices that affect them (Gatenio Gabel, 2015). Within the mental health consumer movement for example, the slogan "nothing about us without us" is used to make sure the opinions of service users are front and center. Compared to a rights-based approach, a need-based approach is often based on privileging the professional and personal values of the clinician that does not always reflect the values or choices of the service user. A rights-based approach is grounded in normative human rights framework based on legal covenants and conventions, which includes the right of all persons to be a part of decisions that affect them. The United Nations Conventions on the Rights of the Child (UNCRC, 1989) asserts that a child who can form their own opinion and express their views are able to participate in decision making considering age and maturity. Furthermore, interventions respond to structural causes while alleviating symptoms that are manifestations of those structural conditions.

Berthold (2015) argues that social and clinical service providers, particularly in the context of schools, can be an important part of prevention and early identification of mental health challenges that can lead to human rights violations. Core principles for practitioners from a human rights perspective include a stance of cultural humility, intersectionality, a relational approach, a reconstruction of safety, trauma-informed approaches, and a foundation in recovery and strengths based perspectives (Berthold, 2015). These approaches are inherently respectful, address issues of power, and work to be aware of and challenge oppressive social structures. For example, a cultural humility perspective emphasizes both individual and institutional accountability in challenging oppression and requires ongoing self-reflection. A relational and trauma informed approach privileges

the relationship as a safe space for healing, and a person's behavior is understood from a perspective of "what happened to you" versus "what is wrong with you." This framework and perspective can assist school social workers in the process of doing the advocacy work that they have historically done in schools with immigrant children, LGBTQI youth, and other marginalized groups. The human rights framework provides the language and universally accepted conventions that can facilitate the school social worker as social activist. This role as advocate is one that Lee (2001) states is part of who we are as social workers and distinguishes us from other professions, yet we shy away from this aspect of our training. Using examples of promoting and ensuring LGBTQ rights and advocating for students with disabilities, Lee describes how school social workers in his conservative state of Wyoming moved from a focus on individual change to system change.

Given that migration is a world-wide phenomenon, fueled by factors such as economic inequality, war, and natural disasters as a result of climate change, and given that these migration flows increasingly include women and children (McLeigh, 2013), school social workers will be increasingly tasked with protecting the rights of migrant and refugee children. Children are impacted by migration due to either being left behind by parents as they migrate, or because children embark on the migration process alone or with parents. Once children become migrants or are impacted by the migration process, they become at risk of human rights violations, particularly in this time of increasing nationalism and xenophobia. Children can face unequal access to services due to discrimination and language barriers in the host country. Three human rights protocols call on us as social workers to protect the rights of child migrants, the UNCRC, the International Covenant on Economic, Social, and Cultural Rights (ICESCR), and the Convention on the Rights of All Migrant Workers and Their Families (CMW). The UNCRC addresses the rights of unaccompanied children and asserts that these rights apply to *all* children; including migrant, refugee, and asylum seeking children regardless of their documentation status or statelessness. A human rights approach would recognize the principle of family unity, challenging policies that separate children from their families.

Given the complexities of the social context, school social workers can make important contributions to the school environment by pushing schools to become more safe and trauma-informed places, by working with individual students and their families from an intersectional, culturally humble perspective, and by working on multiple levels to challenge policies that impact our

students. In places such as the United States, considered one of the leaders in the development of school social work, there is little empirical evidence that school social workers address educational rights, social justice, educational disparities, or intersectional forms of diversity (Frey et al., 2017). While the school social work model includes educational rights and advocacy as one of the four key constructs, existing surveys do not capture this part of school social work practice. By using a human rights framework, school social workers can practice in a way that considers all aspects of the school social work model proposed by the School Social Work Association of America (SSWAA), *including* educational equity and access (Frey et al., 2013). A human rights framework could provide a more intentional approach to address advocacy, equity, and social justice; complimenting and extending the SSWAA model. As stated by Androff (2016), “[a] better integration of human rights to social work, through examining how social workers can use human rights, can help social work become more powerful and relevant to the world” (p. 17). As school social work increasingly becomes a specialization available in many parts of the world, a human rights approach can facilitate relevant practice approaches to address the complexities and impact of globalization and inequality on individuals, families, and communities.

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