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# “Our Misak Identity Is the Spinal Cord of Our Education”: Oral History of Gerardo Tunubalá Velasco

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Photo: Gerardo Tunubalá at Alcatraz Sunrise Ceremony, November 2022  
Photo Credit: Patricia Rojas Zambrano

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## Abstract

*The Misak people of Colombia are respected worldwide for recovering their ancestral Land, revitalizing their native language and culture, and building an education system from pre-school to university centered in traditional values and worldviews. Through this oral history with Gerardo Tunubalá Velasco, Misak educational leader and co-founder of the Misak University, we learn about his efforts alongside his community to create and sustain an autonomous educational system that guarantees the rights and dignity of Indigenous peoples in Colombia and beyond. His story, grounded in a profound love and communion with Land, speaks of the importance of Land recovery for Indigenous peoples' sovereignty and resilience. The article opens with an introduction to Gerardo's ongoing participation in a human rights education class and closes with a reflection by co-author Patricia Rojas-Zambrano, who writes from her positionality as a non-Indigenous Colombian living in the United States today.*

**Keywords:** Land recovery, decolonizing education, Indigenous languages, sovereignty, oral history

## Introduction

**T**he Misak people, one of 115 Indigenous communities in Colombia, are deeply respected worldwide for their accomplishments in revitalizing their native language and culture, most notably for building a system of education from pre-school to the university that represents their traditional values and worldview. After having recovered a large part of their ancestral Land in 1980, the Misak organized to make education a first priority under the slogan of “To Recover the Land Is To Recover Everything!” Situated in the country’s southwest region of Cauca (see map), the Misak have continued to play a leadership role in resisting domination, for example through dismantling statues of Spanish conquistadores in 2021,<sup>1</sup> as well as in

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<sup>1</sup> <https://www.reuters.com/article/us-colombia-indigenous-statue-trfn/toppling-of-conquistador-statue-in-colombia-triggers-debate-over-history-legacy-idUSKBN2683GU>

strengthening the Indigenous movement, such as by hosting the first nationwide Summit of Indigenous Peoples of Colombia in Summer 2022.<sup>2</sup>

Given their central role in actively claiming their rights as Indigenous people, representatives from the Misak community have been invited since 2018 to participate as guest speakers in the graduate course, Human Rights Education: Pedagogy and Practice, taught by Professor Susan Roberta Katz at the University of San Francisco (USF). This course has consistently included a focus on Indigenous rights with the understanding that human rights education (HRE) needs to extend beyond the principles embedded in the Universal Declaration of Human Rights (UDHR) (1948). In particular, HRE must critically challenge settler-colonialism through serious examination of concepts missing in the UDHR but inherent in the Universal Declaration of the Rights of Indigenous Peoples (UNDRIP) (2007), such as Land<sup>3</sup> rights, self-determination, and cultural identity.

Through this lens, students in the HRE Pedagogy & Praxis course over the past years have engaged in dialogue with Gerardo Tunubalá and María Rosa Tombé, pioneers of the Misak educational model, and Mercedes Tunubalá, the first Indigenous woman mayor of the municipality of Silvia, located in Misak territory.<sup>4</sup> Thanks to the generous support of the Miner Anderson Family Foundation, Gerardo was able to travel to the United States, first in April 2019 when he spoke in person to the HRE class at USF as well as participated in the Navajo Education Conference at Window Rock, Arizona. More recently in November 2022, he presented at a range of classes across the USF campus, attended Bay Area community events, and met with local Indigenous leaders. The highlight of his visit was going to the sunrise ceremony at Alcatraz on the Day of “Un-Thanksgiving” and being invited by the

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<sup>2</sup> <https://www.iwgia.org/en/news/4909-indigenous-summit-in-colombia-unity-is-built-from-the-kitchen.html>

<sup>3</sup> In alignment with Indigenous scholars like Styres (2019), the authors chose to capitalize “L” in Land to honor its centrality as a principle in Indigenous rights generally and Misak culture specifically. When referring to “lands” as physical spaces, we use lower case “l.” See Chapter 1 in L.T. Smith, E. Tuck, & K.W. Yang (Eds.), *Indigenous and decolonizing studies in education: Mapping the long view* (pp. 24-37). Routledge.

<sup>4</sup> Silvia is the municipality in the heart of Misak territory.

International Indian Treaty Council to deliver a message of unity to the thousands of people there.

As background to the oral history below, Gerardo Tunubalá Velasco is one of the founders and coordinators of the Misak University and a high school social studies teacher in the territory of Guambía<sup>5</sup> in Silvia, Cauca, Colombia. As an Indigenous Misak, he has worked for 20+ years to create and strengthen an authentic and autonomous educational system for his community. He studied History at the University of El Valle in Colombia and received his MA in Latin American Studies at the Autonomous University of Madrid, Spain. In addition to being a distinguished scholar, author, and researcher on social and cultural issues, Gerardo is also a documentary filmmaker and poet.

Co-authors of this article, Patricia Rojas-Zambrano, doctoral candidate in International & Multicultural Education (IME) at USF, and Susan Roberta Katz, Professor Emerita of IME, served as the coordinators and interpreters for Gerardo's visit in partnership with the USF Interfaith Nonviolence Initiative. Once Gerardo returned home to Colombia, they conducted this oral history with him as a way to share the Misak story with a global audience. As Gerardo says below, "... if you do not share what you know, there is no sense in learning."

Figure 1: Political Map of Colombia



<sup>5</sup> Guambía is another term for Misak territory.



**“Thanks to the Education Provided by My Parents during  
My Childhood, I Had a Childhood Grounded in the Land,  
Learning to Sense and to Feel the Land”**

My name is Gerardo Tunubalá Velasco. In Guambía, the origins of our last names are related to the names of places in our territory, and Tunubalá means "peak of the mountain." I was born in Misak territory, historically the Land of the Pubenense<sup>6</sup> peoples. As Indigenous peoples, we lost this Land in 1536 with the arrival of the Spanish conquistador Sebastián de Belalcázar.<sup>7</sup> My territory was destroyed, broken up, and dismembered. But thanks to the resistance of our elders, we have been able to recover it to this day.

My father is Manuel Tunubalá, and my mother, Julia Velasco, is now 80. Thanks to the education provided by my parents during my childhood, I had a childhood grounded in the Land, learning to sense and feel the Land. I learned to speak Namuy Wam<sup>8</sup> very well, thanks to my parents. I learned to speak Spanish at school. My education started at home, near the hearth, centered in my family. My parents were rigorous, demanding that we keep our traditions and our language as a form of resistance. Thanks to them, I am who I am today. We are a family of three siblings, and I have two sisters. One of my sisters, like me, works in education, and the other, the youngest sibling, is the mayor of Silvia, Cauca.

Before we recovered our Land in 1980, my parents took me to the volcano of Azufral.<sup>9</sup> Only a few people have had a chance to see this place. It is very remote and difficult to access. We had to cross through a vast and challenging terrain and traverse on horseback or mules to get there. Even before 1980, we were traversing those mountains.

For the Misak people, it is imperative to keep our Land. For us, not having our Land means not having life. The Land is part of our identity and our traditions. Páramos, lagoons, and beautiful flora and fauna make up 80

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<sup>6</sup> Indigenous groups who inhabited the South West region of present-day Colombia for centuries.

<sup>7</sup> Conquistador (conqueror) of regions of present-day Colombia and Ecuador.

<sup>8</sup> Native tongue of the Misak people, which belongs to the Chibcha language family.

<sup>9</sup> Semi-active volcano located in the South Western Andean mountains of Colombia known for its unique landscape, fauna and flora.

percent of our Land. Natural resources surround us, and to be Misak is to have a deep relationship with the Land. If the Land suffers, we feel it. This is what we mean by *sentipensar con el territorio*—to sense, feel, and think with the Land. We sense the beating of the Land and can feel its waters, its animals, all of its flora and fauna. Having contact with the Land and with all of nature is essential for us. For us, as Misak people, the spinal cord of our education—our identity—is to be able to dream with these beings, to dream with the Land, and to be in the Land, which is why it is so crucial for us to continue fighting to recover our Land.

### **This I How I Began My Education—Always Walking the Land**

The education of Indigenous people in Colombia was turned over to missionaries at the start of the 20th century. The missionaries of Mother Laura, known as the Lauritas, were in control of our education. Their mission was to evangelize Indigenous peoples. Many were able to resist, but many could not. After the Lauritas, the Summer Institute of Linguistics<sup>10</sup> from the United States also arrived. Their mission in all the places they visited was to evangelize by developing Indigenous pastors as religious leaders, translating the Bible into Indigenous languages, and ultimately changing Indigenous mentality. They managed to do this with many Indigenous groups, but many others resisted. The best way to resist was to center our efforts on education - to resignify the meaning of Indigenous education and develop our own.

First, they took our Land, then they divided it, and after came the missions to evangelize, and in some ways, they did manage to break us down. However, even if they took a lot from us, they could not take our spirituality. Thanks to our spirituality, we are resilient today. The first school I went to was called a *núcleo escolar* (school center); there were many throughout Colombia in rural areas. In Indigenous territories, these school centers were established to dominate Indigenous peoples.

My experience with schooling was first with the Laurita Sisters and later with educators sent by the government. With that group, we had our

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<sup>10</sup> An evangelical Christian non-profit organization whose main purpose has been to translate the Bible into Indigenous languages.

first Misak educators, thanks to the events of the 1980s<sup>11</sup> - one of the decades of most transcendence in our recent history. Because we were able to recover a lot of our lands, structural changes in our educational system began taking place too. Our slogan was: "To recover the Land is to recover everything."

When I first arrived at school, called the *nucleo escolar*, one of the teachers was my Aunt Bárbara Velasco. It was extraordinary to learn alongside her. She taught me Spanish, and I went through elementary school with her as my teacher; I took my first steps as a Spanish-speaking learner. Because Spanish is an imposed language, it is the language of our colonizers. However, we now know that to interact with other cultures, we need to learn to speak Spanish as it is for other Indigenous communities in other parts of the world. For example, Indigenous peoples in the United States must speak English too. So in Colombia, specifically, we had to learn to speak in Spanish too, which is why I speak it perfectly.

I have many memories as a kid with my Aunt Bárbara. We lived on a separate reservation called Manzanal, and since there were no roads at the time, we had to travel by horse or foot. During our travels, she would always encourage us to keep on studying and learning. Our trips would take about an hour, and we would walk and play with my cousins during the trip. This is how I began my education—always walking the Land.

### **“We Are Going to Recover Our Land”**

I was about 10 years old when we first began recovering our lands in 1980. My parents took me to the Land recovery movements. It was about 3:00 in the morning, and all the meetings had to be held in hiding. Sometimes we would hold the meetings in the páramos because the leaders of the movement were carefully planning to avoid making any mistakes. At that time, the landowners, who are now the paramilitaries, would persecute and assassinate them. The Pájaros [paramilitary forces sponsored by the Conservative Party in Colombia during the times of violence in the 1950s and 1960s] would persecute and assassinate our Indigenous thinkers and leaders, not only Misak

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<sup>11</sup> Refers to the recuperation of ancestral Land by the Misak people.

but Nasa<sup>12</sup> too. So these meetings had to be in secret to protect the leaders. I was never part of those meetings, but when the time came to recover the Land, my parents told me, "We are going to recover our Land," and that is how I got involved.

Where we are located today, Silvia is just a tiny part of what we could conserve. There are parts of the territory now in our hands, and we continue the struggle today because the Pubenense Confederation occupied all of what today is the Cauca región of present-day Colombia. Thankfully our elders were able to fight back, unlike the case of other groups like the Ohlones in California, who were dispossessed of their Land. Thanks to the fight of our elders, we are alive today. It is why we need to develop our thought and worldview in health and education for the survival of our people. The Land recovery started in 1980, and we are now in 2023, many decades later, and we continue to fight. We will continue fighting against multinational corporations which are the ones who want to keep our ancestral lands. Moreover, we will continue fighting for the sake of future generations.

**“After We Recovered the Lands, We Decided to Implement Our Educational System, Called *Educación Propia*”**

After we recovered the lands, we decided to implement our educational system, called *educación propia* (our own authentic form of education). To this day, it has worked out. We center elements of our Misak culture but consider interculturality one of its cornerstones. In Cauca, we are six Indigenous groups; in Colombia, 115, so we can't reject those Indigenous groups or the other groups of Afro-descendants and peasants. Our education must have in mind others' views and perspectives. We use the internet to accelerate our teaching and learning process. We are talking about generating national and international gatherings to dialogue with other Indigenous peoples and discuss Indigenous resistance. Misak education must be a global education. We live in a globalized world, and we must embrace technology.

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<sup>12</sup> Indigenous community that lives near the Misak in the highlands of southwest Colombia in the district of Cauca.

Some of our educational practices are embodied. For example, all the teachers and students wear our traditional clothing to strengthen our identity. We also teach and speak the Namrik Namuy Wam<sup>13</sup> and care for the Land. Today we have special projects to recover and cultivate our traditional medicinal plants close to our lagoons, focusing on our technologies and ancestral knowledge to improve the health of our Indigenous Misak people. We are developing particular practical projects, such as creating our teaching materials in Namuy Wam and Spanish. We are teaching English at the high school level, although we need to strengthen it more. We must be not just bilingual but trilingual, learning to speak English, too.

**“I Knew this New Constitution Would Open Up New Possibilities for Political Participation for Indigenous People”**

My years at Universidad del Valle<sup>14</sup> began in 1991 during the time of the National Constituent Assembly,<sup>15</sup> when in Colombia we began working towards changing the Nuñez Constitution<sup>16</sup> (drafted in 1886). I began hearing about it but did not know what it was. So when I joined the university, I joined the political and social movements to change the constitution and create a new one. Several Indigenous leaders were elected and participated in the Constituent Assembly, which marked the beginning of Indigenous

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<sup>13</sup> Another term for the native tongue of the Misak people, which belongs to Chibcha language family.

<sup>14</sup> One of Colombia's major public universities, located in the city of Cali in the district of Valle del Cauca, about 60 miles from Silvia.

<sup>15</sup> The National Constituent Assembly of Colombia was conformed in February 1991 by 70 delegates elected by popular vote. It was charged with drafting a new constitution that would acknowledge cultural, ethnic and political diversity of the country, provide human rights guarantees, and grant larger political participation to its citizens. The change of constitution was promoted by several social movements, particularly the student movement, that demanded change after the brutal assassination of several presidential candidates in 1990 with the slogan, "We can still save Colombia."

<sup>16</sup> Constitution under the rule of Conservative president Rafael Nuñez, which brought larger control and power to a centralized government and provided greater power to the Catholic Church. This constitution was largely unpopular, prompting social and civil unrest throughout Colombia's history until its replacement with the 1991 Constitution.



participation in Colombia. In the case of Cauca, Lorenzo Muelas<sup>17</sup> became a senator after participating in the Constituent Assembly. He is very well-regarded in our community and Colombia. Likewise, Francisco Rojas Birry<sup>18</sup> and Alfonso Peña,<sup>19</sup> as well.

Lorenzo Muelas has stated that he regrets his participation in the Constituent Assembly because we could not accomplish what Indigenous peoples needed. For example, we were unable to claim our rights as Indigenous peoples to underground resources. The nation transfers resources to each Indigenous group in Colombia, but as Taita Lorenzo Muelas states, these resources have divided us, and we are now fighting over money. Also, many Indigenous peoples have used their political participation to align themselves with the traditional political parties, creating further divisions between us. We wanted to create a nationwide Indigenous movement, but we could not do that, as each tribe began organizing its own group, and then we became divided. Taita Lorenzo Muelas makes a very tough analysis of our present-day conditions, but this is the reality we live in Colombia. Instead of being united, divisions between us have created rifts.

Given I was in the first semester of my studies in Cali, I helped out by mobilizing people and organizing meetings. While I did not know exactly what they were trying to accomplish, I had a sense that this constitution would open up new possibilities for political participation for Indigenous people. There was a large group of people in solidarity with the Indigenous cause. Thanks to this, we became visible and now have recognition in the constitution to practice our own health systems, justice, and education. This is despite the State's systemic efforts to assimilate and make us invisible. Unfortunately, the different Indigenous groups could not take advantage of the new laws and regulations. We keep fighting for recognition, despite the fact that many of these recognitions have not materialized in real change for us. Now the struggle continues.

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<sup>17</sup> A Misak leader who participated in the Constituent Assembly of Colombia in 1991 and was a member of the Senate of Colombia from 1994 to 1998.

<sup>18</sup> A Colombian politician from the Embera Indigenous community.

<sup>19</sup> Nasa representative and ex-combatant of the Quintin Lame Movement, an Indigenous guerrilla group active from 1984-1991.

I began my career as an educator in 2004 and have continued up to this day. Before that, in 1999 I was appointed as Secretary of the Misak Cabildo (Town Council). I interrupted my studies in order to provide that service to my community, and in 2000 received my degree in History and a Certificate in Project Formulation. So, prior to starting as an educator, I conducted oral history research and supported project development in the community.

**“For Us, as Misak People, the Spinal Cord of Our Education—Our Identity—Is To Be Able to Dream with These Beings, To Dream with the Land, and To Be in the Land, Which is Why it is so Crucial for Us to Continue Fighting to Recover Our Land”**

Taita Avelino Dagua was another very special teacher who is considered one of our master historians. He is no longer with us; he has gone to another life. I first met Taita Avelino in 1982, when he was the governor of Guambía. Later on in 1999, as I was concluding my undergraduate studies, he helped me visualize how a Misak education could take shape in Guambía. At that point we started getting close; with him, I continued learning to walk the Land. Between 2000 and 2005, we began working on an oral history project with Misak elders that resulted in the book *The Voice of the Elders* (2005). In order to write this book, we walked the Land to recover oral history, systematize the Land, study the names of places and compare them with colonial documents written by the chroniclers of the time, or more recently, those who have written about archeology and "ethnohistory." I say "ethnohistory" in quotes on purpose.

Something very spiritual inspired me to become a teacher. When I had the opportunity to work with Shur Avelino and other leaders, I was forced to rethink my role and contribution for the following decades. This is why I did not think twice when I was asked to teach youth. I agreed to do it because I wanted to help and be part of it. I wanted to re-learn with the new generations. So from there on, I began learning that education is the spinal cord of our resistance as people. From that moment on, I became a teacher and will continue to be one.

With Taita Avelino, I learned to connect with ancestral beings and to read nature. There were several of us on the team. Between 2003 and 2005, we walked the Land, wrote, and learned alongside him. Thanks to him, today we are recovering memories from our ancestors. He used to tell us that if we do not recover our Land and our worldviews and cosmovision, the future generations will disappear as Misak people. This is a legacy that all the Misak teachers are working towards implementing, including the view that our education must be intercultural, a kind of education in which we can consider our own needs and knowledge and those external to us. We live in a modern world, and we accept modern-day education.

A beautiful story about Taita Avelino is that he would talk to us of Kallim Pishimisak,<sup>20</sup> our ancestral Misak spirit guide, and I would ask him: “How can I communicate with Kallim Pishimisak?” And he would say, “Kallim Pishimisak has a way of walking and arriving through dreams. In order to communicate with him, you have to perform several rituals; you have to learn about our spirituality and not let yourself be influenced by outside cultures.”

Moreover, precisely at that time, I had just returned from studying abroad at Universidad Autónoma in Madrid.<sup>21</sup> It was challenging to face Taita Avelino speaking in such terms, searching for our Misak sensibilities. And not just Taita Avelino, but many Mamas as well. For us, as Misak people, the spinal cord of our education - our identity - is to be able to dream with these beings, to dream with the Land, and to be in the Land, which is why it is so crucial for us to continue fighting to recover our Land.

After Taita Avelino came another wise man, Taita Henry Tunubalá. In Guambía, there have been many wise men and women whom we follow as they give us directives of our Misak culture to keep our traditions and continue resisting. Because many Indigenous groups, particularly those of us living in the region of present-day Colombia, live between the fire of armed

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<sup>20</sup> The Misak worldview is centered around the equilibrium between the protective beings PISHIMISAK (woman) and KALLIM (man), who are spirits that inhabit the Land.

<sup>21</sup> The Autonomous University of Madrid, commonly known as simply la Autónoma, is a Spanish public university located in Madrid, Spain.

groups, we must survive in that context. In order to survive as people, we have had to resist on many fronts beyond education, such as economically, environmentally, and infrastructurally. In this sense, our Taitas—our elders—have left a significant legacy for future generations to follow this example left 500 years ago. It is hard, it is true; it is hard, but we have to continue resisting as Indigenous people.

### **As Indigenous Peoples, We Must Recover These Historical Sites To Communicate with Our Deities and Spirits**

When I returned from my time in Spain, I began traveling across several countries in Latin America. Of note, I visited Machu Picchu, a very spiritual site. I visited Lake Titicaca in Bolivia, and in Mexico, I visited the pyramids of Teotihuacán. This impacted my spiritual education and changed me internally completely. In Colombia, I also visited ancestral places like San Agustín, the caves in Tierradentro, and other ancestral spiritually charged and energetic centers. In Misak territory, we have many of these centers in sacred lagoons. We traveled with a team of traditional medicine doctors performing ceremonies, which impacted my attitude toward focusing more on Indigenous education and resistance.

I witnessed so much wealth in Colombia and Central and South America in our ancestral cultures. The problem I saw was that these centers are dominated and controlled by private interests or governments and not by Indigenous peoples, which is very sad; yet we are still resisting. That is what I call resilience. As Indigenous peoples, we must recover these historical sites to communicate with our deities and spirits. Because for us, this is sacred, while for others, it is just a business. Unlike something Evo Morales did as president of Bolivia. He turned in these sites to the Indigenous people, these historical sites, so they could perform their rituals and manage them. Here in Colombia, San Agustín is controlled by the government, for example. In the case of the Misak, we do not let governmental institutions control our sites or our Land. Moreover, this is what other Indigenous peoples should be able to do.

## **“We Must Have the Land Back in Our Hands, that Land that Was Stolen 530 Years Ago”**

To this day, 40 years after, we continue our struggle. Taita Avelino Dagua used to say we would have to wait for 50 or 100 years for significant changes to happen. I think a lot about him now that he is not with us. We are beginning 2023, and we are still fighting. This fight is not only for the Misak but for all Indigenous peoples in Colombia, and it must continue. For this, education is fundamental; today we talk about the Misak University, for example, because we need an education that reflects our worldview and Misak thought from elementary school to high school to the higher education level.

We must have the Land back in our hands, that Land that was stolen 530 years ago. Following our agricultural cycles was the best because our education was not only with books; we also worked the Land, planted, and learned to grow products specific to our climate. At the school where I teach, we have multiple parcels where we grow corn and sugar cane. Furthermore, we have a plant to process the sugar cane to make panela. They are in the páramos; so to learn about this specific Land, we must do research close to the Land and apply it to natural sciences, social sciences, and archeology. Having the Land in our hands has allowed us to envision and continue implementing it as we had planned.

### **One of Our Strengths as Misak Is that We Create Interdisciplinary Teams**

I began working in 2001 as part of the Misak Education Committee. During that time, we conducted a diagnosis and evaluation of the Misak Education Plan and published a book called *Namuiwan Alá Marik: Working Together on Our Own Education*. We were a team of fascinating people. In 2002 and 2003, we developed the book I mentioned before, *The Voice of the Elders*. I collaborated on many books as part of the research team and as an author/writer; many of them are related to education in Guambía. In 2010 we worked on the educational fabric for the high school program, and parallel to that, I was part of the team that developed Misak University. I am a co-



founder of Misak University. After founding Misak University, I became the program coordinator as well as instructor in the program of Indigenous Law.

During my tenure as program coordinator, I developed many projects, including curricula planning and support so that academic content was woven within the Misak education framework. In this work I was also able to create opportunities for exchange and collaboration with other Indigenous universities such as the Ixil University of Guatemala, the Amawtay Wasi of Ecuador, and other efforts at the national level. We organized an event within the

Andean Parliament to make the Indigenous universities more visible. Likewise, I held many meetings locally to increase awareness of the importance of our university at a local level amongst other Misak and mestizos living in the region as well.

Thanks to the support of our Indigenous authorities who saw the value of having a Misak University, I was able to secure some funding to sponsor travel and accommodation for faculty who came to teach at the university. It was very little money, more symbolic than anything, because it was difficult for me to ask instructors with doctoral degrees to come and teach for free. Fortunately, they continue to support us. Given I had an expertise in project formulation, I was able to secure partnerships and funding to continue on working. Several of us worked together on that project at Misak University, and I have been an educator there as well. It has been a long process to gain governmental recognition for this university. However, we hope the newly elected government<sup>22</sup> will give us the support we need to gain national recognition and financial resources to organize events and create the core faculty team.

While all this happens, I continue to collaborate with the leadership of the Misak University. I have been part of discussion teams with the government in favor of Indigenous education. I was also part of a program funded by the World Bank and the Ministry of Education to develop educational materials for Guambía. This project lasted two years. I am always working alongside many people in interdisciplinary teams. One of our strengths

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<sup>22</sup> The government of Gustavo Petro and Francia Márquez, elected in June 2022.

as Misak is that we create interdisciplinary teams. It may not be much, but I have been putting in my little grain of sand.

The success of our own educational model is that we have worked in interdisciplinary teams, and our elders - the Shures and Shuras - have always been supportive of this. Misak leaders not only give us their political support but have been helpful in providing financial resources. We have a Guambiano Life Plan<sup>23</sup> in which education is part of our political thought. This plan belongs to all of us as Misak people, and our elders support it. That is our success.

### **This Double Consciousness Is What Many Indigenous Peoples Struggle with Worldwide**

Challenges faced in the next 50 to 100 years involve the new generation of Misak youth, who will carry this work forward. We are here only temporarily, so the new generations must take charge and continue resisting. To turn our resilience into resistance, innovate in education, and globalize our educational model without losing our identity. The challenge for the future generations of Misak is to be able to go abroad, whether to Harvard or Cambridge, to study and continue being Misak.

In these modern times, globalized times, it is challenging to be Indigenous in the global village. In Colombia, they demand that we stay Indigenous, while the remaining Colombians are not required to be Indigenous. In Colombia, we have a double condition: to be Indigenous and to be Colombian. So this double consciousness is what many Indigenous peoples struggle with worldwide. At this point, you can understand how complex, challenging, and essential is the role of education because our challenges are global now, for example, environmental issues. So the challenges ahead are not only for the Misak people. These are global challenges that we need to face not only as Indigenous peoples but together, worldwide.

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<sup>23</sup> Since recovering rights to their Land, the Misak have developed the Guambiano Life Plan as a tool for self-determined development to ensure their gains would be preserved for future generations.

In Colombia, we have 115 Indigenous groups. According to some, there are 85, who like us, remain in resistance, organized, keeping their language and identity. The question is: What happened with the other groups? Some of them went extinct; some are on the brink of extinction. All this is due to the armed conflict. There are tribes where only one family remains, or only the mother and father speak the language. If they die, the whole culture will die. So, in that sense, in Colombia, in addition to being Colombian, we have to be Indigenous.

To be Misak, you must wear traditional attire and speak the language. The newer generations do not want to speak our language anymore, and we are also fighting against that as educators and Colombians. Speaking our language is vital as it helps us strengthen our law, reach positions of leadership within the government, and be elected as mayors all this to continue making visible our Indigenous knowledge. We do this because we are Colombian too. We supported the elected government because it proposed alternatives to our structural issues caused by racism, violence, and narcotrafficking. So as Colombians, we have the opportunity to provide our knowledge to help resolve the issues we face as a nation, and why not contribute to solving some of these same issues worldwide?

### **It Is Crucial at this Time for All Colombians To Reach Real Peace**

Our struggle to recover the Land has also occurred amidst the armed conflict that impacted Colombia. This armed conflict,<sup>24</sup> which has lasted more than 60 years, is a war that is not ours, but we have had to live it. In Cauca, guerrillas and paramilitaries have tried to involve and dominate Indigenous peoples, creating a very complex situation. If we go out to block the roads and claim our rights, we are accused of being with guerrillas, and then

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<sup>24</sup> This armed conflict, which began in 1964, is a low intensity war between the government of Colombia, far-left guerrilla groups such as FARC (Revolutionary Armed Forces of Colombia), far-right paramilitary groups, and other crime syndicates, fighting each other to increase influence over Colombia's territory. Important contributors to this conflict have been multinational corporations accused of sponsoring the assassination of human rights defenders and the drug cartels.

Multiple peace processes and agreements have been attempted and reached over the years. The latest one was signed in September 2016.

paramilitary groups are sent to kill our leaders. In this past year of 2022, for example, 42 Indigenous leaders were assassinated.

It is crucial at this time for all Colombians to reach real peace. This would benefit us all, not just the Misak. In the middle of this armed conflict, we have been resisting, implementing policies, setting limits with the guerilla groups, and letting them know we are not with them. We have asked them to let us develop our own independent process. Because we have different ways of viewing life, different ways of getting involved in politics, different ways of developing our economy. Sometimes they agree, but then they kill our leaders. So the horizon is very complex. We hope that in 2023, with the new government of Gustavo Petro,<sup>25</sup> these new policies established by the new government will materialize in real change.

### **From Our Misak Perspective, To Speak of Human Rights Is More Theory than Practice**

It is unfortunate to speak of human rights in Colombia. Anyone who speaks of human rights and fights for the right to defend life and freedom, universal principles, is assassinated. It is tough to speak in practical terms of human rights. From our Misak perspective, to speak of human rights is more theory than practice. We have all these rights and laws, but the truth is that the fundamental right to life is not respected. We ended this past year of 2022 with a total of 189 social leaders having been assassinated.<sup>26</sup> All this is due to the armed conflict. Reaching real peace that provides resources for education, Land reforms, environmental programs, and health is crucial. This peace process must manifest itself and have material outcomes in economic terms. Fighting against poverty in Colombia is very hard, making it fundamental to speak of peace in concrete ways, like compensating all the families impacted by the armed conflict. It is an arduous process, but Colombia has

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<sup>25</sup> A long-time Leftist politician and former militant, Gustavo Petro, was elected president of Colombia in June 2022 and inaugurated in August 2022. He is the first progressive candidate to ever have made it to the presidency of Colombia, since others in the past were assassinated during their campaigns.

<sup>26</sup> <https://indepaz.org.co/lideres-sociales-defensores-de-dd-hh-y-firmantes-de-acuerdo-asesinados-en-2022/>

to go through it. A genuine peace process and respect for human rights starts with that.

**“I Need To Learn So Much More about the Struggles of Indigenous People in the North”**

My visit to the Bay Area in November 2022 yielded many exciting experiences. I had the chance to visit several universities, learn about other struggles, and share our educational process. I had the chance to meet with my relatives from the Ohlone group and other representatives from Indigenous groups such as the Purépecha, the Navajo, and the Lakota<sup>27</sup>. The visit to Alcatraz for the Un-Thanksgiving Day Ceremony was potent. To be invited to share a message of resistance was a learning experience. I need to learn so much more about the struggles of Indigenous people in the North. I plan to continue sharing with them because we have many things in common, such as our fight for Land and our struggles to have our Indigenous education.

The meeting with Clarence Jones<sup>28</sup> was also mighty because I felt the presence of Martin Luther King. Learning about the struggles of African Americans made me realize that the issues they face are also similar to the issues we face in Colombia. Soon, I can return and continue sharing my message of hope, saying we exist and fight as Indigenous people. For next year, we envision new visits and other forms of participation using technology to connect us virtually. I also want the Indigenous peoples who I had a chance to meet during my visit to come visit us in Colombia and learn how we resist as they do.

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<sup>27</sup> Indigenous peoples of the Americas: Purépecha of Michoacan, Mexico; Navajo of the southwestern United States; Lakota of the Great Sioux Nation of North & South Dakota of the United States.

<sup>28</sup> Clarence Jones was the speechwriter and counsel of Dr. Martin Luther King, Jr. As co-director of the Institute of Nonviolence and Social Justice at USF, he was honored with a commemorative event on November 19, 2022, during Gerardo's visit.



**“Walking, I Have Been Able to Understand Other Cultures, and I Have Learned More from Walking than at the University”**

A well-known legend speaks of the condor and the eagle. In this legend, the condor and the eagle must come together to unite the North and the South, so the Americas become one. During my visit to the United States, we engaged in ceremonies. We were able to communicate with spiritual beings who told us this was not enough, encouraging us to bring in Central America through the quetzal, a beautiful bird from Guatemala. Later on, the hummingbird also made its appearance, calling us to unite Indigenous peoples from other continents too.

So today, we must bring together the eagle, the condor, the quetzal, and the hummingbird to unify all Indigenous peoples of the world. This is what I am speaking about when I refer to interculturality. Nowadays, we have common issues, such as environmental problems. The Misak are offering our ancestral knowledge to resolve some of them, such as how to conserve natural resources and "plant" water in currently deserted lands. These are Indigenous knowledges and technologies that we are offering to the world. Hopefully, scientists and Indigenous leaders worldwide can use this ancestral knowledge to serve humanity.

Thank you for this interview, your friendship, and for allowing me to visit the University of San Francisco and other spaces where I continue to walk. Walking, I have been able to understand other cultures, and I have learned more from walking than at the university. So, this is my learning that I share with my colleagues and others at Misak University. I have so much to share with them because if you do not share what you know, there is no sense in learning. I also want to write some more as well.

## Poem by Gerardo Tunubalá

(Written during his stay in the Navajo Nation, 2019)

### Resilencia

Siento correr por mis venas  
El vuelo de los cóndores  
El vuelo de las Águilas  
Presentes en cada territorio  
En cada palabra  
En cada piel  
Su vuelo de los colibríes  
Son las voces de los ancestros  
Que nos llaman a seguir en Resistencia

Como sentir en nuestros huesos  
Los colores del arcoiris  
Navegando eternamente  
En cada cosmovision

### Resilience

I feel running through my veins  
The flight of the condors  
The flight of the eagles  
Present in each territory  
In each word  
In each skin  
Are the voices of the ancestors  
Their flight of the hummingbirds  
Calling us to continue to be in Resistance

How we feel in our bones  
The colors of the rainbow  
Sailing for eternity  
In each cosmovision

### **Closing Thoughts by Patricia Rojas-Zambrano**

I have served as an interpreter in the Human Rights Education: Pedagogy & Praxis class for Gerardo Tunubalá and Rosa Tombé since 2020. Walking alongside them has been my greatest pleasure and honor to work and learn. With every turn of the word, I have been deepening my understanding of the Misak educational model and their experiences as Indigenous peoples living in Colombia today.

Although Gerardo and I share the same nationality, we have experienced significant events in Colombia's history from different realities and perspectives. I was born in Bogotá, the capital city of Colombia, in a middle-class family with unknown ties to our European, Indigenous and African ancestors. Like many Bogotá dwellers, my family has rural origins that go back centuries and moved from town to town, reaching the capital to escape economic hardship and the violence of the 1940s and 1950s. Most of my early educational experiences followed European-American models in which Indigenous knowledge was either referred to as backward or not included at all.

During my last year of high school in 1990, four presidential candidates across the political spectrum were assassinated<sup>29</sup>. The shock of these murders added to years of living under the fear of car bombs, assaults, or kidnappings; we remained in a state of constant terror brought on by violent actors on the Left and the Right, as well as narcotraffickers and other violent groups. And the worst was yet to come.

Like Gerardo, I was a young university student in 1991 when the Constituent Assembly was elected, and I felt inspired by the student movement capable of such accomplishment. Looking back, these events marked a social and political awakening for me, with the university acting as a site of resistance that fostered *conocimiento propio* (our own knowledge). I was fortunate to find university professors who encouraged socially engaged

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<sup>29</sup> José Antequera, Bernardo Jaramillo Ossa, Carlos Pizarro, and Luis Carlos Galán.

scholarship and promoted critical analysis of my country's social conditions and structural inequalities. During that time, I joined a youth-led program called Opción Colombia and had my first encounter with the Misak people at an Indigenous peoples' summit in 1995. It was then I learned that Indigenous people had to fight to protect their territory from the persistent attack of multinationals, politicians, and armed forces. Through my interactions, I also learned how to say a few words in Namuy Wam.

Working as an interpreter for Gerardo has given new meaning to what it is to *sentipensar con el territorio* - to feel deeply connected to Land and the value of education in order to protect and defend her beyond the material gains she can provide. Through Gerardo and visiting Misak territory, seated by the hearth high up in the mountains, I renewed my understanding of what embodiment means: to do things rooted in who we are, where we come from, and where our ancestors' dreams were first nourished and uncovered.

Colombia's armed conflict has had overt consequences, such as the loss of life, the destruction of infrastructure, and the humanitarian crisis caused by internal displacement. While the social conditions I was born into sheltered me from some of these consequences, I was still not protected from the dramatic loss of social relationships, our sense of community, and a promising future together. This extended war has threatened the bond between people and Land in many different ways. Like many Colombians, I was forced to leave my country, seeking safety and a better future. According to Human Rights Watch, 8.5 million Colombians have left since 1985.<sup>30</sup>

Although it pains me to admit it, Gerardo is right; in Colombia, human rights exist primarily on paper, and violations remain in impunity, unpunished and unaddressed. Paradoxically, despite having signed the 2016 Peace Accords meant to end the armed conflict and address the structural causes of such a prolonged war, violence against human rights defenders has

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<sup>30</sup> <https://www.hrw.org/world-report/2023/country-chapters/colombia#:~:text=the%20conflict%20differently,-,Internal%20Displacement%2C%20Reparations%2C%20and%20Land%20Restitution,since%201985%2C%20government%20figures%20show>

increased. However, as Colombians, we are not condemned to a violent existence.

It is essential to address the structural causes of violence and inequality in my country, as it is imperative to heal and unite in resistance to the call of violence. Great fortitude and resilience are required to stop normalizing the violence that has permeated our nation and to weave ourselves back together to reconstruct our social fabric. Undoubtedly, we all can learn so much from the Misak, who have leaned into grateful reciprocity with their Land, their spirits and ancestors for 530 years, as we continue to nurture this deep desire to work towards peace and find ways to address our collective trauma as a nation.



*Colibri*: Mixed-media painting by Patricia Rojas Zambrano

# Ordinary Solidarities: Re-Reading Refugee Education Response Through an Anticolonial Discursive Framework

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## Abstract

*Growing attention to longstanding issues linked to racism and coloniality in humanitarian assistance has impelled important conversations about power inequities in global education spaces and their related scholarly fields. This paper contributes to these conversations by advancing an anticolonial discursive framework for rights-based interventions in and through education. Drawing on a three-year case study of one faith-based school in Lebanon, this paper explores how one ordinary school in a refugee hostile transit country secured and protected the right to education for refugee children from Syria, within a significant broader context of multiple compounding crises. The notion of “ordinary solidarities” is used to describe how this refugee education response*

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*sustained engagement in learning, despite tremendous community opposition and against a deteriorating sociopolitical, economic, and pandemic backdrop. Through organic responsiveness, upholding of equitable relationships, and the principles of inclusion and anti-discrimination, ordinary solidarity embodies an anticolonial mandate for rights-based interventions and demands a shift in orientation from saviorism to care. By intertwining humanitarian discourse and one school's practices, the paper draws out implications for ongoing efforts to reconfigure humanitarian relations and structures.*

**Keywords:** Humanitarian aid, Lebanon, refugee education, right to education, solidarity, Syria

## Introduction

This paper explores how one ordinary school in a refugee hostile transit country secured and protected the right to education for refugee children, within a significant broader context of multiple compounding crises. Drawing on a case study of one faith-based school in Lebanon, I take up the notion of “ordinary solidarities” to advance an anticolonial discursive framework (Sefa Dei & Asgharzadeh, 2001) for rights-based humanitarian interventions in and through education.

Over the last two decades, the widespread endorsement of education as a universal human right has given rise to a burgeoning field of global engagement in education in emergencies (EiE). Following calls for Education for All and growing recognition that the right to education extends to children in contexts of conflict, forced migration, and disaster, an addendum to the Sphere Minimum Standards in 2000 established education as a pillar of humanitarian aid and EiE as integral to the international humanitarian response system (Burde, Kapit, Wahl, Guven, & Skarpeteig, 2017; INEE, 2020). Within this system, actors and organizations based in the Global North,<sup>1</sup> such as United Nations agencies, multilateral banks, high-income country donors,

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<sup>1</sup> The terms “Global North” and “Global South” refer to geopolitical relations of power, linked to colonial processes, through which inequalities in living standards, resources, and life expectancies are maintained (Dados & Connell, 2012).

and international nongovernmental organizations (INGOs), hold most power over decision-making in education policy, finance, and programming (Naylor, 2011; Zakharia, Menashy, & Shields, 2022). Whereas actors and organizations based in the Global South, including affected communities and recipients of foreign aid, technical advice, and programmatic activities, remain in least influential positions (Fiddian-Qasmiyeh, 2019; Menashy, 2019; Ramalingam et al., 2013).

Growing attention to these power imbalances in recent years has led EiE actors to begin questioning how partnerships that support the right to education perpetuate global inequities. In particular, the confluence of the COVID-19 pandemic and intensification of Black Lives Matter (BLM) protests in 2020 impelled important conversations in the EiE sector about longstanding issues linked to racism and coloniality in global education spaces and their related scholarly fields (Menashy & Zakharia, 2022a). Critics assert that inequitable relationships in rights-based interventions reflect colonial inheritances, structural dynamics, and deficit views about local actors and affected communities, who are commonly portrayed as lacking capacity, agency, credibility, relevant skills, and knowledge (Barbelet et al., 2020; Kothari, 2006; Paige, 2021; Pailey, 2020; Parpart, 1995; Wilson, 2017). Furthermore, critics cite “saviorism” as a pervasive orientation, reproduced through paternalistic relationships that cast local and refugee actors as objects of rescue (Khan, Dickson & Sondarjee 2023; Kyriakides, et al., 2019; Paige, 2021; Wilson, 2017). Both academic and practitioner-based literatures indicate that aid interventions reinscribe the epistemic authority of Northern “experts,” while undermining local knowledges, and they further describe the racialization of this expertise (Bian, 2022; Paige, 2021; Parpart, 1995).

Yet, despite clear evidence of these power imbalances in international development and humanitarian arenas, racism and coloniality have not received substantive attention within global education circles and related scholarly fields (Menashy & Zakharia, 2022a; Sriprakash, Tikly, & Walker, 2020). Since 2020, a handful of rights-based organizations have initiated organizational introspection and self-study, exploring, for example, the linkages between localization and institutional or systemic racism, and the



potential for addressing colonialities that manifest through unequal relationships, interactions, and decision-making authority among donors, international agencies, and local actors (Paige, 2021).<sup>2</sup> Calls to decolonize aid have been met with questions about how to do so and whether it is even possible (Aly & Ali, 2022). These developments constitute a potential inflection point for organizations seeking to protect the right to education for refugee children and to influence wider change in the international aid architecture. However, very little research exists on how to develop or implement equitable processes and practices in EiE and what effects these might have on the outcomes of rights-based interventions.

This paper contributes to these conversations within both practitioner and scholarly fields by drawing on the interconnectivities between efforts to address coloniality in aid and various lines of scholarship that provide conceptual entry-points for this work. By exploring what might be learned by centering a localized refugee response, the study contributes to research on Southern responses to displacement (see <https://southernresponses.org>). At the same time, the study responds to the provocation to “combine discussions about what is possible with what exists” (Sefa Dei & Asgharzadeh, 2001, p. 298, emphasis original). As such, this paper attempts to address both academic and political concerns. I use Sefa Dei and Azgharzadeh’s (2001) anti-colonial discursive framework to understand what might be learned from a Southern refugee education response (responding to critiques of Northern epistemic authority in rights-based interventions), as well as to draw out implications for ongoing efforts to reconfigure humanitarian relations and structures.

Through ordinary solidarity, the school at the center of this study secured the right to education for Syrian refugees and sustained their engagement in learning despite tremendous opposition and against a deteriorating sociopolitical, economic, and pandemic backdrop. By intertwining

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<sup>2</sup> For example, launched in 2022, The Pledge for Change 2030 commits signatories to “build a stronger aid ecosystem based on the principles of solidarity, humility, self-determination, and equality by focusing on three core changes: (1) equitable partnerships; (2) authentic storytelling; and (3) influencing wider change” (<https://pledgeforchange2030.org>).

humanitarian discourse, anticolonial framing, and one school's practices, this paper draws out implications for addressing power imbalances in EiE.

### **Thinking Through an Anticolonial Discursive Framework**

To think through power imbalances in rights-based interventions, I consider Sefa Dei and Asgharzadeh's (2001) anticolonial discursive framework and conceptual resources drawn from the field of human rights education to write against racism and coloniality in refugee education, which manifest in aid structures, relationships, and orientations, including the specific embodiments of Northern epistemic authority (Zakharia, forthcoming) and saviorism (Cole, 2012).

Sefa Dei and Asgharzadeh's (2001) anticolonial discursive framework envisions a "common zone of resistance" against colonial tendencies in research and practice. Building on insights from indigenous research traditions, antiracist works, and "spaces created by Marxist, feminist, postcolonialist, and deconstructionist struggles," it seeks to forge solidarities among anti-oppression activists in both academic spheres and larger society (p. 297). These interconnectivities are significant for humanitarian critique, given the colonial inheritances of aid and the "insidious attempts to deny the validity of the knowledges shared by certain bodies who may not follow conventionally accepted methods of theorizing" (Sefa Dei & Azgharzadeh, 2001, p. 298).

Critiques of humanitarian interventions in education note that "theory" is reserved for Northern actors who claim and confer epistemic authority in rights-based interventions, as they determine educational systems, programs, and policies for so-called beneficiaries in the Global South (Paige, 2021; Pailey, 2020; Parpart, 1995). In this way—and supported by the economies and structures of aid—theories, goals, and mandates overwhelmingly travel from Global North to Global South (Kothari, 2006). Northern epistemic authority is claimed through social, political, and economic processes that are shaped by deficit perspectives about particular groups, and justifications for this epistemic authority are grounded in the notion that certain "rational" and "objective" observers are in a better epistemic position to "see,"

understand, and explain the world than others (Janack, 1997). Refugees and localized communities within aid structures do not enjoy epistemic authority because they are neither viewed as rational agents nor objective observers, capable of interpreting or shaping their social worlds (Paige, 2021). So, while Northern theory is considered generalizable to the South, Southern theory, or ways of knowing, are considered context specific. In a field shaped by colonial and racist legacies, epistemic theory belongs to Northern experts who are perceived to know better (Bian, 2022).

Deficit orientations toward Southern perspectives and knowledges intersect with racism in aid to establish what critics have termed the “White-savior industrial complex” (Cole, 2012; see also [charitysowhite.org](http://charitysowhite.org)). Under the banner of “making a difference,” current humanitarian practices and norms reinforce saviorism, an ostensibly well-meaning rescue ideology that is palpable in the fundraising, advocacy, imagery, and structures of aid (Khan et al., 2023; Paige, 2021). Saviorism embodies racism and coloniality and reinscribes power asymmetries in refugee education.

Thinking through an anticolonial discursive framework pushes against this dominant perspective and seeks to provide insights from below, in this case, by considering what might be learned from one school’s practices for current efforts to decolonize aid. The framework is particularly effective for theorizing issues that emerge from colonial relations by interrogating “power configurations embedded in ideas, cultures, and histories of knowledge production, validation, and use” (Sefa Dei & Azgharzadeh, 2001, p. 300).

Human rights education scholars have also sought to change the content and terms of conversations on colonial and decolonial human rights education, noting the colonial relationships from which human rights frameworks have emerged, their Eurocentric assumptions and principles, and the savior ideology that accompanies rights relationships (Becker, 2021; Zembylas, 2017). Scholars have explored the possibility of a decolonial ethic in human rights education (Zembylas, 2020) and have highlighted the significance of indigenous knowledges and strategies used to “bring the decontextualized global to the nuanced and politicized local” (Abu Moghli, 2020, p. 1). As Becker (2021) notes, decolonial thinking is bottom up, communal, and

relational in process and embedded in the struggles of a pluriversal humanity (see also Maldonado-Torres, 2017; Williams & Bermeo, 2020).

This paper draws from these conceptual resources. Like Sefa Dei and Azgharzadeh (2001), my intention is not to reify theory, but rather “to problematize a conception of theory that has little or no bearing on the lived realities of peoples whose academic and political interests are in contradiction to hegemonic social orders” (p. 298). I apply my understanding of an anticolonial framework and the possibilities sought through a decolonial reading of human rights education to call attention to racism and coloniality in aid. These conceptual resources provide entry points for uncovering and addressing power imbalances in educational interventions, based on the epistemic resources of subordinated populations who are subjects of their own experiences, histories, and traditions.

### **The Syria Refugee Crisis in Lebanon**

Since 2011, the war in Syria has prompted mass displacement on an unprecedented scale. An estimated 5.6 million Syrians have sought refuge in neighboring countries (UNHCR, 2022), including 1.5 million in Lebanon, a lower-middle-income country with the largest per capita refugee population in the world (GoL & UN, 2022).<sup>3</sup> A combination of forces, including a Northern thrust to contain refugee migration in the Middle East and prevent migrants from reaching Europe (Knudsen & Berg, 2021), as well as the sheer scale of an estimated 1.2 million school-age Syrian refugees in Turkey, Lebanon, Jordan, Iraq, and Egypt (3RP, 2019), catalyzed a proliferation of partnership-based interventions aimed at protecting the right to education (Zakharia, Menashy, & Shields, 2022). This expansion in education has implicated rights-based education responses in what Knudsen and Berg (2021) have identified as a larger “containment strategy, which seeks to stem the flow of refugees and asylum seekers while increasing the hosting capacities of third countries [by] combining economic incentives (international aid)

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<sup>3</sup> Approximately 1 in 5 individuals in Lebanon are Syrian refugees.

and concessions (visa and trade) to incentivize Middle East host states to carry the burden” (n.p.).

In Lebanon non-state actors, including faith-based organizations, were central to the provision of educational services to refugees from the onset of the crisis (Shuayb, Makkouk, & Tuttunji, 2014). Tasked with absorbing over half a million school-aged refugees from Syria, or one-third of all children in Lebanon (UNICEF, 2017), the Government of Lebanon followed suit by establishing “Reaching All Children with Education” (RACE I) in 2013 with support from the international community. In 2015, the Ministry of Education and Higher Education (MEHE) established the Program Management Unit to oversee the rollout of Syrian refugee education, opening 1000 public schools to Syrians in “second shift” refugee-only afternoon classes, thus reducing opportunities for interaction between Lebanese and Syrian children. In turn, a proliferation of organizations partnered to respond to the Syria refugee crisis in education, producing a multifaceted dynamic between public and private educational actors, both domestic and international (Menashy & Zakharia, 2022b). In 2017 RACE II extended its predecessor, by aiming to expand access to all vulnerable children in Lebanon. By 2018, children displaced from Syria accounted for 45 percent of Lebanon’s public-school enrollments (Abdul-Hamid & Yassine, 2020).

From the outset, government and society were deeply divided over the Syria crisis, and consequently, assistance to refugees (Naufal, 2012). Tensions were linked to perceptions among the Lebanese that Syrians pose an economic, physical, and symbolic threat (Harb & Saab, 2014); a historical context of political involvement and occupation of Lebanon by Syria; and a hostile policy context that does not fully recognize the status and rights of refugees (Alsharabati & Nammour, 2015). This situation led to explicit acts of discrimination, stereotyping, scapegoating, and violence against Syrian refugees that are reflective of systemic racism (Chit & Nayel, 2013) and that go unsanctioned.

Nowhere are these tensions felt more keenly than in schools, where poor young people are subjected to various forms of discrimination, physical violence, and verbal abuse from Lebanese teachers, students, bus drivers, and

host communities in the schools' vicinities (Abu-Amsha, 2014). Syrian students report leaving public schools because of this treatment, despite the high value placed on education and on school certification (Bahou & Zakharia, 2019). Research has identified additional factors that work against the right to education, such as language barriers and historic tensions between the Syrian and Lebanese people (Abu-Amsha, 2014; Akkeson, Badawi, & Elkchirid, 2020).

Attempts to uphold the right to education for Syrian refugees in Lebanon have taken place within a significant larger context of multiple compounding crises, including state fragility, political unrest, economic crisis, and COVID-19. In October 2019 anti-government protests led to bank and school closures across Lebanon for weeks at a time, as food, water, and electricity shortages accompanied soaring food prices, staggering fuel inflation, medical supply shortfalls, and a devastating deterioration of the economy (Abouzeid, 2021; Chehayeb, 2021).

The COVID-19 pandemic that same academic year compounded these crises and created severe setbacks in education access and quality (Abu Moghli & Shuayb, 2020). Due to country-wide school closures during the 2019-2020 academic year, children in Lebanon received between 12 and 18 weeks of formal education, as opposed to the standard 31 to 33 weeks. At this time, 45 percent of refugee children in Lebanon were completely out of school (Save the Children, 2021). On August 4, 2020, a massive explosion in the Port of Beirut brought human devastation and damage to infrastructure vital to economic recovery, service, delivery, and education (MEHE & UNESCO, 2021; World Bank, 2021).

By 2020, 89 per cent of Syrian households were described as living in extreme poverty (UNHCR, 2020) and more than half of the Lebanese population was living below the poverty line, with food costs in 2020 six times what they were in October 2019 (GoL & UN, 2022). The Ministry was not certifying students who had completed their program of study, making it impossible for Syrian students to sit for official exams and receive academic credentials. Deteriorating conditions increased anti-refugee sentiments, with 36 percent of Lebanese and Syrian households reporting inter-communal

tensions in 2021, as compared with 20 percent three years earlier (GoL & UN, 2022). The downward spiral affected the ability of schools to function due to increased operating costs, massive devaluation in salaries, and severe inequities, resulting in low attendance and retention among Syrian refugees (GoL & UN, 2021).

### **Methods and Data Sources**

This paper draws from a three-year study of Syrian refugee education in Lebanon (2018-2021), conducted in collaboration with Francine Menashy, Maha Shuayb, and researchers at the Centre for Lebanese Studies.<sup>4</sup> The broader inquiry sought to examine the nature and impact of partnerships in education in emergencies through a vertical case study (Vavrus & Bartlett, 2009) of the Syrian refugee education response at the global level and through multiple crises within Lebanon. The project team used multiple methods to document multi-scalar partnership processes over time, including changes to global conditions, arrangements, and practices and how these played out in the more localized contexts of Syrian refugee education in Lebanon.

The period of study was characterized by acute political and economic crises (2019-2021), the onset of the COVID-19 pandemic (2020-2021), and the devastating explosion in the Port of Beirut (2020). Among the dead were two students from the case study school, which also sustained damage to its buildings, despite its distance from the blast epicenter. The overwhelming pain resulting from these crises and acute deterioration of conditions during the research period weighed on the research team and participants and served to amplify unanticipated aspects of partnerships, such as the nature of solidarity in crisis contexts.

For this analysis, I focus on a subset of data comprising 58 interviews and 31 site visits and observations of partnership practices among locally-led organizations. I center ethnographic data from one private, non-profit, faith-

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<sup>4</sup> For more information about the research team, contributors, broader methodology, and findings, see <https://eiepartnerships.org>.

based school, which I refer to as Old Faith School (OFS), and its partnership work with two other faith-based organizations: a Lebanese faith-based NGO, which I call Iman Lebanon, and a faith-based INGO headquartered in the Global North, which I call International Faith Ministry (IFM).<sup>5</sup> Both Iman Lebanon and International Faith Ministry supported Old Faith School's educational activities.

The school was identified through a broader case study selection process that documented a subset of 16 partnerships. These were purposively identified from an original database of 440 organizations involved in Syrian refugee education in Lebanon, representing different types and relationships. Through interviews, site visits, and an analysis of documents relevant to their educational programs, the research team further identified a subset of three partnerships for in-depth case studies that highlight promising partnerships led by local organizations.

This paper offers data from one of these case studies—the partnership between Old Faith School, Iman Lebanon, and International Faith Ministry. Old Faith School followed the official Lebanese national curriculum and offered formal, integrated education for refugee students from Syria. With the support of Iman Lebanon, the school also provided a nonformal afterschool program that prepared Syrian refugees for integration into other schools, both public and private. International Faith Ministry provided tuition subsidies to support refugee integration directly into the school. The Principal of OFS identified the two organizations as their sole partners, established based on shared faith and personal relationships.

Using ethnographic methods, including interviews, site visits, participant observation, and document analysis over a three-year period, the case study sought to understand how Old Faith School's partnerships worked to support refugee learners through multiple compounding crises. Semi-structured interviews and informal conversations with teachers and administrators from OFS, Iman Lebanon, and IFM were conducted in both Arabic and

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<sup>5</sup> I use pseudonyms to protect the identities of the organizations and participants in the research, in line with Institutional Review Board guidance for research with human subjects.



English and took place in-person, over the phone, and virtually. Interviews were simultaneously audio recorded and documented through corresponding fieldnotes to capture contextual nuances. Audio recordings were transcribed and translated into English for coding and analysis. Participant observation of school activities included teaching and learning, recess, and messaging on school walls and bulletin boards. These observations took place in person in 2019 and virtually in 2020, following school closures due to the spread of COVID-19. During this time, OFS moved its teaching and learning activities to WhatsApp<sup>6</sup> and then supplemented this activity with an e-school learning platform. We joined the “live” virtual classrooms in May and June 2020 to document the routine, content, methods, and relationships used to sustain the right to education for Syrian refugees via WhatsApp. Our observations of Grade 7 and 8 mathematics, sciences, and English language classes, as documented through real time images, texts, voice notes, videos, and assignments, as well as virtual and phone interviews with teachers and administrators provide insights into the types of activities that teachers used to engage students in learning during the COVID-19 school closure.

Through an iterative coding process involving both deductive and inductive codes, the research team identified emergent themes across the corpus of data. We analyzed each data set from the larger study and from each of the three partnership case studies independently, and then iteratively across partnership cases, by applying inductive codes from each analysis to the others. Through this process, we identified convergences in the datasets, as well as unique ways of working. The findings provide rare insight into the many obstacles to refugee education across multiple compounding crises, the ways in which schools navigate these obstacles and at what costs, and the unrelenting commitment of the case study school to sustain teaching and learning for refugee students.

In this paper, I do a rereading of the data informed by an anticolonial discursive framework and decolonial entry points to human rights education.

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<sup>6</sup> WhatsApp is a free messaging and video calling smartphone application that was released in 2009 and immediately became widely used in Lebanon because of the free service and ease of use, even on slow connections, supplanting mobile calls and text messaging, which incurred costs.

I apply these conceptual resources to frame my discussion of findings. To protect participant identity, unique features and characteristics of the school and its partnering organizations have been abstracted, losing some of what might be discerned from the particularities of the case. Still, the findings provide a rich case of school-based refugee responses that serve to uphold the right to education in emergencies.

### **“It just happened, really”: Refugee Response at Our Faith School**

Our Faith School was a small faith-based private school in Beirut with a diverse population of learners in Grades K-9, including Syrian refugee students, integrated across its classrooms. It was a cheerful place amid a dreary urban jungle. The dingy concrete façade belied a child-friendly school with brightly painted walls. The sunlit hallways and classroom doors were lined with student work. From the ceiling hung decorations in celebration of the upcoming winter holidays. Backpacks hung on hooks and in cubbies, and posters reminded students of the values of kindness and care.

An inner courtyard that served as the school’s main sports and play area awaited students whose voices could be heard over closed doors, responding to teachers. On an upper level, Kindergarteners joyfully clamored up the stairs for playtime in another covered open-air playground. As they made their way, they counted the steps, following their teacher. The Dean pointed out two Syrian students who, like the other children, smiled and greeted the Dean along their way. On entering the faux-grass covered space, they scrambled to take turns on the small slides at the far end of the play area.

OFS enrolled students from diverse backgrounds:

If you look at our numbers, 45% are Syrian, 5% are other nationalities, 50% are Lebanese. 50% Muslim, 50% Christian. [...] You have Kurds, Armenians, Arabs, so it’s a healthy reflection of the neighborhood. [...] We are happy with that. I think if we ever lose that then we should ring the alarm or something. (OFS Dean, December 2019)

Students included Iraqis displaced during the U.S.-led invasion of Iraq. The school also enrolled the children of domestic workers. This level of integration of diverse religions, nationalities, and socio-economic groups was atypical for a Lebanese private school (OFS Dean, February 2019). The school also exhibited racial and ethnic diversity. As a neighborhood school in an impoverished area, the school had always enrolled “economically vulnerable” students, with most students paying partial tuition, and some paying none: “We don’t send kids home; we try to keep them” (OFS Dean, December 2019). The school was governed by Our Faith Church and registered with Lebanon’s Ministry of Education and Higher Education (MEHE). It taught the official Lebanese curriculum in Arabic and in English.

After 2012, the population of school-aged children from Syria increased dramatically in the neighborhood of OFS: “We live in an area of Beirut where hundreds of thousands of refugees were coming in. Many of the kids could not find a school” (OFS Dean, February 2019). The enrollment of refugees at OFS occurred organically.

It started with a few families from the church, who were Syrians, who came to church who were of the same faith, and they didn’t have a school for their kids, so the church spoke with the school saying: Can you accept them? We said yes. (OFS Dean, December 2019)

International Faith Ministry helped to fund the school by supporting the tuition fees of students: “They would pay part of the tuition, we would pay a part, and the parents would pay a part” (OFS Dean, February 2019). The sponsorship program had been in place prior to the Syria crisis. But after 2011, “there was an increase of support specifically for refugees coming from Syria” (IFM Global Program Coordinator, December 2020). IFM initially agreed to pay full tuition for 25 Syrian students attending the school. “That’s how it started” (OFS Dean, February 2019).

A year later, Iman Lebanon initiated a nonformal education program at OFS: “We felt obliged to get involved in helping the Syrian families who came to Lebanon. [...] We wanted to build a good relationship with them, to accompany them on their journey” (Iman Lebanon director, February 2019). The afterschool program assisted Syrian students with the transition to

formal schools, including OFS, and provided partial tuition funding to support refugee integration directly into Our Faith School, alongside other students. “The number started with seven to eight children, then it increased to 10, then to 20... and last year, it was 50” (OFS Principal, November 2020):

And then slowly, it was a flood. So, we didn’t sit down and say we are going to register Syrian kids, but also no one said we shouldn’t. There was never anyone saying we don’t want Syrians in this school. We were worried about the finances, because even before the crisis, we’ve never been a wealthy school. We’ve always struggled to survive year to year. [...] So, no one said “no,” but no one said “yes;” it just happened, really. (OFS Dean, December 2019)

In this way, Old Faith School initiated a refugee education response that expanded over time, despite limited resources, to support an influx of children. IFM and Iman Lebanon stepped in to support this locally driven effort to “accompany” refugee students and their families.

### **“The school system applies to everyone”: Integrating Refugee Students and Families**

On a Kindergarten classroom door, it read “Welcome to KG1,” and a snow scene with cotton balls glued to blue construction paper greeted the students alongside green pine trees decorated with red pom poms. Inside the classroom, children sat around a rectangular table, busy in a learning activity with their teacher, who sat at the table with them, interacting with each child. All of the children appeared to be engaged in the activity, animated, moving in their seats, laughing and talking with each other and with the teacher. A huge white bear sat with “Barney,” a character from a popular children’s television show, atop a bookshelf that held colorful classroom manipulatives, such as blocks, counters, shapes, and stacking rings.

Our Faith School’s partnerships appeared to have a positive impact on Syrian students’ academic and social integration into the school community. IFM’s partnership ensured that Syrian students would enroll and remain supported financially, removing a significant barrier to integration. The partnership with Iman Lebanon also supported the enrollment of students through

referral and tuition contributions, and it provided academic support and follow up through the afternoon program. Iman Lebanon also kept track of how their students were doing at OFS and communicated concerns with parents. With measures of support taken at the school—in communication with parents, school support staff, and Iman Lebanon—Syrian students remained in school: “I can’t think of anyone who has dropped out, except for students who have resettled to the U.S. or Australia” (OFS Dean, February 2019). The Dean approximated the rate of progression from grade to grade at 95%.

Teachers noted that students made remarkable strides because of school supports, including concerted efforts to understand the situation of each student by “meeting the families so that they learn more about their situation in general, not just their economic situation”: “Some of the students do not have parents. Maybe loss of something made a certain impact, moral or psychological” (Science teacher, November 2020). A social studies teacher remarked that “some [Syrian] students became the top of their classes” (December 2020).

Our Faith School’s partnerships appeared to have a positive impact on Syrian student integration into the school community as well:

The kids are very much integrated in the school. We’ve only had, in the past six years, maybe, I remember one fight which was related to [...] Syrian-Lebanese [tensions]. Only one fight between two teens, hitting each other in six years. So, they’re very much integrated in the school. (OFS Dean, December 2019)

The Dean described their approach to integrating refugee students and families as simply being inclusive of everyone: “We’ve never devised a system for the Syrian parents. The school system applies to everyone” (OFS Dean, February 2019). For example, the school met regularly with all parents and had a part-time psychologist who supported all students.

The school also had a parent committee – a group of parents who met to address concerns, provide input on school decisions, and support school activities. That year the parent body had elected both Lebanese and Syrian officers to lead it. The Dean observed that this was a positive sign of Syrian families being integrated into the school:

This year's parents' committee, which was elected two weeks ago, [...] three of them are Syrian, which I think is great. It's healthy, it shouldn't be all Lebanese because half the parents are Syrian. (OFS Dean, December 2019)

OFS teachers and staff described relationships within the school and with Iman Lebanon as being "like a family" (Interviews, OFS Dean, Principal, December 2019). One teacher described relationships in this way:

I know each one cares about the students. In my first year [at OFS], I noticed that even in the teacher room, there was this sense of closeness to each other, like a family. [...] Teachers play sports and games with students and run activities outside the school for them. And the way they give importance to each student, other schools, they don't have it. (OFS Science teacher, November 2020)

These relationships were observable in the ways in which school staff greeted one another, dropped in on the Dean to discuss issues, and spoke with students in the school yard. Students high-fived the Dean who addressed every student by name and asked how they were doing. It was also evident in the way the Dean managed a pair of rowdy boys who were misbehaving in one class. The Dean's office itself was central and had an open door, so that anyone—teachers, staff, students—could pop their head in, and they did.

**“We don't have a big strategy; we just try to encourage people to accept each other”: Confronting Discrimination**

The Dean's office had a large glass sliding door, making him visible and accessible to all members of the school community. Teachers, administrative staff, and a member of the custodial staff popped their heads in to say "hello," or dropped in to discuss a student or other concern. The atmosphere appeared collegial and non-hierarchical (or at least not overtly so), supporting what people told us in interviews about "family-like" relationships within the school community. In particular, the respectful relationships between the Dean and the custodial staff member, who cracked a joke while extending herself to offer a cup of coffee, signified an atmosphere of kindness and care and an attitude of nondiscrimination.

Our conversation in the glass office was interrupted by a teacher accompanying two teen-aged boys out of class: “I will not have them back until they learn their manners,” she said firmly. The Dean excused himself and stepped out. The boys had been misbehaving in class. The Dean spoke to them in the hallway in a manner that evoked kindness, asking for their perspective on what happened in class. They claimed that the lesson was “boring.” The Dean asked them to consider the effort that the teacher was making to teach them and that they might express their feedback politely to the teacher. He accompanied them back to their classroom where they apologized to the teacher. Before she could accept, the school bell rang for lunch!

Students streamed out of their classrooms and animatedly made their way down the stairs to the courtyard. As they passed the Dean on the stairs, they greeted and high-fived him. He spoke to each of them by name, asking how they were doing. They skipped down the stairs and sat or stood in groups in the courtyard, eating their sandwiches. The Dean remarked: “See how they are [in the courtyard]? There is no child standing alone or left out. You cannot tell who is Syrian or who is Lebanese. They are just together as children” (December 2019). In the courtyard, the student population appeared visibly diverse, with Black African, South Asian, and Southeast Asian students among its largely Arab student body. All students interacted with the Dean on the stairs and with other children in the courtyard, suggesting that students were well integrated into school life.

However, the integration of Syrian students and families was not without its difficulties. The Dean cautioned that their integration into school life should not be taken as a sign that the students were accepted or integrated into the wider community:

I wouldn't say they're integrated in society, the larger host community. We still get parents who come in and say you shouldn't serve the Syrians; you should serve the Lebanese only. Or they walk in and say [that] it's not fair; you're giving scholarships to Syrians and not to Lebanese [...] So, the host community is still very angry with us—the church and the school—for doing this. (OFS Dean, December 2019)

Most families received tuition support, but Syrian students received more through Our Faith School's partnerships with Iman Lebanon and IFM. This created tension with Lebanese families who felt they should receive more support: "They always tell us, 'We are also poor, and you should be helping us'" (OFS Dean, February 2019). Parents also cited political-sectarian reasons for excluding Syrians:

Because of [Lebanon's] history with Syria, some parents, especially the Christian ones, did not want to put their children in class with Syrian students [who are mostly Muslim]. We did lose some families. Some Lebanese families just removed their kids from our school. (OFS Dean, February 2019)

Muslim parents also complained about their children studying with Syrians and Syrian Kurds (OFS Dean, December 2019). The school did not bow to this pressure, despite its financial vulnerability. Although fee-paying families left the school because of its policy of integrating Syrian students, OFS continued to receive and support Syrian refugees.

Our Faith School actively sought to mitigate this discrimination against refugee students through its equity-oriented tuition practices and integration into all facets of school life, including addressing issues with students and parents within the school community:

How do we go about doing that, solving that challenge [of community discrimination against Syrian students]? On the level of the students, we try to do team building activities. We do chapels. [...] We phrase our rules in terms of being a loving community, being a respectful community to each other [...] regardless of what's happening outside. And kids tend to bond easily. They bond over a basketball game. And parents, we do sessions for them, we do [joint activities], such as on Mothers' Day, we get all the mothers together for a breakfast. (OFS Dean, December 2019)

Iman Lebanon also provided spaces for family engagement in their work with the school, and the school organized parent workshops and information sessions geared towards all parents to support their participation in their children's education: "I don't remember doing anything specific with Syrian



parents. [...] We talk about their kids, we talk about money issues, we talk about cultural issues” (OFS Dean, February 2019). In reflecting on wider political tensions affecting the community and the school’s approach to mitigating them, the OFS Dean concluded: “We don’t have a big strategy; we just try to encourage people to accept each other” (December 2019).

**“Because we want to help our students”:  
Navigating Lebanon’s Compounding Crises**

Lebanon’s compounding crises deeply impacted Our Faith School, its community, and partnerships. By December 2019, the school’s financial vulnerability had already been magnified by a deepening economic crisis: “People struggled with finances, and they were unable to pay their tuition fees. Some of them wanted to withdraw from school because they were not able to continue” (OFS Principal, November 2020). As a result, OFS “faced financial challenges also” (OFS Dean, June 2020).

Despite being tuition dependent, OFS did not ask students to leave because of unpaid fees. In August 2020, the explosion in the Port of Beirut damaged the school and directly impacted families who “lost their homes, their jobs, their shops that were in the downtown area or somewhere in Ashrafieh” (OFS Principal, November 2020). Many families were severely struggling. Still, the school called up parents at the beginning of the 2020-2021 school year to ask them to bring their children to school “even if they could not pay. We did not want any child to stay at home because of money reasons” (OFS Principal, November 2020).

OFS reached out to IFM for more financial support. Up until this point IFM had only given donations in the form of student scholarships or sponsorships: “This was the first time we asked for straight-up fund donations, saying we don’t want scholarships; we want you to give us money to survive” (OFS Dean, June 2020). IFM provided “additional resources to repair the school, to provide tablets, and back-to-school packs” (IFM Global Program Coordinator, December 2020).

Because we realised that in our commitment to the children, we had to provide consistency and stability for them, and if they are stuck at home for months and months, this is a really difficult time for them, and it's really important for the school to continue to provide the program. (IFM Global Program Coordinator, December 2020)

The crises brought the school community together:

After the [Beirut Port] explosion, we asked the parents who had suffered damages [to their homes or shops] if they needed any help. There were a lot of groups that started helping and cleaning [debris from the blast]. Some families were unable to repair glass or aluminum, so we contacted people who helped with that and carpentering. We helped around 25 of our families. (OFS Dean, December 2020)

OFS also hosted a five-day mobile clinic in collaboration with two faith-based charities: “There were doctors distributing free medicine and food. Then we started visiting all the houses that are near the school and met a lot of people that are in real need” (OFS Principal, November 2020). The OFS Principal noted that the devastating impact of Lebanon’s crises helped to expand their work and created a new sense of empathy among Lebanese families for their Syrian counterparts (November 2020).

The situation continued to deteriorate, but OFS persisted in serving students, both Syrian and Lebanese: “We have a lot of people who are in need now and the main difference is that there are more Lebanese students in need [than before]” (OFS Principal, November 2020). In Spring 2020, with the onset of the COVID-19 pandemic and the initial depreciation of the Lebanese Lira, OFS reduced teacher salaries to 75 percent. Referring to the economic crisis, the Dean said: “We do have some money in the bank, but as you know, banks are not giving us our money.” This issue was compounded by pandemic travel restrictions which impacted international fundraising efforts: “It became harder to get money in from supporting churches and NGOs outside” (OFS Dean, June 2020). OSF had begun to hear of schools permanently closing in the area, “schools that just couldn’t make it,” and they worried about

losing NGO support for Syrians “as things get harder and harder” (OSF Dean, June 2020).

Despite these challenges, OFS persisted in supporting refugee students through various means, identifying new sponsors for 30 students, and organizing fundraising events “because we want to help our families” (OSF Principal, November 2020). Iman Lebanon could no longer sustain their partnership. They made a final contribution to “help 40 Lebanese kids with a small amount, for those who were directly affected by the Beirut [Port] explosion” (OFS Principal, November 2020).

The political crisis and COVID-19 pandemic also resulted in multiple forced closures during the 2019-2020 academic year: “Teaching became harder, we closed for many consecutive days [due to protests], and with Corona, we closed for more days. Then we had to go online completely” (OFS Dean, June 2020).

Like other schools and nonformal education programs, OFS transitioned to online learning in a context where few students and teachers had the required technology, connectivity, or know-how.

Many of our students are refugees with no access to Wi-Fi, or they don’t have a smart pad or laptop; in some cases, a family has just one phone, so this makes online teaching more challenging. (OFS Dean, June 2020)

Students also faced access issues due to inadequate Wi-Fi connectivity (Science teacher, November 2020). “They use their parents’ mobiles and maybe Wi-Fi from neighbors” (Social studies teacher, December 2020). To support students who could not attend live classes, teachers started sending video explanations after class to help students keep up. But the ongoing pandemic created yet more challenges:

Teachers had to cope with the new reality, whether to explain things online, film themselves talking, send pictures and worksheets and search for things online. It was not part of the things that we used to do before. [...] We didn’t have time to train our teachers. [...] School

closed. We weren't ready; we didn't have a platform running. (OFS Dean, June 2020)

OFS delivered teaching via WhatsApp: "We started to send weekly work there for every subject from Tuesday to Friday, via videos, explanations, maybe some YouTube videos and recorded videos, worksheets for kids to work out" (OFS Dean, June 2020). A social studies teacher explained: "I send a video of the explanation. I convert my PowerPoint to a video, and I send it to the students" (Social studies teacher, December 2020).

Some teachers adapted well to online instruction, producing creative lessons that uplifted the class community. For example, in one Arabic grammar lesson, the teacher had students film themselves using imperative verbs in daily life. She then collated the videos and sent an edited film back to the students. "We have some successful stories this, with kids enjoying their time" (OFS Dean, June 2020).

WhatsApp observations demonstrate the ways in which teachers delivered instruction through structured lessons that encouraged active participation and provided positive reinforcement for student engagement. Lessons allowed for social interaction, substantiating what teachers told us in interviews: That, while something was lost in terms of pedagogy, this did not impact the caring relationships between teachers and students. A typical Grade 7 Science class proceeded like this:

The teacher greeted the students using a voice note: "Good morning Grade 7; we'll start Biology." Then he asked them to check in for attendance. Students checked in by typing their names into the chat upon the teacher's request.

The science teacher used voice notes and images to explain the lesson. He sent several short voice notes to elicit answers from the students and then to explain the concepts more fully. The students shared their thoughts and answers via text messages.

Next the teacher sent images of exercises for the class to solve, particularly for students who did not have their books. He first called students by name to answer questions, then he elicited more

answers from the class. He also mentioned the names of students who were not participating.

In one instance, he clarified his question when one of the students answered incorrectly. Then three students answered via text with, “I don’t know,” and one texted: “I forgot,” with a laughing face. One student answered correctly, and the teacher replied with, “Yes! Good!” The student who stated that he doesn’t know, replied with, “Ugh,” when his friend answered correctly and sent an emoji (happy face wearing sunglasses). A classmate replied to the emoji with an “expressionless” emoji. The teacher didn’t comment on the exchange of emojis; he sent a voice note explaining the answer further.

At the end of the session, he asked the students if they had any questions. Several students replied with, “No.” He referred students to a PowerPoint presentation and homework that he had posted earlier. Students signed out by typing their names at the teacher’s request. (Adapted from field notes, May 2020)

The excerpt from this science class provides insight into the WhatsApp classes we observed across several subjects in May and June 2020, revealing an interactive learning space in which teachers and students engaged in real time through structured lessons that kept students accountable by taking attendance, encouraging their participation, and providing positive reinforcement. The teachers also managed the class, allowing students to comment on each other at times, and curtailing this behavior at others. In this way, teachers provided an engaging environment in which students appeared to be at ease, as demonstrated in this playful text message to the science teacher on the last day of class: “Bye mr we gonna miss u. I don’t no how I’m going to spend my summer without sciences 😊😊😊😊👏👏❤️” (Student text message, June 2020).

Our observations also illustrated some of the technical issues that emerged in the live sessions. For example, in one session, the mathematics teacher sent several videos over WhatsApp. A number of students texted that they could not download them due to poor connectivity. The teacher replied via a text message, “OK,” to these students. He also sent an “OK” to a student

who apologized that the electricity got cut and he got disconnected. After four minutes, the teacher sent three more videos and one of the students commented: “Not opening;” “wait please.” Another shared (in English): “My phone is full,” “Not opening.”

Despite technical difficulties, a majority of students participated in every session, showing an ability to retain students even in challenging circumstances. Our WhatsApp observations supported what teachers and administrators told us in interviews about the positive nature of teacher-student relationships and the ways that teachers engaged all students, regardless of their background. The use of humor and lighthearted exchanges was observed through teacher texts and voice notes and student responses, as illustrated in strings of laughing emojis and texts representing laughter: “hahahahahahah.” In the face of extreme difficulties posed by multiple compounding crises, teachers at OFS persisted in their teaching and upheld their partnerships to support Syrian student learning in an integrated environment.

### **Ordinary Solidarity in Refugee Education Response**

Drawing on the conceptual resources of Sefa Dei and Azgharzadeh’s (2001) anticolonial discursive framework, I suggest the notion of “ordinary solidarity” to capture how Old Faith School sustained the right to education for refugees. Bajaj and Tow (2021) describe solidarity as a relationship that “challenges inequity, injustice and colonialism” as part of the daily practice of an engaged community grounded in a concrete sense of justice (p. 1). They note that solidarity requires a relinquishing of privileges on the part of members. Building on this notion, I suggest that OFS exhibited what might be called *ordinary* solidarity in working with refugee students and their families. They practiced this ordinary solidarity through their organic responsiveness, equitable relationships, and the principles of inclusion and anti-discrimination. Through an orientation of “That’s just what you do,” partners supported each other and worked towards refugee rights, guided by what they viewed as everyday principles of care and respect: “Just a loving community.”

Old Faith School had trusting and equitable relationships with its partners, and because of this trust, the partnerships, too, developed organically to support Syrian students, as an extension of existing work with vulnerable populations in an impoverished area of Beirut. It was never planned; “It just happened, really.” Through existing relationships, OFS partnered with IFM and Iman Lebanon to support Syrians in their school. Their efforts were responsive and characterized by equity, inclusion, and anti-discrimination.

Equitable relationships within OFS and with partners were described as “like family,” having a “sense of closeness,” “giving importance to each student,” and care. Equitable relationships among students; between staff, teachers, and parents; and across partnerships sustained the work in difficult circumstances and made strides in addressing discrimination faced by Syrian students and parents within the school.

Old Faith School’s partnerships also sustained a school with a diverse population of learners that integrated Syrian and Lebanese students, alongside students of various nationalities, religions, and ethnicities. OFS clearly prioritized the integration of Syrian students. Even when Lebanese fee-paying parents complained and even left the school due to the new population of refugee students, OFS continued to support refugees, thereby forsaking material resources on which the school depended.

The academic and social integration of refugees was guided by an orientation of inclusion into a school system that “applies to everyone.” This had a positive impact on Syrian student enrollment, retention, and grade progression. It also served to integrate families into the structures and decision-making of the school through equitable participation in the leadership of the parent committee and school-community activities.

OFS confronted discrimination in its practices, within its school and within wider society. Despite its financial precarity, it did not bow to members of the community demanding the exclusion of Syrians from the school: “We should not have limits such as working with only certain groups of people; it should be open to everybody” (OFS Dean, November 2020).

Through its organic responsiveness, upholding of equitable relationships, principles of inclusion, and anti-discrimination, Old Faith School

sustained the right to education for Syrian refugees through multiple crises and within a broader refugee-hostile environment. And it supported the school's mission "to be a loving community." OFS described the commitment of their local and international partners—and teachers and administrators described their commitment to the students—in terms of care and respect: "just taking care of people, seeing what they need;" "people here who care about them;" "accompanying them on their journey;" and "respect shared with beneficiaries." This orientation ran counter to inequitable relationships in EiE that have been critiqued for embodying saviorism and advancing Northern epistemic authority.

Care required flexibility. Instead of the fixed project start and end dates and top-down accountability mechanisms typical of rights-based interventions in EiE, care entailed ongoing responsiveness to evolving needs among local and international partners and within the local and refugee community. Care guided the work of OFS and partners and provided accountability for the work. There was no "big strategy;" "we just try to encourage people to accept each other;" and "provide a good education." In this way, OFS and their partners enacted ordinary solidarity, as part of the daily practice of an engaged community, challenging inequity and injustice through their refugee education response. And while power imbalances have characterized humanitarian relationships between Northern aid agencies and local partners, as well as between local partners and refugee recipients of aid, the ordinary solidarities of the case study partnerships stood in contrast to these dynamics, countering the saviorism, Northern epistemic authority, racism, and coloniality that have pervaded the sector.

## **Conclusion**

In this study, ordinary solidarity emerges as an anticolonial mandate for rights-based interventions, characterized by organic responsiveness, equitable relationships, and the principles of inclusion and anti-discrimination. The findings suggest that a central feature of this mandate is care and that care contributes to positive partnerships in EiE. Care derives from a degree of vulnerability through which partners come to know one another's



struggles, needs, and desires. Importantly, care sustains solidarity through crises; it fosters empathy; and it reduces the risk of discrimination among partners.

Commonplace approaches to education in emergencies often derive from a place of benevolence or charity that risks embodying saviorism and reinscribes deficit perspectives of local and refugee communities. Such motivations also tend to center the epistemic authority and needs of those providing aid, rather than refugees and local partners—people with struggles, but also knowledge, agency and capabilities. This research suggests that ordinary solidarities demand a shift in orientation from saviorism to care. Such a shift in turn counters racism and coloniality in humanitarian relations.

While there is a need for more overarching transformation in the humanitarian architecture, that includes dismantling ways of operating, this study suggests that there is much to be learned from ordinary solidarities. Organizations can begin to spur change through a shift in their own orientations and practices, with the potential to show what is possible from what exists, and in turn influencing wider change in the sector. Achieving structural change in aid mechanisms and rights-based interventions requires an explicit anticolonial mandate that reorients humanitarian relationships into ordinary global solidarities.

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# Zapatista Seed Pedagogics: Beyond Rights, Creating a Decolonizing Co-education

Charlotte María Sáenz\*

## Abstract

*This article inquires into a pedagogics that seeds a larger co-educational process outside of the Zapatista movement's autonomous territories. A Zapatista Seed Pedagogics (ZSP) is theorized as an educational, political, and ethical process that confronts oppressive power relations at all levels, growing a collective political and educational subject. While still asserting the need for Indigenous rights within a neocolonial context, a ZSP transcends a human rights education framework to insist on the inherent value of all beings and their birthright to a dignified life. Drawing on a qualitative transgeographic study conducted through interviews with pro-Zapatista interlocutors who are themselves involved in processes of social change in their localities, the author explores how this ZSP provokes a learning to learn and listen differently,*

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*contributing to a larger mutualistic political-ethical education that in turn grows Zapatismo itself.*

**Keywords:** Zapatista epistemology, liberation pedagogics, Zapatismo, pedagogies of social movements, decolonization

## Introduction

Over the last three decades, organized Indigenous Maya<sup>1</sup> peasants known as Zapatistas<sup>2</sup> have been building alternative systems of education, government, justice, production, and health—among others—throughout their autonomous territory (JBG, 2013 a, b, c, & d). Simultaneously, they have engaged in learning exchanges and movement-building with other regional and global communities resisting domination and seeking alternatives to capitalism. As encapsulated by their motif “EVERYTHING FOR EVERYONE,” the Zapatista Movement recognizes people’s inherent value and right to a dignified life. This guiding principle lays the ground for relational ethics that includes and transcends a human rights framework. While the need remains to assert Indigenous rights (Speed, 2008) within a neocolonial context, the global struggle for lives of dignity and resistance against capitalist exploitation transcends a state often unable or unwilling to fulfill the basic needs of its inhabitants. Facing a global capitalist-hydra<sup>3</sup> of extraction and control with many others, the Zapatistas seek to grow a planetary movement in defense of life itself. This was recently exemplified by their Journey for Life embarked upon in 2021, in which Zapatista delegates sailed in a reverse-colonization journey to Europe, the first stop in an announced multi-year voyage to the five continents with the intention of meeting with other peoples also insubordinate to colonial-capitalism.

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<sup>1</sup> Including Maya Tsotsil, Tseltal, Tojolabal, & Ch’ol language groups.

<sup>2</sup> The contemporary social movement that emerged from the armed insurgency of New Year’s Day 1994 in Chiapas, Mexico, takes their name from the followers of Emiliano Zapata, leader of the southern armies in the 1910 Mexican revolution—in that sense being technically neozapatistas.

<sup>3</sup> The “capitalist-hydra” is how the Zapatistas refer to the many-headed conglomerate of industrial complexes —such as militarization, mass-media, pharmaceutical and agribusiness— of a dominant capitalist world-system.

Together with the many encounters previously held in their autonomous territory over decades, such border-crossing movements are part of what composes the pluriverse of perspectives that make up the decolonizing education of Zapatista Seed Pedagogics (ZSP).

As an education that confronts the hegemonic and homogenizing logic of capitalist-colonial-cisheteropatriarchal domination, I propose that a ZSP transcends both singular social struggles and state borders by building a collective political subject that spans multiple geographies.<sup>4</sup> It does so by building a common political territory of anti-systemic and counter-hegemonic<sup>5</sup> knowledge that confronts racist and cisheteropatriarchal capitalist-colonial domination in all its apparatuses and manifestations,<sup>6</sup> while remaining rooted in a relational worldview and ethics that transcends institutional schooling and politics in a struggle for a dignified life. A closer examination of this ZSP offers a homegrown example of a movement education arising from Chiapas, Mexico, with insights for other communities worldwide and useful for decolonizing human rights frameworks. Various critiques of Human Rights Education (HRE) have noted the need to interrogate epistemological assumptions in HRE, as these have political consequences for those for whom state-conferred rights do not reach or apply. (e.g., Bajaj, 2015; Bajaj & Brantmieier, 2011; Hantzopoulos & Bajaj, 2021; Keet, 2015; Kester, 2019; Shirazi, 2011; Williams, 2013, 2016, 2017; Williams & Bermeo, 2020; Yang, 2015; Zakharia, 2017; Zembylas, 2017a, 2017b, 2018; Zembylas & Keet, 2019; Zembylas, 2020).

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<sup>4</sup> The Zapatistas strategically refer to “other geographies” to imagine and designate other viable anti-capitalist spatial configurations (Reyes, 2015). They rename places in their autonomous territory, for example, the *Caracol Torbellino de Nuestras Palabras* (which can be translated as the Whirling Snail of our Words) which was previously called the *Aguascalientes*, also known as *Caracol de Morelia*, located in the *Tzots Choj* (Bat-Jaguar) zone, which is in the official municipality of Altamirano (CIEPAC, 2003).

<sup>5</sup> Construction of what the Zapatistas call “another politics” from “below and to the left,” outside the framework of the nation-state. This call was made in their Sixth Declaration of the Lacandon Rainforest (EZLN, 2005).

<sup>6</sup> The previously mentioned term “capitalist hydra” highlights the multiple and emerging forms this many-headed monster can take.

Familiar with the limitations of a state whose historically neocolonial domination and exclusion have only been exacerbated by the intensification of a growing narcocapitalism (Veltmeyer & Petras, 2019; 2011) and individualizing government social programs that advance financialization interests (Coughlin, 2022), the Zapatistas go beyond the state human rights model to build their own autonomy on their recuperated lands. In addition to the revolutionary education the Zapatistas create within their autonomous communities,<sup>7</sup> I argue that they have also set in motion a larger decolonizing mutual education process with the external world(s) beyond. The term Zapatista Seed Pedagogics<sup>8</sup> (Sáenz, 2022; Sáenz et al., 2021) refers to this larger participatory, politicizing, and ultimately mutually educational process that develops in relational construction with those outside Zapatista autonomous territories. Many scholars have come to study the revolutionary education that takes place in Zapatista communities through their creation of autonomous systems, including schools and their promoters of education (Barbosa, 2014, 2015, 2016, 2019a, 2019b, 2019c; Baronnet, 2011, 2012, 2015; Baronnet & Stahler-Sholk, 2017; Baronnet, Mora Bayo, & Stahler-Sholk, 2011; Mora, 2017; Rockwell, 1995, 1998, 2006, 2009).<sup>9</sup> The Zapatista movement also produces a larger education that extends beyond its borders—via their *encuentros*,<sup>10</sup> discourse, and cultural production—and that collectively confronts hegemonic power while constructing collective knowledge and political action with other subjugated actors.

Like other various critical, Indigenous, and decolonizing pedagogies (i.e., Freire, 1970; hooks, 1994; Grande, 2004), a ZSP promotes participatory collective processes that question oppressive systems. The Zapatistas have

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<sup>7</sup> Zapatista autonomous territories in Chiapas extend across several municipalities and consist of their own created systems of governance, justice, health, education, agroecology, and other economic cooperative projects, in which all members of the communities participate. They are administered through eleven “caracoles,” each with their own Council of Good Government, schools, and health clinics. Caracol means snail, conch shell, or spiral.

<sup>8</sup> In translating from the Spanish “pedagógica” into the English “pedagogics,” Backer and Diego (2019) create an ambiguity as to its singular/plural use, one fittingly appropriate as it confers a flexibility to refer to a specific pedagogics, while also allowing for there to be others.

<sup>9</sup> “Promotores de educación” is how the Zapatistas refer to their teachers.

<sup>10</sup> In-person encounters, usually large-scale gatherings on Zapatista territory.

hosted a variety of political, arts, cinema, science, organizing, and sporting encounters in which participants share experiences and strategies, critical analyses, worldviews, and creative expression. Collectively, this helps develop the ethical, historical, and political framings which read society from de-centered positions. However, as Tuck and Yang (2019) emphasize in explaining the fundamentals of Indigenous pedagogies, it is not a pedagogy that seeks to empower a critical citizenry for greater participation and integration within the nation-state, but rather one that seeks to build self-determination via the construction of Zapatista autonomy *from* a colonizing state. Such autonomous praxis opens collective imagination to other forms of living and learning that operate outside of the nation-state framework, creating opportunities for more diverse and direct mechanisms of change.

A note on terminology: my use of Dussel's term "pedagogics" contrasts with the word "pedagogy," defined as the science or technique for transmitting knowledge. Pedagogics refers to a larger philosophical framework that confronts face-to-face relationships of power (Dussel et al., 2019) and geopolitical asymmetries; it considers ethics, politics, and economics in power analyses. Dussel's Pedagogics of Liberation mobilizes an ongoing process of *learning to listen*, essential to an intersubjective<sup>11</sup> relationship in learning and teaching. In the moment of encounter, the subject holding the more dominant position<sup>12</sup> has the option to open themselves up to other ways of being and knowing. Or, inversely, of insisting on their own sense of what is or what should be, foreclosing any new understanding. Dussel's liberatory pedagogics open possibilities for deeper listening that can lead to new and shared understandings, instead of remaining in the same place of knowing.

Thus, a ZSP is a way of understanding how Zapatismo builds a collective political-ethical subject (Sáenz et al., 2021) both inside and outside its autonomous territories, as well as across borders. This pedagogics is nourished by the potent figure of the seed, for its ongoing role in continuing life itself, essential to planetary vitality. With philosophical roots in the ancestral

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<sup>11</sup> Where both subjects regard each other as worthy of mutual respect and dignity, able to dialogue as equals in mutual listening with, and learning from, each other.

<sup>12</sup> In Dussel's example the dominant subject was the adult teacher vis-à-vis the child learner.

knowledge of its diverse Mayan peoples and lands, this pedagogics continues to develop and transform through its interlocution with other regional, continental, and global liberatory movements. It has been influenced by the Marxism brought by the National Liberation Forces,<sup>13</sup> Teología India<sup>14</sup>—a regional Liberation Theology (Tamayo, 2017), the Pedagogy of the Oppressed (Freire, 1970), and Indigenous human rights (Speed, 2007; Sumida-Huaman, 2017). This ZSP has developed over time, disseminating inspiration and impact well outside Zapatista territories.

This article presents findings from a 2020-2021 international study that analyzes 36 interviews with Zapatista sympathizers engaged in their own community struggles for justice in Mexico and around the world. My questions invited interviewees to reflect on what they had learned from Zapatista encounters, and on how these learnings impacted their present lives on a day-to-day basis. Their testimonies narrate how their interactions with radically different ways of knowing, being, and doing within a Zapatista political framework opened possibility: they came to different understandings and to see how inherited conceptions and systems of life are not immutable. Their narrations of personal unlearning illustrate how a ZSP introduces other ways of knowing, being, and doing that disrupt a hegemonic ontoepistemology, while co-constructing an evolving process of political education.

### **Onto-epistemic Roots**

Zapatismo is a political expression that emerges dialogically through time from local knowledges in dialogue with external influences. Like many other contemporary indigenous peoples in Mesoamerica and beyond, the diverse Tzotzil, Tseltal, Tojolabal, and Ch'ol communities<sup>15</sup> of the Zapatista movement remain rooted in the land and in collective life (Lenkersdorf,

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<sup>13</sup> The National Liberation Forces (FLN) is the Mexican political and armed group from Monterrey that gave rise to the EZLN, the political-military structure of the Zapatistas.

<sup>14</sup> The regional experience of spiritual syncretism (Perez-Espinosa, 2021) that emerged out of the Catholic diocese of bishop Samuel Ruiz.

<sup>15</sup> Although all Mayan peoples, there exist differences—at times frictions among them—and diversity in their ways of knowing, as social memories and philosophies change even amongst the same people.

2006). This is exemplified in the tending of a common *milpa*<sup>16</sup> which extends beyond agriculture to educating the community. As described by Tseltal scholar López Intzín:

[We] walk and [...] learn to live in a communal way. Learning to gather-collect [as] a knowledge and teaching-learning of life in the field. Whatever seed it is, it must be gathered, and it requires *kanantayel* (care) because much of the subsistence and continuity of family and community life depends on it. (López Intzín, 2013, p. 79, my translation)

Literally and metaphorically, he describes the value of each grain as vital to community subsistence. Each seed is a human intervention coming from a long co-evolutionary history and earthly memory. López Intzín emphasizes the vitality of each seed, referring to how each person is vital for the community in their contribution to “the common good,” an ethic evident in Zapatista praxis. Grounded in communal ancestral wisdom, the ethics in such pedagogics counters the capitalist and colonial hegemonic logic that promotes individualism. This relational thinking-feeling<sup>17</sup> manifests in the seven Zapatista principles.<sup>18</sup>

For example, the concept of *mandar obedeciendo*,<sup>19</sup> is not just about individual humans and their relationships; humans are understood as part of nature, part of a world and a cosmos that cannot be fully comprehended. “Leading by obeying” describes a relationship to nature, manifest in the many rituals of planting, caring, and harvesting that are done in accordance with

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<sup>16</sup> The Spanish word *milpa* is derived from the Nahuatl word *milli-pan*, which describes the Mesoamerican way of planting corn, squash, beans, and other endemic plants. It is an ancient technology geared towards basic subsistence that carries cultural identity and knowledge.

<sup>17</sup> “*Senti-pensar*” is a way to re-integrate a mind-body split that privileges “thinking” as abstract reason over the felt knowledges of the body and its emotions.

<sup>18</sup> The seven Zapatista Principles are: 1) serve and not serve oneself; 2) represent and not supplant; 3) build and not destroy; 4) obey and not command; 5) propose and not impose; 6) convince and not vanquish; and 7) descend and not ascend.

<sup>19</sup> “Leading by obeying” is one of the most important Zapatista principles that reflects their assembly-based decision-making process for the common good, as well as the authorities’ mandate to carry out the common good of the people.

the seasons, climate, and elements. This principle of “obey and not command” is perhaps the most difficult for a Modern episteme to absorb. It speaks of acquiescence to the common good in a sustainable life of a community intertwined with the natural world to which it belongs. It manifests both in the political field and in the environmental wisdom (Leff, 2006) that serves the EVERYTHING FOR EVERYBODY ethic.

In a ZSP, the right to a dignified life extends beyond humanity to all living creatures. It finds expression in the spiral image of snails,<sup>20</sup> a fundamental element of Mesoamerican cosmovision that the Zapatistas frequently recreate in embroidery, murals, books, and paintings. In various Mesoamerican codices and ceremonies, the snail is a symbol of speech. In Zapatista autonomous territory, administrative zones are organized into *caracoles*,<sup>21</sup> each bearing a distinct name; these welcome people from outside who feel called by the ethical-political approach of Zapatismo. Conch shells summon communities to assemble for collective decision-making. The leisurely pace of a snail is also a counterpoint to the intense speed and voracity of capitalism that has devastated the environment and caused massive species extinction. Its infinite spiral in both directions refers to the Zapatista metaphor of the inverted periscope<sup>22</sup> pointing “under the earth” to ancestral knowledge that was subjugated but not exterminated. Ancestral knowledge, as manifested in Zapatismo, entails self-reflection in the *caminando preguntamos*<sup>23</sup> praxis that guides the movement in its steps. This was also the methodology of my study that inquired into the reflective learning process of a ZSP.

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<sup>20</sup> Mendoza and García (2015, p. 657) explain how, for the Zapatistas, a snail represents “entering the heart (knowledge), in turn leaving the heart to walk in the world (life), so there is a movement back and forth...” (my translation).

<sup>21</sup> Historian Andrés Aubry writes about the historical and political symbolism of the Zapatista *Caracoles* in November 2003 in *La Jornada's* Ojarasca supplement 79.

<sup>22</sup> Metaphor of former Sub-commander Marcos, who wrote, “An inverted periscope (or memory, a buried key)” at [http://palabra.ezln.org.mx/comunicados/1998/1998\\_02\\_a.htm](http://palabra.ezln.org.mx/comunicados/1998/1998_02_a.htm).

<sup>23</sup> The self-reflexive methodological praxis of the Zapatista movement that expresses itself with variants such as *we question as we walk*, *questioning while walking*, among others.

## Research Methodology

My theory and research stem from my life interest in educational trajectories that seek common liberation by critically confronting power. My theorization of ZSP (Sáenz et al., 2021), develops out of my own experiences accompanying Zapatismo since 1994<sup>24</sup> first protesting the war, militarization of Chiapas, and the massacre of Acteal; then as a community media educator in Chicago<sup>25</sup> and Lebanon, and later as university faculty leading study-trips to the region. Over three decades of growing recognition and solidarity with the Zapatista movement, I have also come to regard myself as a part of its extension across borders of struggles, as I carried what I was learning to other places and communities who had never heard of this movement; I began to see how our different struggles connected to each other. As a queer mestiza Mexican woman of various lineages, I share in the experience of multiple migrations and continuation of historical struggles as subjugated peoples: of humiliated and exploited workers; of forbidden sexualities and gendered violence; of forced disappearances; of denied spiritualities and persecuted knowledge; and of resistance to the assimilation of mestizaje.<sup>26</sup> I have felt in my body and psyche the incongruence, pain, and rage that accompany violence at all levels—whether directed at me or others. Thus, the desire and intention in all my work, both intrapersonal, interpersonal, as well as socio-political, is to contribute to the liberatory fields of education by collectively reflecting on the ZSP of which I am a part.

By engaging in structured conversations with others who have similarly engaged with the Zapatista Movement, my intention with this research is to come to better understand the movement pedagogics we are involved with in Zapatismo. I have drawn inspiration from South American participant

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<sup>24</sup> In 1994, I was a government worker restructuring curricula for a new National Center of the Arts in Mexico City, while also volunteering with Alianza Cívica to monitor the national election.

<sup>25</sup> At Street-Level Youth Media, which participated in the Chiapas Media Project that later became Promedios de Comunicación Comunitaria.

<sup>26</sup> *Mestizaje*, meaning “mixing,” is a Latin American term referring to a nationalist project of racial mixture dating back to the 19<sup>th</sup> century which includes a (whitening) process of assimilation into dominant Eurocentric culture, largely through mechanisms of education and media.



observation (Fals-Borda, 1991), as well as from North American feminist women of color (Moraga & Anzaldúa, 1983), whose methodologies inform my process in research and writing from embodied and lived experience. Although always an incomplete process, I seek to decolonize my own epistemological process, opening myself to other ways of knowing that draw from the embedded socioecological networks (Rocheleau, 2016) of the various territories I inhabit and traverse.

For this research study, I developed a flexible qualitative methodology that was self-reflective, participatory, and, above all, relational. Learning from alternative research paradigms theorized and practiced by the original peoples of Abya Yala (Cusicanqui, 2010), New Zealand (Tuhiwai Smith, 1999), and North America (Wilson, 2008), I developed ways of asking, listening, documenting, thinking, analyzing, and writing that could guide narrations of life and learning in social movements. I sought to spark self-reflection and dialogue during and beyond the interview or research project.

The resulting 36 interviews were conducted with 38 interlocutors from diverse territories with origins in 14 countries and included respondents between 20-80 years of age. These were mostly urban, although many with ties to agroecology and/or rural sectors. 25 were women, 12 men, and one non-binary person, from diverse professions,<sup>27</sup> faiths,<sup>28</sup> race/ethnicities<sup>29</sup> and different ascriptions within the political Left--all sympathetic to the Zapatista movement and adherents to the Sexta.<sup>30</sup> The majority opted to choose a

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<sup>27</sup> These include lawyers, academics (sociologists, anthropologists, geographers, ecologists, economists, scientists, mathematicians), activists, agroecologists, beekeepers, artists, farmers, filmmakers, communicologists, land defenders, athletes, educators, students, teachers, mothers, fathers, journalists, painters, poets, human rights, NGO workers and healthcare practitioners.

<sup>28</sup> Although several told stories from their Catholic or Protestant backgrounds, often with Liberation Theology undertones, none identified themselves by their religion. There were also two people of Muslim cultural origin.

<sup>29</sup> Among those who mentioned more general categories of race or ethnicity in addition to their specific people(s) or places of origin and formation were Afrondigenous, Indigenous, Mestizx, White, Chicanx.

<sup>30</sup> These adherents to the Sexta Declaración de la Selva Lacandona, be they individuals or collectives, organizations, or movements, agree with the new way of doing politics proposed in the communiqué of the Sixth Declaration of the Lacandon Jungle (EZLN, 2005).

pseudonym for confidentiality in this process. I started with a list of contacts and then drew upon the recommendations of the interviewees themselves. These interviews were conducted during 2020-2021, under early pandemic conditions, via video calls between our respective locations,<sup>31</sup> audio and/or video recorded, transcribed, and sometimes translated. Quotes were categorized following axes presented in the interview questions: personal and collective territories or geographies; first knowledge and/or contact with the Zapatista movement; learning from the encounter with the Zapatistas; and impact on their daily lives. The transcripts were sent to the interlocutors for their approval and revision.

What all my interlocutors have in common is that they credit Zapatismo with having significantly impacted their political formation, trajectory, and/or daily life. Some only traveled to Zapatista territory for one or several *Encuentros*; others spent decades working with Zapatista communities. As evidenced by the social struggles in which they participate, my interlocutors came to this study already immersed in a learning process around politics and action. More than half actively work in national or international solidarity networks. My interviews invited reflection on what was learned from their encounter with the pedagogical logic and practice of Zapatismo. They were also asked to reflect on how their learnings manifest in their everyday life and practices upon returning to their communities.

My interlocutors began with a biographical narration across the various geographies and histories that compose the trajectory which led them to connect with Zapatismo. These journeys often described experiences of dissonance that led to the critical questioning of what Freire (1970) identifies as the beginning of the conscientization process. Prompted by the interview questions, my interlocutors narrated processes of (un)learning that, often, they had not had a chance to reflect on before. My interview questions and the space created by this overall inquiry provided an opportunity for deeper personal reflection on how they had learned what they now know.

The examples shared by the interlocutors of this study reveal how a political-ethical commonality can be built by engaging in an intentional and

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<sup>31</sup> The locations of the interviewees are not disclosed to preserve respondents' anonymity.

continuous process of (un)learning that transforms relationships. Their learning processes are complex and non-linear; many are similar, but not the same. Yet patterns emerge in their movements of deconstruction and reconstruction through time and space. One pattern that emerges from these interviews is how they begin to learn differently: unlearning previous assumptions and relearning through listening and collectivity—both exercises in developing a decolonizing process that deconstructs individualism and opens greater awareness. Together, their interviews reveal how a ZSP affects ways of conceiving and constructing knowledge in everyday practices.

### **Impact of the Encounter**

While the Zapatista insurgency of January 1, 1994, took most of the world by surprise, it was also welcomed by locals who had suffered at the hands of the oppressive elite. Aurora, at the time a young woman from a small town in Chiapas, narrates how Zapatista major Ana Maria issued a statement at midnight saying: "Huixtán is now liberated from its oppressor, from fear." These events impacted her both personally and collectively, becoming the "determining pedagogy of political formation that would come to define the route of my life," (Aurora, interview 05/05/2020). For Aurora and her mother, it meant a liberation from an oligarchy of unpunished military men, among whom were their sexual oppressors.

In the years that followed, there were those who came from elsewhere to Zapatista territory through organized support groups, perhaps to assist with the construction of autonomous infrastructure, or as part of educational brigades and solidarity caravans. There were also those who responded to the Zapatistas' open invitations to any one of the many large public gatherings and diverse pedagogical encounters that began with the First Intercontinental *Encuentro* for Humanity and Against Neoliberalism in 1996. A partial list includes: The Color of the Earth March (2001), The Other Campaign (2006), The Encounter of Zapatista Women with the Women of the World (2007), The Festival of Dignified Rage (2010), International Seminar Planet Earth: Anti-systemic Movements (2012), The Little School of Freedom According to the Zapatistas (2013, 2014), Homage to Maestro Galeano (2014), El

Pensamiento Crítico Frente a la Hidra Capitalista (2014-2015), the two Conciencias por la Humanidad, and the various CompArtes (2016, 2017, 2018), the meeting of the transnational working tables in the formation of the Red de Rebelión y Resistencia (2018-19), the two International Encounters of Women Who Struggle (2018 & 2019), La Travesía Por La Vida (2021), and the multiple meetings over the years of the National Indigenous Congress (CNI) and its subsequent formation of the Indigenous Council of Government (CIG). The multiple seminars and conferences held at the Indigenous Center for Indigenous Capacity-building (CIDECI) between 2004-2019 and the regular weekly seminars of its University of the Earth, Chiapas, should also be considered as part of this larger dialogic interaction of Zapatismo with the world.

Many coming to these encounters experienced a kind of cultural shock in confronting profound differences in language, culture, and socio-economic realities. Confronted with very different ways of doing everyday things, they tried to listen and understand a very different world. Such encounters with otherness, the cultural clashes between diverse modernities, between Indigenous and non-Indigenous worlds, plus the particularities of Zapatista time and culture, prompted self-reflection and questioning. The new context complicated subjugated identities, as with a woman of South American Indigenous roots who migrated to California 20 years before, who stated:

listening to their testimonies and hearing what is happening with Indigenous women in Latin America hit me hard, to realize that even as a grassroots activist, I am very privileged to live in the United States; it opened my eyes to how I am part of a whole system that is causing damage. (Hormiga Brava, interview 07/24/2020)

Her process involved a self-recognition of privilege and non-privilege, observing how inhabiting a racialized gendered body could operate differently in different global geopolitical contexts.

Among the notable impacts of the study's interlocutors' first encounter with the Zapatistas was an opening to other ways of knowing and doing politics. For those familiar with life in Mesoamerican Indigenous

communities, the novelty was in the new kind of political discourse emerging in the assemblies. They encountered an openness to sharing stories, knowledge, and resistance strategies. Their interviews reveal how their participation in Zapatista encounters helped to make evident, as well as build, a larger common struggle against capitalism, colonialism, and patriarchy, that encompasses regional, national, and international movements in defense of land, territory, and life.

At the beginning, our approach was from a more educational space, but later we got involved in the defense of our territory, meeting with other Indigenous peoples of other places. By effectively sharing a threat to our existence, we also share the many possible ways of resistance. (Maya, interview 04/05/2020)

Another theme that emerged in the interviews was the reframing of agroecological peasant work within a broader field of struggle. This grew the terrain of solidarity with other movements that work and defend the land in urban, rural, and global spaces. In this sense, ZSP can be thought of as a pedagogical device like the peasant-to-peasant learning methodology promoted by agroecology (Val et al., 2019), where knowledge is shared horizontally in building food sovereignty. "The new ideas and development of ways of doing things that we need are coming from the peoples of the countryside in this historical moment" (Pedro, interview 06/04/2020). As with ZSP, the collective knowledge production of peasants in other social movements demonstrates the transformative power of intersubjective learning and teaching relationships coming from the grassroots.

For those who work in the countryside, the exchanges of knowledge with the Zapatistas around agroecological issues resulted in very concrete shared learning around the defense of native seeds and resistance against transgenics. "Although we know that we cannot do it the same way, they are a reference that helps us maintain hope that changes are indeed possible, that other ways can be achieved" (Maya, interview 04/05/2020). Even when it comes to non-Zapatista communities who live in proximity, "you can see how they impact non-Zapatista villages, with very slow transformations that still motivate significant changes, even though they are not directly linked to

the movement" (Pajarito, interview 11/05/2020). The integrated ethics of Zapatismo that connect everyday life to the protection of land and territory finds resonance in subjects not yet explicitly connected to the movement, but who become a part of ZSP through a contact that inspires a related process of (un)learning and action.

### **Emerging Seeds of a Zapatista Pedagogics**

Analyzing the interviews, I identified several interrelated seeds of learning (see my diagram below) in ZSP. These include: learning to learn differently (unlearning and relearning); learning to listen; learning other ways of seeing and naming (opening to other worldviews); learning other conceptions of time; learning collectivity; learning to organize; and learning to self-manage (build autonomy). These learnings are all part of a ZSP and can be visualized as spirals off a larger spiral caracol symbolizing this pedagogics (see Figure 1 below).

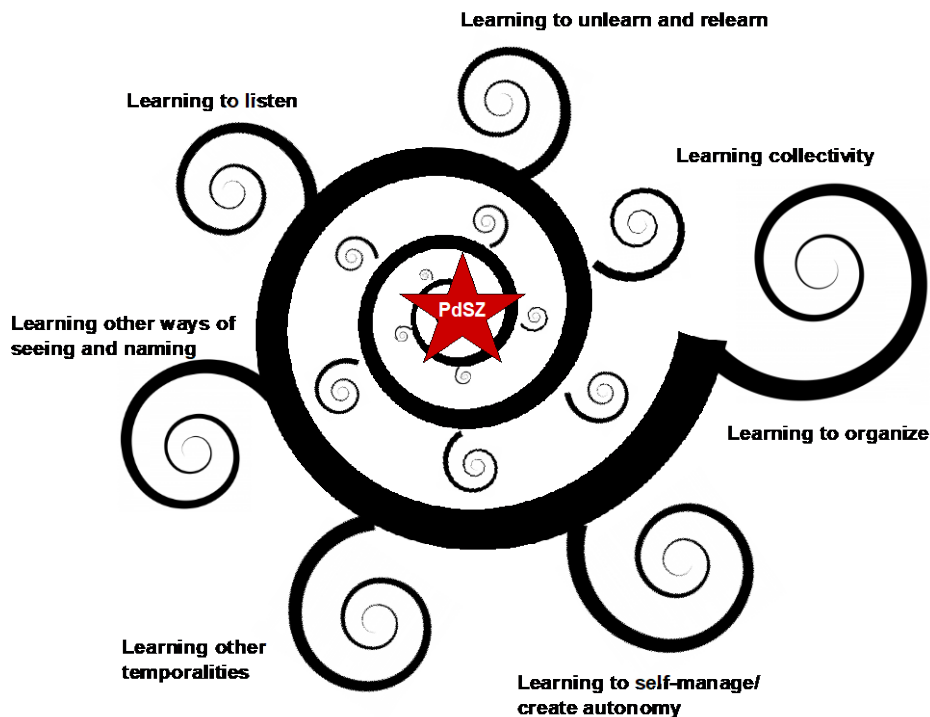


Figure 1. Seeds of Zapatista Pedagogics

### ***Unlearning Assumptions: Opening to Other Possibilities.***

For several of the respondents, conceiving a shared struggle meant expanding their preconceptions about how to make social change.

Having grown-up in the 70s and 80s, I had a romanticized idea of revolution that was radical for my home environment, yet my thinking remained simplistic. Zapatismo goes beyond the communism or anarchism I knew; it's more diverse and complex than either/or thinking and opened my eyes to many ways of making change. (Pajarito, interview 11/05/2020)

The organized and collective daily construction of Zapatista autonomy helped outsiders see that dominant social structures are not immutable and that both education and politics can be deprofessionalized, challenging the notion of the expert. Witnessing everyday people learning how to create for themselves better ways of living was a radical, transformative shift for many of my interlocutors that helped them further question deeply ingrained assumptions, including patriarchal habits, questioning gender roles, and witnessing gentler masculinities. The Zapatistas broke with the sexist vanguardism of previous revolutionary movements with their 1993 *Ley Revolucionaria de Mujeres* declaring women's equality and power to make decisions about their own lives. Notwithstanding, various interlocutors narrated how it felt contradictory to still encounter hierarchies in Zapatismo, particularly at the intersection of its military-political structure and its civilian process. This engendered other ways of thinking about the political, expanding the category to the domestic sphere, and politicizing the tasks of care and reproduction of life also performed in the home.

Unlearning patriarchal ways, both interpersonally as well as sociopolitically, was echoed amongst the respondents who observe in the Zapatistas an appreciation for the value of mistakes, understanding that making them does not have to be a cause for shame, but rather that mistakes are a teacher, holding opportunities for reflection, evaluation, (un)learning, and sharing. Collectivity plays a role here too, as where responsibility is shared and participation communalized, shaming decreases. Many of the interviews highlight anecdotes about moments in which the respondents were confronted

with a “dignified humility” (Árbol, interview 08/24/2020), an openness to not-knowing, a willingness to (un)learn, to listen, and then to newly learn, and do, together.

### ***Learning to Listen: Opening to Another Worldview and Temporality***

In a previous theoretical article (Sáenz et al., 2021), we described how linguistic philosophies can be vehicles of cosmoauditory travel (Lenkersdorf, 2008), in opening other conceptions of time and space conveyed through the Indigenous language<sup>32</sup> of a place. Learning to listen in everyday life includes building collective knowledge, invoking ancestral wisdom, and creating shared memory.

We need to listen to our ancestors, to elders who are still here, to understand who and what we are, and were, to know how to take up again this long road of listening, while also making, our history. (María Bonita, interview 12/04/2021)

Learning to listen then, opens portals to other temporalities and realities. Many of my interlocutors spoke about how powerful it was to witness people living their lives from an alternate worldview than the dominant colonial modernity.

I had read a lot about cosmovisions, but it was another thing to live it: to light a fire; to cleanse ourselves by burning *copal*; to pray every time we set out to do something important; to sow seeds on May 3<sup>rd</sup>...all actions that correspond to a cosmovision with very deep roots, still very much alive and that I could participate in without it being a folkloric representation, but rather a living process of cultural syncretism that embodies its history. (Genaro, interview 29/04/2020)

Here, Genaro alludes to the interrelationship evident in many rituals of planting, praying, caring, harvesting, and celebrating that are integrated

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<sup>32</sup> In the case of this article (Sáenz, Barbosa, and Cruz, 2021), the Indigenous languages discussed are the Maya Tojolabal studied by Lenkersdorf and the Maya Tseltal described by López Intzín.



with the weather, climate, and the elements in coexistence of mutual respect. Immersed in such a world, Genaro was experientially introduced to the Zapatista concept of *mandar obedeciendo*, of what it means to lead by obeying.<sup>33</sup> This kind of close listening leadership manifests both in community self-governance as well as in the interrelationship with one's environment (Leff, 2006). To lead by obeying is thus in service to the *lekil kuxlejal*<sup>34</sup> in common benefit with the Nature of which we are a part. This ethic of mutual care and support is the basis on which the political communality of Zapatismo manifests and continues to build.

An Indigenous peasant worldview committed to socio-environmental well-being provides a common ethical framework that weaves humans with the rest of nature. This ethics guides the socio-political life of the human community as well. Two of my interlocutors describe it as follows:

*Mandar obedeciendo*, or as we were invited to say, 'accompanying by obeying,' goes beyond accompaniment: it is about living organized. When the Zapatistas say ¡*organícense!* (Organize yourselves), they mean in the coexistence of dignified and respectful relationships with the whole environment. It is important to learn to talk less and to listen more—to relearn—and always, to be in relationship. (Laras and Sierra, interview 15/04/2020)

*Mandar obedeciendo*, then, also has to do with the actions of organizing collectively, with respect and dignity for all.

Several respondents relate how they came to conceive and experience other temporalities, both that of a long-term intergenerational historical resistance, as well as of the timefulness of processes that require more presence and care. "From the Zapatistas I learned to walk at the pace of the slowest, which I see as a pedagogical principle, one of humility, collectivity, and reciprocity" (Bernardo, interview 03/09/2020). Learning intercultural patience

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<sup>33</sup> One of the most important Zapatista principles that reflects their collective forms of decision-making (such as community assemblies) for the common good, as well as the responsibility of authorities in charge of carrying out the common good of the people.

<sup>34</sup> In Mayan Tzotzil and Tzeltal languages, it means a good living/existence with dignity in common with all beings on the planet.

was a constant and difficult learning, as cultural forms are structures deeply ingrained. Working in popular education, Emiliana sees an opportunity to practice patience with her family members and coworkers:

... before I wanted things to change right away. I started to judge others, without recognizing that I went through a transformative process just to become brave enough to be open, to question and become a critical thinker, to relearn. (Emiliana, interview 12/04/2020)

Patience is tied to listening:

the humility with which one must exercise a politics of listening is very different from a dialogue. It is both active and reflexive, building a connection that requires deconstructing privileges while also recognizing non-privileges. One listens from the heart, not from the head. (Blue, interview 20/04/2020)

Such patient listening means unlearning ideas of power, supremacy, and vanguard—practicing an "anti-elitist politics, a work from the rear" (Bernardo, interview 03/09/2020), where finding the rhythm of the collective starts from the *pace of the slowest*. This resistance to speed simultaneously advances an anti-ableist and anti-capitalist temporality, as it resists the merciless productivity demanded by the incessant growth and extraction of our contemporary sped-up world. Learning to be another way by daily recreating a worldview that unfolds at another pace, helps develop a more generous temporality that accompanies a long view of history with the time and ability to listen and accompany the realities of others.

### ***Learning Collectivity***

Conducting these interviews within the early years of the COVID-19 pandemic positioned relationships and caregiving on the political terrain. Several of my interlocutors spoke of how a comprehensive health system cannot be achieved without the simultaneous congruence of all other systems, and how community collectivity is essential for this shift. For Inés, who spent over a decade working closely with the movement in developing its education

system, this collaboration changed the course of her life, as well as her very conception of community:

Zapatismo led me to question our modern ways of life in the city. My close relationships with people in Zapatista rural communities, helped me more deeply understand the value of things that were previously invisible to me, but that now I see the great importance of. This experience showed me that humanity must rethink its ways of life, especially with our present/future epidemics. City comforts come at a very high price in a pandemic or other worst-case scenario health emergency. We need to return to a community-building that approaches problems from the perspective of the small, from the everyday realities of domestic life, to rebuild our autonomy. (Inés, interview 29/04/2020)

Here, we hear an emphasis on what can be achieved when everyday decisions are made by a community empowered to solve its own problems. In her experience, it was the collective community action in following the Zapatista principles that motivates an individual to grow themselves into a better human being, both ethically and in terms of their ways of knowing.

Realizing that there are other ways to learn outside of school systems was radical for many of those who attended La Escuelita,<sup>35</sup> whose pedagogy revolved around the daily life of the communities in autonomous Zapatista territory. Various respondents recognized the enormous pedagogical value of this accompaniment in learning experientially how collective autonomy is built. Everyday work doing activities of making and grinding nixtamal for tortillas, slaughtering the chicken for lunch, father holding the baby, harvesting, and shelling coffee berries, gathering to pray, sing, play basketball or sing...all *together*, reveals how “structural transformations are generated and gestated” (Blue, interview 20/04/2020). Participating in collective work and

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<sup>35</sup> The Little School of Liberty, according to the Zapatistas, was an open invitation to the world to come and get to know Zapatismo up close, living with families in the communities for five days. Several sessions were held in 2013 and 2014 where approximately 7,000 people from all over the world came to Zapatista territory. There they were hosted, fed, and educated for free by the autonomous communities through the daily coexistence of eating, working, resting, studying, playing, singing, and dancing together.

integrated learning became a preferred way to learn for many of my interlocutors: "It no longer makes sense to me to only think individually; a liberating mindset of working collectively has permeated my consciousness—understanding that there are different ways of working collectively" (Genaro, interview 04/29/2020). Exercising collectivity in small ways opened options to more participatory and interrelated forms of cooperation that lightened the load for any one person. For many interlocutors, this process subsequently encouraged them to attempt greater collectivity in their everyday lives and work, including moving towards shared knowledge production and building autonomy.

### ***Learning to Organize and Self-Manage***

"We—as small anti-systemic projects, anarchists, alter globalists in all our manifestations—learn from broader forms of decolonial resistance such as Zapatismo, as these give us inspiration" (Pajarito, interview 11/05/2020). "The first thing that catches my attention about the development of Zapatista Autonomy is how complete it is, how it encompasses so many dimensions of everyday life" (Pedro, interview 06/04/2020). The comprehensiveness and breadth of the Zapatista autonomic project are admired by my interlocutors in whom the conviction has grown that an important way forward is to promote creative self-management *from below*. They've come to see how alternate participatory systems of government, justice, education, health, defense, agriculture, etc. at the community level, are not only possible but essential for the survival of humanity. Learning about Zapatista organization has opened their imagination to the possibility of organizing in their own contexts:

When I went to La Escuelita I learned more about the geography of the towns, that they were not homogenous territories, that they are towns where not everyone is a Zapatista. When I saw that, I realized it's possible anywhere, even in our cities. It was for me a new reconfiguration of geography [...] I realized that we could start organizing wherever we are; we can do it now. (Emiliana, interview 04/12/2020)

Others saw it differently:

I learned that in our modern city contexts, we are in fact *not* organized--despite our collectives, unions, community groups, cultural groups, and associations--it's not like the organization of the Zapatistas because we are not organized to defend *all* our collective interests, just those of a particular kind or group. (Bernardo, interview 03/09/2020)

For those among my respondents who are members of the National Indigenous Congress (CNI) and its related Indigenous Council of Governance (CIG), it is not new to organize through networks of Indigenous struggles and resistance. What is new for them is the Zapatista framework of building autonomy and how they organize intergenerationally:

something I have really liked in the CNI assemblies is how they add people regionally, to represent their lived realities and achievements of years of struggle more directly. Witnessing this larger collectivity totally changes our understanding. Children and youth who have grown up in these movements and structures are now participating in this organization. (Maya, interview 04/05/2020)

An important organizational axis for the learning of many of my interlocutors has been around women's and gender struggles. As Maya relates:

The first *Encuentro de Mujeres Que Luchan*<sup>36</sup> was an opportunity to bring together young women with whom we were already working in other areas, but who had not touched on issues of feminism or gender. Attending these learning spaces and then returning and being able to reflect on how one confronts these issues every day, is one of the most valuable lessons I learned and witnessed in others. Everything was a learning experience, starting with the very organization of the event itself. (Maya, interview 04/05/2020)

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<sup>36</sup> Zapatista Women convened several large-scale gatherings for "Women who Struggle," beginning in 2007 and then again in 2018, 2019. The category of "woman" was notably expanded in the more recent gatherings to include anyone who self-identified as one. Men were not allowed to participate until the very end; yet an adjacent area was designated where they could provide support with cooking and childcare, later joining to partake of the closing celebrations.

For men also, learning about women and gender as subjugated categories led them to examine ways in which oppressive masculinities have been historically built, and are still reinforced in daily ways:

There are many examples; it was a huge learning to see how we must constantly struggle against our own reproduction of these patterns as they manifest again and again. Listening to the women made us keenly aware of the vigilance we must keep aware of as a collective, as an organization, to keep from reproducing these harmful patterns. (Pajarito, interview 11/05/2020)

In sharing these learnings with emotion, my interlocutors also communicated their affective impact as these touched on both joyful as well as painful histories and experiences--whether personal or witnessed in others. Their encounter with the Zapatistas in their autonomous territories consisted of experiential learning that explicitly highlighted both the affective as well as ethical dimensions of politics. This was an education realized through the quotidian collective activities that build an autonomous community life integrated with the more-than-human world and larger environment. Many of my interlocutors spoke of how their encounter and continued contact with Zapatismo helped them sustain an ongoing process of resistance and (un)learning upon return to their places and daily life. From their lived experience and sustained contact with Zapatismo, they now carry an (often more joyful) political-ethical framework based on collective knowledge that builds a common territory of struggle.

### **Concluding Thoughts**

The seeds of (un)learnings emerging from this preliminary study carry both political as well as affective ethics (Zembylas & Keet, 2019) committed to building “a world where many worlds fit” (translation of the Zapatista saying: “un mundo donde quepan muchos mundos”). Such pluriverse of epistemic diversity together with the *longue durée* of its historical approach (Broek, 2013) have been suggested as strategies for decolonizing HRE and other liberatory education frameworks (Hantzopoulos & Bajaj, 2021; Zembylas, 2020; Zembylas & Keet, 2019; Maldonado-Torres, 2008). A ZSP is an

example of how knowledge is built outside a dominant episteme. It models how intersubjective dialogue and collaboration between differences can create a process that (un)learns dominant assumptions through its intersubjective methodology. It proposes a deeper listening within a collectivity of autonomous construction that posits a 'being human as praxis' (Wynter, 2003; Wynter & McKittrick, 2015). This includes practicing how to *lead by obeying* a larger (human and beyond-human) common good, articulated in collective wisdom that respects each person's (again, human and beyond-human) intrinsic value embedded in the existence of the whole.

Emerging from intertwined liberatory historical trajectories in Latin America resisting colonialism posits a ZSP outside a Eurocentric episteme. Yet, it does not exclude dialogue and collaboration with liberatory movements resisting domination within the geographies of an insubordinate Europe.<sup>37</sup> Rooted in its land and history, it is a pedagogics of radical inclusivity in practicing a broader border thinking (Zembylas, 2020) that remains open to a mutual education, particularly from decentered epistemological frameworks that resist, alongside those dominant ones that persist, in our complex modernities. The Zapatistas have invited the world to their autonomous territories for embodied *encuentros* rooted in their land and history, while also traveling beyond their territory to "confront our analysis and conclusions with others who also struggle and think critically" (EZLN, 2021). As they announced before setting sail to five continents:

We are going to thank the other for their existence. To thank them for the teachings that their rebellion and resistance have given us. To deliver the promised flower. To embrace the other and tell them in their ears that they are not alone. To whisper to her that it is worth the resistance, the struggle, the pain for those who are no longer here, the rage at impunity...all worth the dream of a world that is not

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<sup>37</sup> Europe is renamed Slumil K'ajxemk'op (Tierra Insumisa or Rebellious Land) by Marijose, a Tojolabal-Maya transgender Zapatista delegate, member of the maritime Escuadrón 421, upon landing in Vigo, Spain, June 23, 2021, during their reverse-colonization journey 500 years after the fall of Tenochtitlan to Spanish conquistador Hernán Cortéz.

perfect, but better: a world without fear. The Journey for Life: where are we going? (EZLN, 2021)

Towards this horizon, the Zapatista movement creates different strategic mechanisms to achieve solidarity and mutual learning with peoples outside their autonomous communities, to jointly build a broader mutual liberation in defense of terrestrial life itself. It offers its own construction of autonomy as an example, sharing its history of struggle while seeding its methodological and philosophical proposals (Sáenz et al., 2021).

The creative potential of a ZSP sows epistemic openness, political imagination, and willingness to organize collectively towards horizons of mutual liberation. This pedagogics are continuously nourished through encounters and exchanges with other peoples and social movements resisting domination. My interlocutors in this study shared how they practice what they've (un)learned and how they continue to be inspired by this movement. In returning to their communities yet remaining connected to the Zapatista movement in various ways, my interlocutors grow their learnings and work, applying their new knowledge to the advancement of autonomous expressions in their own communities, primarily through learning to learn and listen differently.

As a ZSP disseminates through the diverse geographies of the planet, it builds a common political territory while furthering collective knowledge by building on other seed pedagogies grown out of each region's particular histories and lands. As a movement, a ZSP is unique for its global reach, for how it remains grounded in its ancestral history and homegrown language while articulating a political ethics that resonates widely. Thus, a ZSP seeds political accomplices both in the construction of collective knowledge as well as in the common defense of life itself (EZLN, 2021). While the Zapatista uprising began as a struggle for basic human rights to be conferred by the state to its diverse Indigenous peoples (Speed, 2008), a demand exemplified in *Nunca más un México sin nosotros*,<sup>38</sup> the movement has since evolved to the

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<sup>38</sup> After 1994, the Zapatistas stated, "Never again a Mexico without us" (referring to Indigenous peoples).



construction of what could be articulated as *un nosotros más allá del estado*,<sup>39</sup> presenting itself as a common struggle for Life that transcends nation/state borders.

A ZSP is the kind of radical and transformative praxis needed (Bajaj, et al., 2016) to constantly question supremacy and dominance, containing both critical and pluriversal perspectives (Williams & Bermeo, 2020). It is a process that evolves through a methodology of learning *to listen* that grows empathy with the other, another way of doing education that opens a multiplicity of coexisting possibilities. Conferring personhood beyond the human as part of deeply relational ethics, this ZSP models the dignity and respect due all beings for their role in an integrated life. The radical educational philosophy and methodology of a ZSP place a greater responsibility on each of us to become more fully human as well as to extend that respect beyond the human category. This pedagogics is slowly unfurling a collective way of being and knowing with revolutionary potential. As both a political and pedagogical movement, Zapatismo forefronts ethics of relationship and care that acknowledges the dignity and intrinsic worth of all persons, human and beyond.

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<sup>39</sup> Building a political common territory of a “we/us” beyond or without the State.

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# The NGO Coalition Against Impunity: A Forgotten Chapter in the Struggle Against Impunity

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## Abstract

*As Latin American countries moved from military dictatorship to civilian government in the 1980s, a burning issue was how to deal with the massive repression and grave human rights violations of the recent past. Should there be an effort to hold perpetrators accountable, or simply “turn the page?” This article documents and analyzes the history of the NGO Coalition Against Impunity and its role in advocating for the United Nations (U.N.) to recognize impunity—or, the negation of accountability—as a serious human rights issue. The combined efforts of dedicated human rights leaders and organizations in Latin America, other NGOs such as Amnesty International and Human Rights Watch, and the Coalition spurred the U.N. and other bodies such as the Inter-American Commission on Human Rights to take up the issue of impunity in their documents and missions. The work of the Coalition is presented as an example of the incremental democratization of the United Nations system.*

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**Keywords:** Impunity, state terror, disappearances, NGO Coalition Against Impunity, Cold War, Latin American dictatorships, human rights movements, transitional justice

This article focuses on the work of the Coalition of NGOs (Non-Governmental Organizations) Concerned with Impunity for Violators of Human Rights, later shortened to the NGO Coalition Against Impunity, its efforts to oppose institutionalized impunity, and its defense of accountability before the law for massive human rights crimes. Like many other organizations, mainly in Latin America, the Coalition was distressed by the wave of exculpatory laws, court rulings, and decrees absolving Latin American military-security forces that had carried out massive, aberrant, and atrocious human rights crimes. Impunity is defined here as freedom from accountability or punishment for serious state crimes or abuses of power. Exemption from prosecution—impunity—was a central demand and a primary condition placed by armed forces upon incoming civilian governments during the region's transitions from authoritarian rule. The term, which originated in Latin America, was relatively unknown elsewhere in the 1980s. The struggle against impunity, and the work of the Coalition, deserve an important place within human rights education in Latin American countries and in the United States.

The Coalition Against Impunity, based in New York, functioned between 1987 and 1991. It had working relations with dozens of Latin American human rights organizations and hundreds of human rights leaders, as well as relatives of the victims. It did pioneering work to bring the issue of impunity to the United Nations (U.N.) and other international bodies. Delegates of the Coalition attended sessions of the U.N. and its specialized agencies in New York and Geneva, submitted draft resolutions, position papers, and declarations to the U.N. explaining the scale and gravity of impunity in Latin America and urged specific U.N. actions. The Coalition met with other NGOs in Geneva and elsewhere, as well as with delegates of states. It attended meetings and tribunals in Latin America. It worked to bring together multiple

organizations and individuals demanding justice and the rule of law in the region.<sup>1</sup>

The Coalition's work can be understood within the context of the democratization of the United Nations system. The U.N., formed on the basis of state sovereignty at its inception, gradually provided new openings for organizations and NGOs representing ordinary citizens. Beginning in the 1980s, the number of NGOs accredited to the U.N. with consultative status surged. Many NGOs introduced crucial issues to the U.N.—issues ignored by states or considered to be inimical to state interests. NGOs are seen today as crucial links with civil society.

In a December 1987 communication, the then recently organized Coalition wrote,

We are a group of individuals and representatives from non-governmental organizations greatly concerned with an alarming trend occurring throughout Latin America and other parts of the world: recently established civilian governments granting amnesty to members of the military involved in gross violations of human rights... To establish the principle that military forces are above international law sets a dangerous precedent... Our Coalition was formed to begin to organize an international response. (Coalition Against Impunity, 1987)

The Coalition devised new ways to influence the U.N. system and to serve as a channel for Latin Americans opposing impunity.

The aim of this article is to record the essentially forgotten history of the Coalition and analyze its role in advocating for the U.N. to recognize impunity as a serious human rights issue. The combined efforts of dedicated human rights leaders in Latin America, other NGOs, such as Amnesty International and Human Rights Watch, and the Coalition persuaded the U.N. and other bodies such as the Inter-American Commission on Human Rights to take up the issue of impunity in their documents and missions. The

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<sup>1</sup> This author, representing World University Service-U.S., was a founder and Steering Committee member of the Coalition, and thus writes as both a participant/observer and analyst of its work. She retained a file on the Coalition, although it is incomplete.

Coalition perceived impunity as much broader than a narrow legal question. As will be elaborated in this article, impunity has social, political, and moral dimensions that shape and limit the development of democratic processes.

In the 1980s, as many Latin American countries began transitions from military dictatorships to civilian governments, impunity became a burning issue. What should be done with the perpetrators of massive crimes against humanity, committed in the name of national security? Courageous Latin American organizations demanded justice and rejected the argument that impunity was required for “reconciliation.” But all too often their voices were ignored. The military dictatorships in Latin America, often supported by Washington, had carried out gross, systematic, lawless violations of human rights—using illegal methods such as mass disappearances,<sup>2</sup> torture, extrajudicial execution, rape, abduction of children—with the conviction that they were above the law. Before and during the transitions to civilian rule, the dictatorships implanted what I have termed “guardian structures” and mechanisms of impunity to ensure that they would never face justice (for early analyses see McSherry, 1995, 1997, 1998). Facing consolidating regimes of impunity, tenacious individuals and social groups in the region began to organize to overcome them in the 1970s and beyond. Justice seekers and impunity challengers (Lessa, 2022) refused to ‘forgive and forget’ atrocious crimes against humanity.<sup>3</sup>

This article proceeds as follows: 1) The origins of the U.N. and the concept of its democratization are presented; 2) the national security dictatorships in Latin America are examined, as well as the model of

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<sup>2</sup> The International Convention for the Protection of All Persons from Enforced Disappearance, adopted in 2010, states in Article 2: “enforced disappearance’ is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.” <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>

<sup>3</sup> Crimes against humanity are systematic, extralegal attacks by the state against civilian populations and include genocide, torture, enforced disappearance, and other crimes. See U.N. “Crimes Against Humanity,” at <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml>.

“democratization with impunity” (Andreu, 1995); 3) the significance of impunity is analyzed and early academic perspectives reviewed; and 4) the work of the Coalition in the international arena is documented.

### **The United Nations and the International System**

The U.N. was formed in 1945 after a process that began in Dumbarton Oaks earlier that year. The world was emerging from World War II and the horrors of the Nazis. Peoples worldwide sought peace and respect for human rights. Representatives of 50 countries came together at the United Nations Conference on International Organization in San Francisco, California, from April 25 to June 26, 1945. A charter was drafted for a new international organization, the United Nations. The global organization was created to safeguard international peace and security and to prevent another world war.

In 1946, the U.N. created a body comprised of member states, known as the Commission on Human Rights (CHR), to promote international human rights. In 1948, the Universal Declaration of Human Rights was adopted by the U.N. General Assembly in Paris on December 10, during its 183rd plenary session. The Preamble declared that disregard and contempt for human rights had resulted in barbarous acts which had outraged the conscience of mankind. Representatives with different legal and cultural backgrounds from the East, West, and developing world had drafted the document. For the first time, fundamental human rights—civil, political, economic, social, and cultural—were proclaimed to be universally protected.

The U.N. was founded on noble principles: to protect and promote international peace and security, to resolve international conflicts by peaceful means, and to secure the human rights of all people (United Nations, 1945; United Nations, 2004; Jolly et al., 2009). But there was a tension at the heart of the organization. While its goals were universal and global, the organization was based upon the autonomy and sovereign equality of states. That is, the U.N. was never visualized as a world government. States were sovereign, the major actors in the international system, and guided by their own perceptions of national interest. Thus, at times, state interests (as defined by particular governments) came into conflict with the objectives of the U.N.

States could block U.N. initiatives, such as visits by human rights bodies to ascertain the situation of human rights in their countries. Any permanent member of the Security Council (made up of the victors in World War II: the U.S., Soviet Union, Britain, France, and China) could veto initiatives in that body. In contrast, the General Assembly (made up of all states) operated on the principle of one state, one vote.

NGOs assumed an increasingly important role as crucial actors within the U.N. The Encyclopedia Britannica defines the role of NGOs as follows:

NGOs perform a variety of functions. They provide information and technical expertise to governments and international organizations (such as specialized agencies of the U.N.) on various international issues, often supplying local information unavailable to governments. NGOs may advocate on behalf of specific policies, such as debt relief or the banning of landmines (e.g., the International Campaign to Ban Landmines), and they may provide humanitarian relief and development assistance (e.g., the Red Cross, Oxfam, and CARE). NGOs may also monitor human rights or the implementation of environmental regulations (e.g., the International Union for the Conservation of Nature, Amnesty International, Human Rights Watch, and Transparency International). (Karns, 2022)

From its inception, the U.N. had provided some access to NGOs. Article 71 of the Charter stated,

The Economic and Social Council [ECOSOC] may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned. (United Nations, 1945)

Some 1200 voluntary organizations were present at the U.N. founding conference, and they were instrumental in the inclusion of Article 71 (Alger, 2002; Ross, 2017). NGOs were recognized for representing the interests of people and societies, apart from the state. They were seen as a channel for

the voices of people excluded from the state-centric system, concerned with issues such as social development, human rights, and the environment. In 1948, there were 41 NGOs accredited to the U.N. In the 1980s, accelerating activism, globalization, and advances in technology led to an increase of NGOs seeking a voice at the U.N. By 1991, there were 928 NGOs (Stephenson, 2005). As of April 2021, 5,593 NGOs held active consultative status with the Economic and Social Council (United Nations, 2022).

This growth of NGOs and their participation at the international level can be seen as the gradual democratization of the U.N. system, at least, and of the international system as a whole, at best. Some scholars have referred to this phenomenon as the emergence of an international civil society (Otto, 1996). Since the 1990s, the number of NGOs from the developing world in particular has exponentially increased. Their growing inclusion in the U.N. has meant that the priorities and opinions of long-excluded voices are heard and sometimes acted upon. NGOs are generally rooted in communities and are closely linked to national problems, sometimes more so than states themselves. NGOs often push for programs of social transformation and public welfare. The American Anti-Slavery Society,<sup>4</sup> formed in 1839, may have been the first international NGO. NGOs may provide specialized expertise in the public interest and/or services on the ground. NGOs have influenced key debates and policies in the areas of human rights, the environment, women, development, and disarmament, among other themes. One can argue that the very structure of the state-centric model of the international system has opened to some extent, incorporating non-state and non-elite voices via NGOs.

This is not to say that all NGOs represent the voices of ordinary people or that NGOs possess countervailing power to states. Some NGOs, such as the Business Roundtable, speak for private interests and elite social sectors. States still dominate the international system. At times, the voices of NGOs are ignored or suppressed. The U.N. is still an organization based upon states as autonomous actors and sovereign decision-makers. For example, the work

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<sup>4</sup> <https://www.antislavery.org/about-us/history/>



of NGOs representing victims and survivors of state violence,<sup>5</sup> and of missions by the U.N. itself,<sup>6</sup> has been impeded by hostile states. In that sense, one cannot argue that the international system is sufficiently democratized; it remains in a nascent stage.

### **Social Mobilization and Repression**

The Cold War years of the 1960s and 1970s were tumultuous in Latin America. After World War II, and especially after the 1959 Cuban revolution, there was a growing clamor ‘from below’ for social and political change. In the context of severe social inequality, poverty, and political exclusion across the continent, people demanded the restructuring of inequitable political and economic systems and the empowering of marginalized social sectors, thus challenging entrenched elites. Unions became more politicized and militant, in some cases defying their own leadership; peasant organizations demanded land reform; students demonstrated against imperialism and oligarchy and demanded the democratization of the university. Intellectuals and artists joined movements for social change. Progressive presidents were elected. Jacobo Árbenz, elected in 1950 in Guatemala, tried to reduce the

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<sup>5</sup> In the 1970s and 80s, founding members of the Madres of the Plaza de Mayo in Argentina and the Guatemalan Mutual Support Group (GAM) in Guatemala, for example, were abducted, tortured, and murdered by repressive forces to silence their demands for justice. Argentine death squads tortured and murdered the Madres Azucena Villafior, Esther Ballestrino, María Ponce de Bianco, Angela Auad, and Sister Léonie Duquet; in Guatemala death squads murdered GAM founders Hector Gómez Calito and Maria del Rosario Godoy de Cueva.

<sup>6</sup> Special Rapporteurs of the U.N. acting in areas including torture and health were refused access to Guantánamo Bay by the U.S. government. Another key example took place in Guatemala. The International Commission against Impunity in Guatemala (CICIG) was formed in 2006 as a partnership between the U.N. and the government. CICIG had notable successes in uncovering and dismantling criminal networks and prosecuting corrupt officials. When a hostile government took power, it not only dissolved CICIG in 2019 but expelled or arrested former leaders of the organization. See Organization of American States, “IACHR Expresses Concern over New Violations of Judicial Independence in Guatemala,” February 2022, at [https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media\\_center/PReleases/2022/037.asp](https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2022/037.asp), and WOLA, “Los hechos: El legado de la CICIG en la lucha contra la corrupción en Guatemala” (2019) at <https://www.wola.org/es/analisis/los-hechos-el-legado-de-la-cicig-en-la-lucha-contra-la-corrupcion-en-guatemala>

monopoly power of the U.S.-based United Fruit Company. He bought some of its unused lands to distribute to peasant families, awakening hostility from the company and the U.S. government. In Brazil, João Goulart became president in 1961, despite the enmity of the military and business sectors, given his progressive politics during two terms as vice president. In 1964, he announced his plan for *Reformas Basicas* (Basic Reforms) in key sectors: agriculture, finance, the electoral and education systems, among others. These reforms sought to address the plight of the poor and were received with much animosity by the armed forces and other conservative sectors of society. In Chile, democratic and socialist president Salvador Allende (1970-73) embarked on a far-reaching political project to raise the standard of living for the poor and working classes. He nationalized the copper mines (owned by U.S. corporations) with the full support of Congress and introduced measures to provide milk to schoolchildren and build housing for shantytown dwellers. Struggles for social justice appeared in almost all of Latin America. Several guerrilla movements, influenced by the Cuban revolution, also emerged.

The region's militaries and the U.S. government shared a virulent Cold War national security doctrine that defined all social and political movements, whether armed or not, as actual or potential security threats. Whole sectors of society—unionists, peasants, Indigenous peoples, students, teachers, priests, nuns, artists, musicians, and others—were considered potential 'internal enemies' and 'subversives.' A wave of military coups swept the region, most supported by the United States. Árbenz was ousted in 1954, and coups overthrew Goulart in 1964 and Allende in 1973. Thousands of people were targeted, and tens of thousands 'disappeared' or died under brutal military dictatorships.<sup>7</sup> The regimes used massive, shocking forms of violence to terrorize societies and erase even the memory of mass movements for social justice. The generalized repression of the Cold War years in Latin America, and the emergence of the covert Operation Condor, visited trauma and fear across the region. The use of state terror was a central pillar of a

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<sup>7</sup> See, for example, the truth commission reports of Argentina, Chile, Peru, El Salvador, and Guatemala. In Guatemala the armed forces killed some 200,000 people, "disappeared" 45,000 more, and committed 646 massacres.

countersubversive strategy to demobilize civil society, eliminate political opposition, instill fear, and, “change the mentality” of the region’s people, in the words of Chilean general Augusto Pinochet (Government of Chile, "Discurso del general Pinochet del 11 de octubre de 1973" 1974, and "Declaración de Principios del Gobierno de Chile," 1974).

Operation Condor was a secret, multinational alliance of six South American military states dedicated to pursuing beyond their territories exiles and refugees considered political enemies. Death squadrons of intelligence operatives crossed borders to target people fleeing the dictatorships. Despite often having the protection of U.N. refugee status, hundreds were abducted, tortured, and killed in other countries, or ‘renditioned’ to their countries of origin, where they faced torture and death.<sup>8</sup> Operation Condor allowed the military regimes to target their opponents wherever they went; the member states suspended sovereignty rights and traditions of asylum and collaborated with foreign squads operating on their soil. High-profile assassinations were carried out in Europe and the United States, as well. Operation Condor must be understood as an unprecedented and crucial component of the larger continental counterinsurgency regime. The Condor system operated across a vast geographical area, with the knowledge and secret sustenance of Washington, creating a powerful system of repression. Operation Condor was, in essence, a transnational, right-wing terrorist network run by the military dictatorships of Argentina, Bolivia, Brazil, Chile, Paraguay, and Uruguay, with Peru and Ecuador in less central roles.

### **Latin Americans Fight Impunity**

In the 1980s most of the Latin American countries began to undergo transitions to civilian government. Nevertheless, state-enforced impunity often shielded the perpetrators of the horrors of the counterinsurgency wars. In many, if not most countries, the armed forces had implanted “guardian” structures beforehand to limit and control the democratization process and

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<sup>8</sup> For a sampling of books on Operation Condor, see Almada, 1989; Blixen, 1998; Calloni, 1999 and 2016; Cunha, 2017; Dinges, 2005; Lessa, 2022; López, 2016; McSherry, 2005; Meilinger de Sannemann, 1994.

demanded mechanisms of impunity as a condition for giving up power. In about 16 countries some form of impunity law was enacted.

In Chile, Pinochet established a military-dominated national security council to supervise the incoming civilian government; decreed limits to political participation; curtailed powers for civilian institutions; decreed that at least 10% of copper profits would permanently go to the army; packed the Supreme Court with numerous new, permanent, pro-military judges; and named nine (out of 47) 'senators for life' in Congress. Pinochet had issued a self-amnesty in 1978 via decree-law No. 2.191 (Diario Oficial, 1978), which removed responsibility for crimes committed between September 11, 1973 (the military coup) and March 10, 1978. Amnesties, pardons, and other such laws were also mandated in Brazil (1979), Uruguay (1986), Argentina (1983, 1986, 1987 and 1989), Guatemala (1986), Honduras (1987), El Salvador (1987 and 1993) and Peru (1995) among other countries (for a legal perspective see Norris, 1992). Thus, patterns of impunity were extended or reproduced under new civilian governments.

The outgoing armed forces were acting to protect their own power and personnel, but also to entrench exclusionary political and economic systems and perpetuate the decisive military role in politics. Chile, Brazil, and Uruguay moved to civilian rule after explicit elite pacts were negotiated that foreclosed the possibility of accountability for human rights crimes. The same was true later in Peru, Ecuador, and Guatemala. Even in Argentina, where the 1982 Falklands/Malvinas War had weakened the military and damaged its credibility, the regime attempted to negotiate concessions and limit popular participation during a long period of 18 months before ceding power to a civilian government. President Raúl Alfonsín established a truth commission and brought the junta members to trial, which were unprecedented acts in the region. He sent a bill to Congress annulling the military's self-amnesty law. But a right-wing reaction buried the burgeoning movement for justice. Pressures from the military and four violent uprisings by *golpista* military rebels known as *carapintadas*—at least three implicitly supported by the army as an institution—rejected the claims of justice, vindicated the 'war against subversion,' and demanded an end to trials for human rights crimes.

The first mutinies resulted in the *Punto Final* and Due Obedience laws, which effectively terminated the trials of hundreds of lower-ranking officers accused of torture and murder. Tens of thousands of Argentines protested the move toward impunity (McSherry, 1997). Polls showed that 90 percent of the public was opposed to the *Punto Final*. Moreover, rather than appease the claims of military *golpistas*, the two laws encouraged them to demand more. Then in 1989 and 1990, President Carlos Menem pardoned the remaining imprisoned repressors. The search for justice was frustrated for years afterward.

Elsewhere in the region, as in Chile, Uruguay, and Brazil, other new civilian governments opted either for truth commissions without trials, or for no accountability processes at all. Thus, military institutions remained powerful and implicitly threatening forces that were able to mute demands for democratic change and counteract efforts to rein in their prerogatives for years after the transitions. Impunity was a key element of the maintenance of political and social control by powerful military forces and their rightist civilian allies by placing perpetrators above the law. Without impunity for its agents, a state's strategies of terror could begin to lose their capacity to shape social behavior, and the state's repressive structures and tactics would become vulnerable. The elite 'coup coalitions' that had ruled during the dictatorships sought to prevent "a resurgence of subversion": essentially, new social demands for greater participation and rights, for socioeconomic benefits, for a greater share of political power, and for an impartial system of justice. With impunity, the perpetrators who had carried out atrocious state crimes were deemed untouchable. Impunity was institutionalized by various means: civil-military pacts of transition, executive decrees and pardons, amnesties or other legislation, and civil and military court decisions. These mechanisms reinforced the status of powerful military and security personnel as a caste above the law. Patterns of impunity formed part of an authoritarian legacy with far-reaching ramifications (see, among others, Sikkink, 2011; McSherry, 1992; McSherry and Molina Mejía, 1992).<sup>9</sup> Meanwhile, those who had been marginalized and repressed during the so-called 'dirty wars'

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<sup>9</sup> There is a vast literature on impunity, as a quick Internet search will reveal. See especially works by Jo-Marie Burt, Cath Collins, and Francesca Lessa.

found themselves marginalized again under new civilian governments. A double standard of justice took shape. Impunity for past crimes against humanity thus affected the present and the future, shaping the limits and possibilities of re-democratizing countries.

Latin Americans expressed their rejection of impunity in various ways. Hundreds of thousands of Uruguayans opposed absolving military torturers and killers and ending the process of justice. A movement against the Ley de Caducidad, Uruguay's 1986 'amnesty law,' gathered 634,000 signatures in a referendum to overturn the law (*Los Angeles Times*, April 16, 1989). In Chile, the 1978 Amnesty Law made it impossible for relatives to find answers to the whereabouts of the 'disappeared' and to obtain justice. In a 1988 plebiscite, the majority of Chileans voted against the continuation of the Pinochet regime and called for moving to civilian government. A civilian president, Patricio Aylwin, was elected. Pressure from human rights groups motivated him to set up a commission to document the abuses in that country. But Aylwin was limited by Chile's pacted transition, which required him to retain Pinochet's authoritarian 1980 Constitution, allowing the former dictator to remain head of the army for eight years, and then permitted Pinochet to become a 'permanent member' of the Senate, thus providing him impunity (McSherry, 1997). In all three countries, the militaries had threatened dire consequences if the process of justice continued.

Impunity facilitated the emergence of narrow, elitist forms of democracy, in stark contrast to the socially defined, radical-democratic, inclusionary visions that had inspired broad popular movements in the 1960s and 1970s. The political systems bequeathed by the dictatorships were shaped by structural legacies of the national security states: entrenched areas of military power over civilians and militarized state institutions. Security forces retained a threatening presence and influenced policymaking. Intelligence organizations permeated society and continued their surveillance of political and social actors; politicized military institutions wielded power in national politics. Democratization processes were marked by the residual fear of state terror since infamous military torturers and assassins remained in positions

of power. The military's past equation of political opposition with "subversion" continued to impede popular participation.

Despite lingering fears, however, large sectors of society were not willing to simply 'forgive and forget.' After the terrible toll of the massive repression, important sectors of the Latin American public were pro-democracy and very much aware of human rights issues. A deep need for justice boiled just beneath the surface. In a number of countries, families had filed thousands of habeas corpus claims with the courts during the dictatorships. After the armed forces left government, families filed lawsuits against officers who had carried out torture and disappearance (Frey, 2009) Yet the human rights movements and social organizations that were instrumental in challenging the military regimes were often marginalized after the transitions (Bickford, 2000).

Some new civilian leaders feared military coups; some were themselves conservative and unfriendly to popular movements. The example of Argentina spurred particularly pessimistic assessments of the latent military threat. Alfonsín had been responding to the demands arising from Argentine society for truth and justice, along with its growing rejection of military denials and decrees imposing impunity. The Madres of the Plaza de Mayo had become the conscience of the country; human rights leader Adolfo Pérez Esquivel had received the Nobel Peace Prize in 1980; other human rights organizations were actively pressing for trials and accountability. The crimes of the dictatorship had become known worldwide through the work of the government-appointed Comisión Nacional sobre la Desaparición de Personas (CONADEP) and NGOs, including Centro de Estudios Sociales y Legales (CELS), SERPAJ, the Madres and Abuelas of the Plaza de Mayo, and others, as well as international bodies. But the four military uprisings—insisting on impunity among other demands—restored a sense of frustration and fear in society. In Peru, civil society—particularly human rights organizations and victims' groups—played a crucial role in demanding accountability, for justice as well as truth (Burt, 2009). But their efforts did not succeed for more than 15 years. In Uruguay, Julio María Sanguinetti, the first president after the transition to civilian rule, was antagonistic to the movement for justice

and accountability, considering it disruptive and destabilizing. The Ley de Caducidad effectively stopped judicial processes in Uruguay. In short, in the 1980s the efforts of human rights groups, lawyers, unions, grassroots organizations, and families and friends of the victims were central in fighting impunity and demanding justice, but states often overrode their activities (Méndez & Mariezcurrena, 1999).

### **Academic and Legal Debates in the 1980s**

The voluminous academic literature on transitions of the 1980s was quite conservative about the prospects for holding human rights abusers accountable in the region. Many transitions scholars argued that elite pacts were the best route to redemocratization, viewing the phenomenon of impunity as a necessary, if possibly unpleasant, cost of transition from military rule (Huntington, 1984; Karl & Schmitter, 1991; O'Donnell & Schmitter, 1986; Zalaquett, 1992). Demands by civil society were considered counterproductive. Stability was judged to take precedence over justice. New civilian governments were considered too fragile to implement accountability measures; military forces had to be appeased to prevent possible new coups. The claims of those who had suffered most during the dictatorships had to be muted in the interests of stability or “reconciliation.” As Juan Méndez observed, all too often in the early literature scholars adopted minimalist approaches to the question, with expectations that were entirely too limited regarding the possibilities for new democracies to hold abusers accountable (Méndez, 1997). He and Javier Mariezcurrena (1999) argued,

On many occasions—based either on an application of Max Weber’s *ethics of responsibility* or on the false argument that criminal cases are inspired by the desire for revenge—influential Latin American and North American intellectuals have maintained that to ensure governance of the transition to democracy, those responsible for massive human rights violations should not be submitted to judicial proceedings... The statement that truth promotes reconciliation while judicial proceedings are vindictive is conceptually and historically incorrect. (p. 93)



Moreover, when human rights violations reach the level of crimes against humanity, they cannot be ignored without severe damage to the fragile system of international law and human rights, built painstakingly since the crimes of the Nazi regime were condemned after World War II. As Méndez (1997) argued, existing law established the state's duty to sanction human rights crimes.

Many binding norms of international law point in the direction of an obligation to overcome impunity for crimes of this kind [massive and systematic violations of the most basic rights to life, liberty, and physical integrity]. The Genocide Convention establishes the obligation to punish. The more recent Torture Convention obliges its signatories to make torture punishable within their domestic jurisdictions, to arrest suspected torturers, to extradite them to other jurisdictions or to prosecute them, and to cooperate fully with the prosecuting jurisdiction in the gathering and preservation of evidence. Other conventions and customary norms rule on the inapplicability of statutes of limitations to crimes against humanity, on the inapplicability of the "political offense" defense against extradition for such crimes, and on universal jurisdiction to prosecute them. (p. 260)

Judicial prosecutions and sentences provide redress, reparation, and recognition to the victims, fortify the independence of judicial systems, make clear that the atrocities of the past were serious crimes, enhance a democratic culture, and deepen citizen commitment to the democratic regime. Significant evidence suggests that human rights violators see the concession of impunity for crimes of the past as a license to repeat them or to act against the constitutional authority. The weight of the law is also crucial to counteract decades of military denials of pre-meditated atrocities as a strategy of the state.

### **The NGO Coalition Against Impunity**

In 1987 a few NGO representatives in New York came together to discuss how to support efforts against impunity ongoing in Latin America, given the recent wave of exculpatory laws, amnesties, and military self-pardons in the region. Representatives were gravely concerned by the model of

“democratization via impunity” and sought to support and amplify the voices of Latin American human rights groups opposing impunity. After organizing a well-attended meeting in New York, several NGOs decided to form the NGO Coalition Against Impunity. The Coalition outlined three aims: 1) to work to strengthen or expand international law to counteract the spreading trend of impunity; 2) to politically dispute claims that democratization was served by these methods, when in fact impunity weakened democracy and the principle of impartial and equal justice; and 3) to bring national and international attention to the phenomenon of impunity and be a voice for peoples victimized by it (NGO Coalition Against Impunity, 1989). Coalition members believed that international human rights covenants were dangerously undermined by impunity, that the right of the victims to justice and to moral or legal reparation was being negated, and that terrible crimes were being swept under the rug, with disturbing consequences for new democracies.

The Coalition took action on several fronts. In 1987-88 it drafted a position paper on impunity and a draft letter on impunity for the U.N. Commission on Human Rights. The letter and working paper were sent to human rights organizations and advocates in Latin America and worldwide for comments and endorsement. The letter evoked excellent responses. In a July 1987 letter to Sanguinetti, PEN American Center president, Susan Sontag, and chair of PEN’s Freedom-To-Write Committee, Rose Styron, wrote to express concern about Uruguay’s amnesty law. They urged the Uruguayan government to protect access to lawful proceedings for writers who had been victims of state repression and criticized the new amnesty law for precluding legal inquiries and “releasing from accountability those guilty of censorship and torture” (PEN American Center, 1987). Also, in July the International Human Rights Law Group wrote to the Coalition to express its support for the proposal to organize a tribunal on impunity via the International League for the Rights and Liberation of Peoples (Gartner, 1987). In 1988, the Humanitarian Law Project wrote to the Coalition to endorse its effort to stop impunity, responding to a notice in the newsletter of the Guatemala Scholars Network. The notice, submitted by the Coalition, had asked for signatories for its document to the Commission on Human Rights “requesting that this topic be

put on the Commission's agenda and suggesting specific actions from the U.N. and the international community" (Humanitarian Law Project, 1988).

The Coalition letter, dated January 29, 1988, was finally sent to the Commission on Human Rights' 1988 session in Geneva, signed by 50 organizations, two Nobel prize laureates, and other human rights advocates. Along with its call for study of, and specific action against, impunity, the letter asked the Commission to consider the Latin American Federation of Associations for Relatives of Detained-Disappeared (FEDEFAM) proposed Covenant to make "disappearance" a crime against humanity equal to torture. It must be recalled that in the late 1980s, disappearance was not yet considered a crime against humanity.<sup>10</sup>

Key Coalition Steering Committee members, who signed various documents, included Rev. Oscar Bolioli, a leader of the Uruguayan Methodist Church; Raúl Molina, World University Service-Guatemala; Sister Bernadette Desmond, ECO-Andes; Bill Felice, International League for the Rights and Liberation of Peoples; Carlos Varela, New York Committee Pro-Referendum in Uruguay; Rev. David Kalke, International Association against Torture. and Patti McSherry, World University Service-U.S.

The Coalition's work was reaffirmed by a broad range of human rights organizations in Latin America and leaders such as Loyola Guzmán, Bolivian founder of FEDEFAM. The Guatemalan Human Rights Commission in Mexico, the Abuelas de la Plaza de Mayo in Argentina, the Brazilian Conference of Bishops, Servicio Paz y Justicia (SERPAJ)-Argentina and SERPAJ Brazil; the Indian Treaty Council, and the Haitian Center for Human Rights all endorsed the Coalition's initiatives. The Coalition's collaborators also included Ronald Hoenes, and Santiago Herrarte, Grupo de Apoyo Mutuo-Guatemala, Linn

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<sup>10</sup> The International Convention for the Protection of All Persons from Enforced Disappearance finally entered into force in 2010. See Office of the United Nations, High Commissioner for Human Rights, International Convention at <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>; see also Office of the United Nations, High Commissioner for Human Rights, "Enforced or Involuntary Disappearances" at <https://www.ohchr.org/sites/default/files/Documents/Publications/FactSheet6Rev3.pdf>; Finucane, 2010.

Shapiro, Friends of CODEPU (Corporación de Promoción y Defensa de los Derechos del Pueblo, Chile) and members of the Catholic, Methodist, and Lutheran churches.

In January 1988, the Coalition entered into discussions in Geneva with Javier Giraldo from the Colombian chapter of the International League about organizing a continental tribunal on impunity and combining efforts. In February, the Coalition wrote to FEDEFAM to express its unconditional support for its work at the U.N. and its sponsorship of a draft resolution to declare enforced disappearance a crime against humanity. “There is a pressing need for legislation on this issue, given the staggering numbers of persons who have been ‘disappeared’ over the past decade,” the Coalition wrote. “We believe there should be an international convention on the crime of ‘disappearance’... Feel free to add our endorsement” (NGO Coalition Against Impunity, 1988a). The Coalition prepared a Statement of Concern in March 1988 on the practice of disappearance and its links to impunity and made several suggestions for a proposed convention.

The Coalition’s statement on impunity was backed by leaders of accredited NGOs at the session of the Commission on Human Rights in Geneva (as a coalition of NGOs, the Coalition lacked consultative status and had to look for sponsors among accredited NGOs). The letter was entered as an official document to the Commission as E/CN.4/1988/NGO/51. The Coalition had met with, and enlisted the support of, numerous NGOs at this session. A number of NGOs made strong statements before the Commission regarding the negative impact of impunity on human rights, justice, and democratization. The Coalition also presented the letter to the Chair of the Commission, as well as the U.N. Centre of Human Rights, and to several interested country delegations. In sum, at this session the Coalition introduced the issue of impunity to the U.N. It was the first NGO organization whose sole focus and mission was to oppose impunity and whose goal was to spur U.N. action on the issue. In an April 1988 letter to its contacts, the Coalition wrote:

The Steering Committee feels the first stage of our work has thus been very effective. We have introduced the impunity issue to the U.N., and we have consolidated an important group of concerned

organizations and individuals, including yourselves. We have now developed a strategy for 1988-89, which will further strengthen our efforts and, we hope, put the issue of impunity firmly on the international agenda. (NGO Coalition Against Impunity, 1988b).

In the fall of 1988, Coalition representatives attended two international meetings in Buenos Aires. One concerned the drafting of an international convention on the crime of disappearance, and the other was to organize a Tribunal on impunity in Latin America under the auspices of the International League for the Rights and Liberation of Peoples. The latter planning meeting was attended by delegates from Haiti, Peru, Argentina, Colombia, Ecuador, Brazil, Guatemala, Chile, the U.S., and Uruguay. The Coalition Steering Committee took responsibility to discuss the role of the U.S. vis-a-vis impunity in the region at the upcoming Tribunal. A Coalition representative also attended the FEDEFAM congress in Bogotá, where impunity was a major theme.

Also, that fall, the Coalition submitted another statement of concern regarding the crime of disappearance to the Inter-American Commission on Human Rights of the Organization of American States (OAS) and to the U.N. Working Group on Enforced and Involuntary Disappearances. The Coalition stated, "we have dedicated special attention to the crime of disappearance, because we believe that it encompasses other crimes: abduction, clandestine imprisonment, torture, murder, and harassment of relatives of the victims" (NGO Coalition Against Impunity, 1989b). The U.N. General Assembly declared the practice of disappearance a crime against humanity in 1992 in its "Declaration on the Protection of All Persons from Enforced Disappearance," adopted in resolution 47/133 of December 18, 1992. The "Inter-American Convention on the Forced Disappearance of Persons" was adopted on June 9, 1994.

In November 1988, the Coalition wrote a detailed letter to the Secretary General (SG) of the U.N., Javier Pérez de Cuellar, summarizing its work and explaining its concerns with impunity as a threat to the system of international human rights law (Letter to the Secretary-General, reproduced in

“About the Coalition,” 1989b). The letter challenged the model of “democracy via impunity” and expressed the Coalition’s:

profound concern for the spreading trend of granting impunity to violators of human rights in some countries where peoples have lived under repression, whether from the regime or from forces which have not been controlled by elected governments... We believe that at the international level, only the United Nations has the moral authority to halt and reverse this practice, and we urge it to act with the greatest possible speed... Democracy must mean, fundamentally, accountability to the people. (Letter to the Secretary-General, reproduced in “About the Coalition,” 1989b)

The Secretary General was asked to take up the issue of impunity urgently and contribute his efforts to counteracting it. This letter was signed by some 500 distinguished individuals and NGOs in the global human rights movement.<sup>11</sup>

The letter to the Secretary General noted the importance of the previous work of Special Rapporteur Louis Joinet, who in 1985 had prepared an initial study on amnesty laws for the consideration of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Joinet, 1987). The Coalition also noted the crucial work being done by Amnesty International and Human Rights Watch on the issue of disappearances and other human rights crimes. The letter specifically asked the SG: a) To appoint an expert on human rights to study the practice of impunity, and its consequences, with respect to human rights and the building of democracy; b) to discuss the problem in the U.N. in his official address on the occasion of the 40<sup>th</sup> anniversary of the Universal Declaration of Human Rights; c) to introduce the problem of impunity to the agenda of the 43<sup>rd</sup> session of the General Assembly; d) to request the specialized bodies of the U.N., such as the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and the Working Groups and Special

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<sup>11</sup> It should be noted that the strategy of the Coalition to gather endorsements was a novelty within the U.N. at the time, and not always well-accepted, even by one or two NGO representatives.

Rapporteurs, to study the problem in depth; and e) To take any other action, within his jurisdiction, to support efforts to prevent the continued practice of impunity. The letter was signed by several Steering Committee members of the Coalition: Esmeralda Brown, U.N. Office of the United Methodist Church; Sister Bernadette Desmond, ECO-Andes; Bill Felice, U.N. Representative of the International League for the Rights and Liberation of Peoples; Patti McSherry, World University Service-U.S., and Rev. William Wipfler, Human Rights Office of the U.S. National Council of Churches.

Coalition representatives met with U.N. Under-Secretary General Jan Martensen in November 1988, to present him with a Coalition document on impunity. In December 1988, distinguished human rights leaders signed a new letter of support for the Coalition's work and urged the chair and the secretary of the Commission on Human Rights to circulate the Coalition's letter to Pérez de Cuellar as an official document. This letter was signed by Adolfo Pérez Esquivel of SERPAJ, Nigel Hartley of WUS-International, and Loyola Guzmán of the Federación de Familiares de Detenidos-Desaparecidos (FEDEFAM) (World University Service, Letter to Commission on Human Rights, 23 December, 1988). That same year Theo Van Boven, the U.N. Special Rapporteur on Restitution, Compensation and Reparations for Gross and Consistent Violations of Human Rights, wrote a letter of support for the work of the Coalition. Members of the Steering Committee also visited Elsa Stamatopoulou, director of the U.N. Human Rights Centre in New York, in 1989, to present the letter (Personal records of author). In March of 1989 the Asociación Pro Derechos Humanos of Spain wrote to Pérez de Cuellar re-stating and supporting the specific calls for action urged by the Coalition (Asociación Pro Derechos Humanos, Letter to Secretary-General, 15 March 1989). The struggle against impunity had built a notable momentum and enlisted the support of a wide range of organizations and human rights leaders worldwide.

The Coalition addressed a new letter to Fatma Zohra Ksentini of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in February 1989 expressing its concerns:

The Coalition, which was formed last year to focus the attention of the international human rights community on that disturbing approach to the democratization process, strongly questions its stated purpose and is deeply alarmed at its legal, social and political consequences... On June 22, 1988, we sent a communication to the Sub-Commission suggesting, among other things, the adoption of a resolution, pointing out the need to prevent the granting of impunity to violators of human rights, and the appointment of an expert or group of experts to study the consequences for human rights of impunity laws. (NGO Coalition Against Impunity, 1989a)

At the Commission's 45<sup>th</sup> session in Geneva in 1989, the Coalition was again present, acting in favor of concrete steps by the U.N. to combat impunity. That year the Coalition's statement was again circulated as an official document as E/CN.4/1989/NGO/66 (see Annex).

In 1990 the Coalition testified before the U.N. Working Group on Enforced or Involuntary Disappearances in New York on "The Question of Sanctions for Military Violators of Human Rights." In 1991 the Coalition addressed the Non-Governmental Organizations Consultation, formed in preparation for the 1993 U.N. World Conference on Human Rights, and spoke on "The Problem of Impunity for Violators of Human Rights." Also in 1991, the Coalition attended the Geneva meetings of the U.N. Commission on Human Rights once more, and a new document ("Written statement/submitted by World University Service on behalf of the Coalition Against Impunity and its NGO members") was circulated on the problem of impunity (World University Service, NGO Coalition Against Impunity, 1991).

During this time the Coalition, along with human rights and other NGOs in the United States, Europe, and Latin America, moved forward with tribunals, a form of popular, public human rights education to raise awareness of the ramifications of impunity. Many of these events were carried out under the auspices of the International League for the Rights and Liberation of Peoples, headquartered in Italy and with chapters in various countries. Tribunals on impunity were held between 1989 and 1991 in 12 Latin American countries in preparation for the continental session. In November 1991, a Permanent People's Tribunal on Impunity for Crimes Against Humanity in Latin



America was held in Bogotá, with delegates from many countries, to present a picture of impunity in Latin America as a whole. A panel of distinguished judges heard the testimonies and analyses (see Annex). These civil society efforts were crucial contributions in the fight against impunity, allowing victims to tell their stories and raising awareness internationally and locally.

By the early 1990s, impunity was recognized as a major human rights issue in the United Nations, the Inter-American system, and the international human rights movement. In 1990, the Working Group on Enforced and Involuntary Disappearances issued a substantial report that repeatedly referenced the issue of impunity and analyzed its characteristics, especially in sections 18 through 24 (U.N. Working Group on Enforced and Involuntary Disappearances, 1990). To quote some key passages,

18. Local, regional and international non-governmental organizations also submitted reports about the general framework within which enforced or involuntary disappearances took place in each country. As in the past, one of the most serious problems set forth concerned the de facto impunity enjoyed by those responsible for disappearance... That the culprits would be exempt from punishment for their actions contributed, in the estimation of these reports, to the continuing occurrence of disappearances.

24. The Working Group noted with interest the organization of a Tribunal Permanente de los Pueblos, a body concerned with the problem of impunity. (pp. 5-6)

The Working Group also explained that it had examined draft resolutions on disappearance submitted by NGOs. After providing an incisive analysis of disappearance as a crime, the Working Group stated:

344. Perhaps the single most important factor contributing to the phenomenon of disappearances may be that of impunity. The Working Group's experience over the past ten years has confirmed the age-old adage that impunity breeds contempt for the law. Perpetrators of human rights violations, whether civilian or military, will become all the more brazen when they are not held to account before a court of law. (p. 84)

U.N. bodies increasingly analyzed the issue of impunity and mechanisms to end it in their documents and studies, and within U.N. policy and international law. By decision 1991/110, adopted at its 43rd session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities requested that El Hadji Guissé and Louis Joinet draft a working paper examining in depth the question of the impunity of perpetrators of violations of human rights, as the Coalition had urged. In 1993, the U.N. Commission on Human Rights approved their preliminary study in resolution E/CN.4/RES/1993/43, "Question of the impunity of perpetrators of violations of human rights," stating that "although action to combat impunity has its roots in the need for justice, it cannot be reduced to the sole objective of punishing the guilty" (p. 7). According to the study, there were three requirements: punishing those responsible, satisfying the victim's right to know and obtain redress, and enabling the authorities to fulfill their mandate as the public body that guarantees law and order. The report made clear the affirmative duty of states to prosecute human rights abuses. In 1992, the Inter-American Court of Human Rights ruled the amnesty laws of Argentina and Uruguay were inconsistent with those states' human rights obligations (Binder, 2011).

Theo Van Boven, the Special Rapporteur, issued a fundamental report, "Study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms" in 1993 (Commission on Human Rights, 1993). Between 1986 and 1991, when he was the U.N.'s Special Rapporteur, Van Boven and Cherif Bassiouni drafted the "U.N. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law." These guidelines adopted a victim-oriented perspective and made clear their right to a remedy under law. This policy paper was adopted by the U.N. General Assembly in 2005, enshrining victims' rights in the world (U.N. High Commissioner of Human Rights, 2014). In 1996, Louis Joinet presented an expanded final report: "Question of impunity of perpetrators of violations of human rights (civil and political rights)" (Joinet, 1996). In sum, these U.N. studies were pathbreaking policy documents clearly committing the U.N. to the struggle

against impunity, thereby shaping the evolving system of international law and human rights norms.

### **Conclusion**

After four intense years of work, the Coalition ceased to function in 1991. Steering Committee members found themselves with new commitments and responsibilities. Moreover, the movement against impunity began to pass from families of the disappeared and human rights organizations to the realm of lawyers and professional experts, who took up the task of developing and codifying new concepts in international law. In retrospect, the work of the NGO Coalition was remarkably successful. Its original goals were met. International organizations, including the U.N. and the Inter-American organizations, began to take steps to overcome impunity. A multitude of new civil society organizations emerged. A quick internet search today reveals thousands of links to organizations (including others called “Coalition Against Impunity”), articles, books, and campaigns on impunity. A whole new academic specialization, transitional justice, appeared.

The United Nations and the OAS delved deeply into the consequences of impunity and explored the impact of impunity on civilian populations, on young democracies, on the rule of law, and on human rights. In the 1990s and 2000s, the U.N. took crucial strides to combat impunity. The U.N. created the International Criminal Tribunal for the former Yugoslavia in 1993 and the International Criminal Tribunal for Rwanda in 1994 following the genocide in that country. The creation of these tribunals further convinced many of the need for a permanent international criminal court. In 1998 Pinochet was arrested in London, under universal jurisdiction, for serious human rights crimes. This was a significant milestone in international law; it was also breathtaking because Pinochet had been an anticommunist ally of the U.S. during the Cold War. That same year, the Rome Statute authorized the creation of the International Criminal Court to focus on mass crimes committed against civilian populations.

This forward momentum was suddenly halted by the terrible attack on the World Trade Center on September 11, 2001. The Bush administration

declared ‘the war on terror’ and the world entered a dark period of war, torture, rendition, ‘black sites,’ and indefinite detention. Despite this setback to human rights, the International Criminal Court was established in 2002 after a long process of discussion among states. It accepted cases regarding serious crimes against humanity and war crimes (International Criminal Court, n.d.). Strengthened international law, new institutions, and fortified legal instruments established new standards regarding the state’s obligation to provide accountability and redress for victims of widespread human rights abuses. A global shift in terms of norms and standards regarding impunity was taking place.

Especially in the 2000s, impunity laws were declared unconstitutional in a number of Latin American countries, including Argentina, Uruguay, and El Salvador. Argentina held mega-trials of human rights abusers, including perpetrators from Operation Condor, charting new legal ground. The Condor trial marked the first judicial proceeding that considered Operation Condor as a transnational system. The Inter-American Commission for Human Rights and the Inter-American Court for Human Rights began to issue decisions upholding the state’s obligation to prosecute grave violations of human rights (for a critique of the role of the Inter-American system see Dykmann, 2007). Nevertheless, in other countries military-security forces are still shielded from prosecution, and governments have done little to dismantle entrenched structures of impunity. Many families still endure the anguish of not knowing what happened to their disappeared loved ones. The struggle to end impunity is ongoing, and central to this struggle is the necessity to expand human rights awareness and action through education, memory sites, and consciousness-raising. There is an urgent need for public education systems to incorporate study of human rights and recent history—a task that has proven difficult in Latin America due to its controversial nature (Lowy, 2022; Magendzo & Toledo, 2019)—as a key part of the effort to never again accept national security justifications for massive human rights violations. As U.N. bodies have stated, no circumstances ever justify torture or disappearance (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984). The expansion of human rights education and awareness in the U.S. is urgently necessary as well, given that many

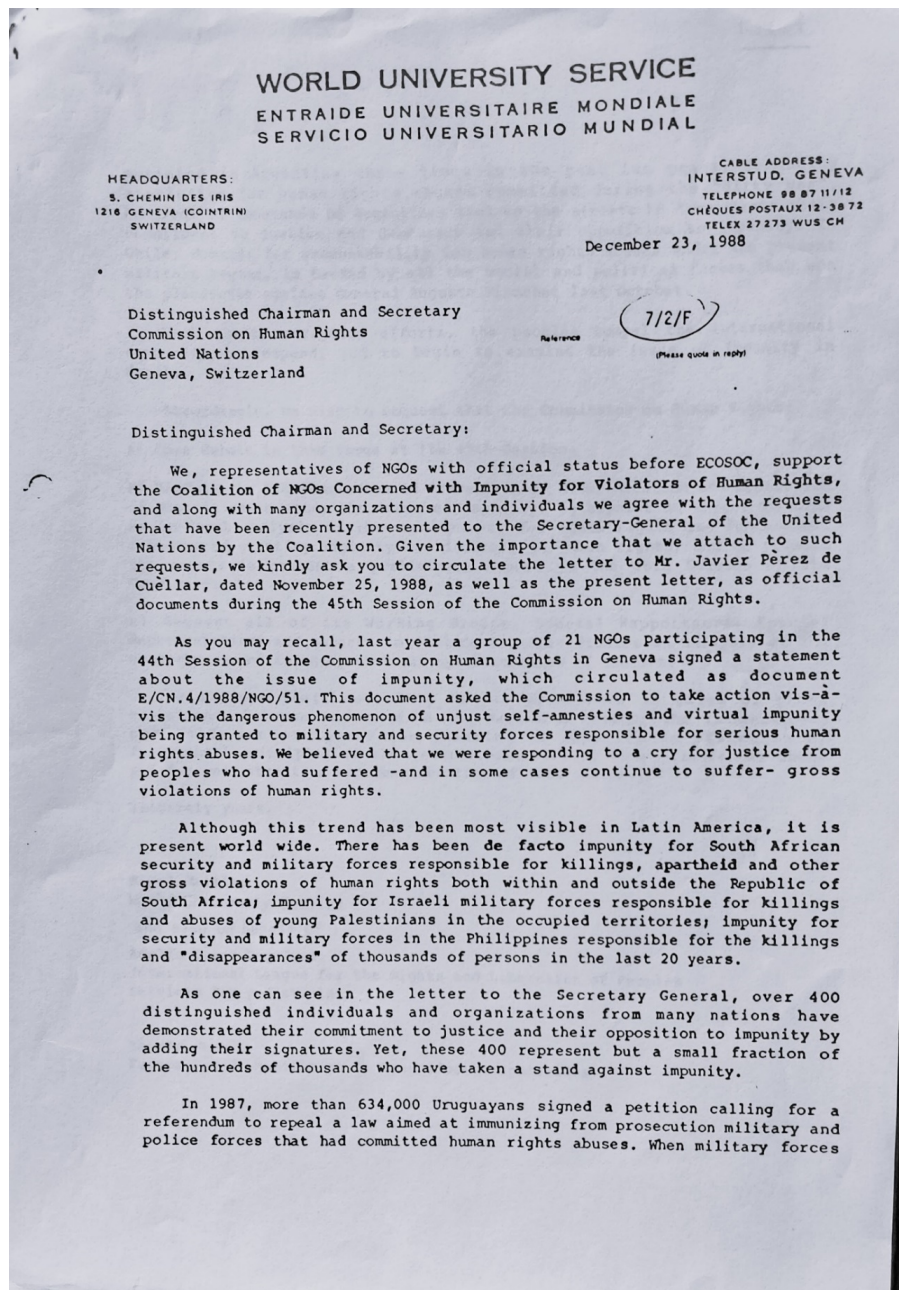
students have little idea of the history of U.S. support for Latin American dictatorships.

The Coalition, along with many other human rights advocates and organizations, believed that overcoming impunity was a central element of the struggle for justice and the deepening and consolidation of democracy. History has shown that the worst pessimistic predictions—of military coups and destabilization following efforts against impunity—did not come to pass. Political scientists have critiqued in recent years the ‘elite pact’ theories of the 1980s (for a review of that literature see McSherry, 2012). The upholding of human rights continues to advance, slowly but surely, a crucial change in Latin America and elsewhere.

The case of the NGO Coalition Against Impunity and its partner NGOs demonstrates the incremental democratization of the U.N. in two ways. First, NGOs, channeling the concerns and demands of large numbers of people, directly influenced the U.N. system to act regarding impunity. Existing protections were strengthened, and new protections codified into law in cases where civilian populations were subjected to massive, illegal forms of repression. Second, in such cases the U.N. was taking a human rights position that directly conflicted with the policies of particular states, which sought to nullify or ‘forget’ massive crimes committed in the recent past. That is, despite the state-centric nature of the U.N., the organization took a strong stance regarding the right of peoples to be protected from extralegal methods of state repression and consequent impunity. The national security states and their methods were implicitly challenged and condemned. In sum, this case raises hopes that over time, the voices of the world’s people increasingly will be considered even when they conflict with the priorities and justifications of states.

## Annex A


### 1988 letter from World University Service-International presenting Coalition calls for UN action



## Annex B

### Official 1989 UN document based on Coalition letter

UNITED NATIONS

 **Economic and Social Council**

Distr.  
GENERAL

E/CN.4/1989/NGO/66  
28 February 1989

Original: ENGLISH

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COMMISSION ON HUMAN RIGHTS  
Forty-fifth session  
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the Disabled Peoples' International,  
the International Indian Treaty Council, the Latin American  
Federation of Associations of Relatives of Disappeared Detainees,  
Service, Justice and Peace in Latin America and the World University  
Service, non-governmental organizations in consultative status  
(category II)

The Secretary-General has received the following communication which  
is circulated in accordance with Economic and Social Council  
resolution 1296 (XLIV).

[24 February 1989]

GE.89-15796/1932A



## Annex C

**Judges for Permanent People's Tribunal on Impunity, Bogotá, 1991: Victoria Abellán (Spain), Richard Bäümlin (Switzerland), Giulio Girardi (Italy), François Houtart (Belgium), Fabiola Letelier (Chile), Sergio Méndez Arceo (Mexico), Ward Morehouse (U.S.), Vilma Núñez (Nicaragua), Adolfo Pérez Esquivel (Argentina), John Quigley (U.S.).**

Author photo





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# Evaluating the Past and Charting the Future of Human Rights Education

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## Abstract

*This article provides an overview of the field of human rights education (HRE) using an input/output schema. It examines the challenges encountered at the delivery points where instructors must contextualize the now extensive corpus of human rights documents and practices to meet the needs, and the political*

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*and cultural traditions, of their particular target population. The challenges also point to the dominance of prescriptive over evaluative HRE literature, the degree to which HRE is not a stand-alone activity and the limited HRE-specific teacher training. The authors therefore call for more research on the long-term HRE outcomes of human rights education initiatives.*

**Keywords:** Human rights education, input-output schema, diversity, critical pedagogy, teacher training

### **The Terrain**

**T**he content of human rights education (HRE) is based on the general principles enunciated in numerous international and domestic documents, beginning with the 1948 Universal Declaration of Human Rights (UDHR) and its progeny, on one hand (top-down), and the worldwide *de facto* abuses and violations of human rights, on the other hand (bottom-up). As no single HRE activity<sup>1</sup> can cover all the standards, topics, and realities included in both the documents and the worldwide empirical evidence of abuses, the content of any given HRE program is necessarily selective.

Thai legal scholar Vitit Muntarbhorn (1998) concluded that human rights pedagogy suffers from insufficient critical analysis, emphasis on duties rather than rights, too much dependence on individual teachers, and from being “Eurocentric by nature,” rather than being based on the principles and practices of Indigenous and other marginalized communities (p. 208). Recent academic overviews of the field raise similar issues, underlining the need for more systematic teacher training and more research on the effectiveness of HRE (Andreopoulos & Claude, 1997; Tibbitts, 2017; Bajaj & Wahl, 2017). We ask: To what degree has the HRE field outside the world’s institutions of higher education changed today? In practice, the majority of writing on HRE

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<sup>1</sup> The premises examined in this essay have in view all forms and levels of HRE insofar as they (a) are substantially based on international and domestic human rights norms, and (b) seek in varying degrees to convey knowledge, values, attitudes and skills designed to influence out-of-classroom behavior and agency. We exclude consideration of rights claimed without close association with the international and domestic regimes.

consists of prescriptive recommendations, while independent empirical and evaluative research of its outcomes, particularly among target populations, is still minimal. Generally, every HRE program reflects prioritizations defined implicitly or explicitly by the delivery actors, notably the donors, project administrators, political and economic actors, as well as, at the delivery point itself, each classroom instructor (or group facilitator in the case of informal HRE). The choices made by these actors bring to bear the different sets of goals, content, pedagogies, values, and legal and ethical assessments to be given priority at the actual delivery points by the teachers or facilitators. We argue that in the planning and development of HRE programs and activities, these elements, whether overt or implied, need to be contextually identified and assessed,<sup>2</sup> and to emphasize the need for more systematic evaluation of past, existing, and future HRE programs in order to improve their contribution to the evolving challenges facing the world.

One illustrative analogy for HRE initiatives is that of the airplane pilot whose task before every flight is to check on the multiple systems and strict protocols that assure the safety of the plane, all of which have to be in good working order to carry passengers safely. This essay seeks to tease out the various elements involved in HRE that are needed to ensure its effectiveness and sustainability. Our conceptual schema of the black box is one way of identifying the various HRE inputs and outputs without trying to establish precise causal links between specific inputs and particular outputs. Implicit in the model is the premise that successful human rights advocacy, including HRE, requires both bottom-up and top-down inputs to ensure strong contextualization. This perspective is reinforced by the airplane analogy, in that to be effective, HRE needs all the necessary parts in working order, synchronized with one another. Just as one common denominator such as the fact that all planes have wings is not enough to explain why one plane is faster or safer than another, HRE programs rely on the combination of many components and specific configurations or models. Each model contains a selection of legal and ethical principles, practices, and human skills, assessments of

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<sup>2</sup> These questions are separate from debates about whether HRE is or is not a discipline in its own right or how to identify schools of human rights thought.

local needs, financial and political constraints, as well as narratives and theories of social change and a selection of pedagogical skills and methods. By using “reverse engineering,” this article seeks to identify critical components and formulate a checklist analogous to that used by a pilot prior to every flight. The checklist analogy identifies the basic elements of any HRE initiative, but does not endorse any individual approach.

Setting criteria to define indicators assessing the effectiveness of a HRE initiative, however, is more complex than setting a single indicator such as a plane’s safe arrival. HRE has many modes and models. The importance of simultaneous top-down and bottom-up initiatives is reflected in an increasing number of studies on economic and political development and conflict management. This principle of top-down overlaps with that of vernacularizing top-down inputs such as the human rights norms commensurate with the needs, capacities, and inputs of the bottom-up or target group. HRE success, including its sustainability, requires maximizing the contributions of both sets of inputs, namely those of both the educators and their target populations. The importance of identifying the various inputs in a HRE program is the fact that most of those inputs (outlined below) are going to be present in any case, recognized or not. Their relative quality and priority, however, must be assessed in planning HRE initiatives. Some inputs, such as the surrounding social and political conditions, are societal-given, while others such as goals and methods, are components dependent on choice that vary from project to project, even when following the same generic model. Both the societal-given and those fashioned by a particular initiative are always present, active factors in every HRE program, whether recognized as such or not.

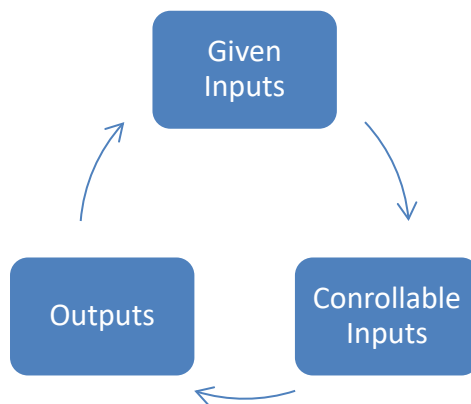
Learning from the past decades of HRE calls for more structured and inter-active evaluations and debate about the premises, methods, and models as well as their roots in the different disciplines (Evans, 2005) and their cultural, ideological, and other narratives.<sup>3</sup> As many HRE authors and actors affirm, in addition to overall impact assessment, appropriate critical thinking

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<sup>3</sup> “Narratives” is used in this text generically to describe the conceptual, causal, or empirical context applied to a particular analysis or set of phenomena.

is required in both the planning process and at the delivery points (Tibbitts, 2017; Bajaj & Wahl, 2017; Zembylas, 2017). Among the reasons for the lack of strong evaluative HRE literature are the diversity and complexity of the social conditions of the target populations and the difficulty of, *inter alia*, developing models that assure and measure sustainable outcomes. More studies are needed two or more years after a project is implemented to assess which benefits have been sustained.

The following schema illustrates the multiplicity and diversity of HRE inputs and outputs, showing the many factors that are the given inputs and choices that underpin individual HRE models and their points of delivery; this schema is the framework for this essay. However, this essay is not an empirical but rather a conceptual study. One purpose of our work is to create a framework and to identify the inputs and outputs that require empirical research. Our communication with the Bangladeshi non-governmental organization (NGO) BRAC,<sup>4</sup> the Canadian human rights education organization Equitas<sup>5</sup> the United States Agency for International Development (USAID), and others illustrates the framework and does not judge the empirical situation.



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<sup>4</sup> Founded in 1972 as the Bangladesh Rehabilitation Assistance Committee and later known as the Bangladesh Rural Advancement Committee, BRAC is now global and known as BRAC.  
<sup>5</sup> Canadian NGO Equitas sees the goal of HRE as empowering communities for change and equality by strengthening people’s leadership skills. Equitas’ pedagogy emphasizes the “participatory approach.” For example, using these principles in trainings for children in Senegal, youth are encouraged to share their own experiences, which is then used to shape their learning.

### *The Given Inputs*

- Actors' and target population's respective cultures, loyalties, political circumstances, beliefs, ideologies, preparedness, values, material resources, aspirations, special interests, patterns of discrimination
- The human rights regime with its legal and ethical, domestic, and international normative instruments and agencies
- Political and economic circumstances: positive and negative influential entities, needs, attitudes of target population, forms of discrimination relevant to the target population

### *The Controllable Inputs*

#### •**Essential Choices:**

- Choice of a strategy, model, goals, pedagogical methods, critical thinking, overall narrative, materials, instructors, physical arrangements, content and adequate funding
- Definable HRE methodology: legal (domestic or international analyses); epistemological/ethical (analysis of principles, theories, ideologies); empirical (fact finding and causalities); remedial recommendations; or combinations of the above

#### •**Optional Choices:**

- Preparation of educators and training personnel for delivery points.
- Choice of theoretical reference points [narratives, ideologies, potential biases (eurocentrism, de-colonization etc.), academic schools of thought and disciplines, etc.], background research assessment of obstacles and opportunities
- Contextualization of program, primary and secondary target populations
- Modes of assessment and evaluation
- Necessary and potential partnerships

### *Outputs*

- Those specific to a given project
- Ongoing learning support, legal services and funding
- Instructors' and target populations' personal attitudes, beliefs, skills, critical thinking, activities
- Reinforced societal changes: economic development, employment, new organizations, social movements, further education, conflict management, bottom-up/top-down coordination
- The effectiveness of remedial strategies with respect to desired outcomes
- Changes in pro bono, commercial and governmental activities
- Undesired short-term and long-term outputs
- Follow-up planning and reinforcing activities between agents and communities
- Cost-benefit analysis

*Table 1: The Inputs and Outputs Schema of HRE*

This exploration utilizes the schema above in order to identify the various inputs and outputs rather than focus on particular models which incorporate them. This process enables the identification of the wide variety of inputs, each of which has an impact on the outcomes, even if it is difficult to link any single input to a given output. The schema distinguishes between ‘given’ outputs like the economic and social conditions of the target population, from the inputs “chosen or inspired’ by the agents. The latter, however, includes the actors’ interpretation of the social conditions. In practice most actors may use their own intuitions, experiences, and assumptions rather than a more comprehensive formal assessment of the inputs. With that said, the above schema assumes that HRE facilitators and communities have overlapping roles, where one informs and influences the other. This essay provides an overview of several dimensions of HRE: the actors, the many potential goals and content, its diverse forces, the particular challenges of teaching legal and ethical norms and topics, the degree to which HRE is not a stand-alone project, and the urgency of critical thinking in HRE initiatives. All of these are moving targets requiring systematic monitoring. We aim to define and promote an assessment research agenda focused more on outcomes, as much as on inputs and recommendations.

### **The Actors**

As foreseen in Article 26 of the UDHR, HRE took off as a global initiative on the part of the United Nations (U.N.) at the 1993 Vienna World Conference on Human Rights. The U.N.’s subsequent implementation of HRE goals has included the worldwide Decade of Human Rights Education from 1995-2004, followed by an open-ended continuation called the World Programme for Human Rights Education (Mahler et al., 2009). In 2011, the U.N. General Assembly adopted the U.N. Declaration on Human Rights Education and Training (UNDHRET) stressing the importance of HRE at the national policy level for reform (UNDHRET, 2011). However, there is limited evidence of evaluation of the implemented actual policies and delivery point achievements.

The main U.N. leaders and influencers in HRE globally have been the Office of the High Commissioner for Human Rights (OHCHR), the U.N. High Commissioner for Refugees (UNHCR), United Nations Education, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), and the International Labor Organization (ILO), with numerous reports on their programs (Page, 2016). Regional inter-governmental human rights organizations have also been active in HRE. Some of the most active have been in Europe where the dominant rubric has been civic education which melds human rights with democratic values and practices, benefitting from the active participation of many governmental and non-governmental organizations (Council of Europe, n.d.). Scholars who insist on making a distinction between civic education, democracy, and HRE on grounds that the two former seek conformity while HRE questions it, tend to criticize this melding (Toivanen, 2009). Regional human rights systems other than the European and the Latin American have so far not played a major role in the development of HRE programs as such. Regional systems show how human rights are universally applicable with enough space for a degree of normative pluralism and legitimacy by serving as authoritative mechanisms contextualizing instruments based on human rights principles (Shelton, 2008). This could be given more attention in HRE curricula formulation as it extends to the contextualization of the various inputs and outputs required by HRE.

The *de facto* roles of individual governments in HRE are difficult to summarize, let alone evaluate. One reason is because the human rights movement as a whole, beginning with its blooming after WWII and continuing through the Cold War and anti-Apartheid movement, portrayed many governments as either major causes of human rights abuses or simply as not fulfilling their obligation to protect all the rights of their citizens. Then again, for some governments, in different ways, human rights as well as HRE became a tool of foreign policy, *inter alia*, to challenge other governments on the basis of their failure to protect the rights of their citizens. For example, U.S. foreign aid policy has incorporated teaching and practices related to women's rights with respect to abortion (Global Health Policy, 2021), while recent events domestically, such as the overturn of *Roe v. Wade*, might prove to be contrary to what is promoted abroad. Moreover, almost every

government has had to defend itself for inadequate responses to some abuses within their own jurisdiction or for a lack of commitment to the fate of human beings in other parts of the world. Human rights and governments have a checkered history: governments can either promote rights for some or be a major source of human rights abuses for others, and in some cases can contribute to the co-optation of HRE. For instance, the 1840 American decennial census presented the improbable and incendiary notion that slavery was good for Black people on the grounds that data indicated that freedom led to insanity, specifically that free Black people were more likely than the enslaved to succumb to insanity (Whoriskey, 2020). This manipulation of ‘human rights’ by national entities fuses the understandings of rights and duties rather than highlighting their complementarity. For their own political reasons, they add their own “flavor” to what the national entities understood and wanted people to understand by human rights (Bajaj, 2012, pp. 136-137).

Another group of major HRE actors includes the wide range of domestic and international non-governmental organizations whose HRE activities both push and work with governmental and intergovernmental agencies. Their work is to be found in every country, which allows the promotion of human rights education. The HRE work of the NGOs provides an enormous body of potential evidence with respect to the HRE “lessons to be learned,” but which has yet to be fully mined. The strength of NGOs lies in their numbers, their variety, their access to expertise, and their ability to mobilize political constituencies. One common weakness is their limited funding, and, as a result, their HRE activities are often short-term.<sup>6</sup>

Not always thought of as proponents of HRE are also the increasing number of NGOs that focus on corporate social responsibility by providing monitoring reports, education, and training through informal HRE. In doing so, they educate both their own agents and the various categories of workers and their supervisors with respect to human rights abuses in the workplaces that form the supply lines of a vast array of commercial products. One example is Social Accountability International (SAI), which focuses its advocacy

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<sup>6</sup> The Bulgaria based Sofia Platform Foundation report found that in every region they studied there was motivation for change; however, they all lack access to funding.



and trainings around a workplace code entitled SA8000.<sup>7</sup> The code is based on human rights principles and practices as applied to industrial and agricultural workplaces. Using trainings (i.e., HRE) and workplace audits, SAI has benefitted social auditors, suppliers, trade unions, non-profits, governments, and academia worldwide (SAI, n.d.) by strengthening a substantial level of respect for human dignity through informal HRE efforts.

Other non-governmental actors are the world's religious communities. Their role is complex in that while some religions profess standards of social justice for all, their practices are often exclusive or discriminatory in one way or another. Religions are central to ongoing major debates and practices with respect to religious freedom in many countries, especially in those with limited tolerance for religions, and where they are considered inimical to state interests. However, in those states, which have laws and practices that criminalize certain forms of religious expression, Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual (LGBTQIA) movements, etc., human rights educators also face major challenges, especially because they seek their legitimacy on the basis of human rights. Irrespective of their limitations, the religious organizations must be seen as substantial purveyors of HRE but with a complex, overlapping agenda; thus, they are also subjects of needed HRE research.

Another characteristic that is now very visible in these different HRE arenas is the dominant role that women play as actors and target populations in the promotion of human rights and HRE globally. This reality was notable in a 2015 study on HRE and peace building that noted that as civil conflicts ended in places like Colombia, Liberia, and Senegal, women were unwilling to return to the past and eagerly embraced the new human rights norms offered by the educators. Human rights education thus became a means to substitute the more oppressive rules and customs they had once recognized in their previous traditional patterns of living (Holland & Martin, 2017). The individual actors are equally varied, including teachers, instructors, labor leaders, facilitators, lawyers, and even military personnel. In this study, we treat

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<sup>7</sup> A workplace code like SA8000 generates a certificate that affirms that the company is safe and offers good working conditions as per local conditions.

these individuals interchangeably. The variety of the actors in HRE is exhaustive and further aggravated by the diversity of HRE in practice.

### **HRE in Practice**

Human rights education is not a stand-alone-project, intellectually and in practice. The treaty language of the main human rights documents, for example, must be adapted to the situation and needs of different target populations. That process is a composite of the political, economic, and cultural factors outlined in the input/output schema above. Implicit within the challenge for HRE agents is the need to recognize the multiple other dependencies, interactions, and potential partners. HRE programs in poor communities, for example, require external financial and technical support. In Peru, programs addressing domestic violence found that to be effective, the instructors had to work not only with the women, but also with their husbands, the local police, and the magistrates (Heise, 2011; Holland & Martin, 2017). Hence, attaining HRE's goals often relies on change within other sectors beyond the target group. Even in formal education, HRE programs must take into consideration forces outside the classroom, notably politics, the economy, and culturally defined practices.

Studies of successful HRE initiatives reveal a wide range of supportive out-of-classroom activities. For example, to assure sustainability, the Liga de Mujeres Desplazadas (Displaced Women's League) in Colombia found the best way to protect women from domestic and societal violence was to enable the women to build their own village with all the amenities like electricity, water, and sanitation (Holland & Martin, 2017). This project required extensive education and training, as the women had to develop their own security systems and learn to construct buildings. In addition, the leader—a lawyer—was able to appeal to domestic and international organizations for support and protection. Similarly, the Bangladeshi NGO BRAC has targeted myriad problems faced by young girls and women in Bangladesh through their Human Rights and Legal Education (HRLE) program, which educates women about their legal rights, existing laws, legal aid frameworks, and tools to oppose injustices. This has encouraged a nationwide process for girls to

negotiate their teen years without being forced into marriage (BRAC HLRE, 2016). These studies indicate that programs organized by women for women in the Global South offer exemplary examples of transformative HRE through the defined needs, techniques on how to incorporate support after the formal training, and ways to rely on partnerships with other domestic and international institutions.

Can human rights exist without democracy? Though forms of democracy are generally seen as the ideal in the West, in varying degrees human rights concepts and practices have also found support in non-western, non-democratic countries, notably by their ratifying, albeit with specific reservations, the major human rights treaties. Human rights have thus become an influential institution in international law and diplomacy. With regards to HRE, instructors and facilitators need to be prepared to develop a sophisticated appreciation of the relationship between human rights and democracy, on the one hand, along with other desirable social priorities such as equality, wealth distribution, and political stability, on the other. Can outside agents promote democracy and human rights within another country through HRE? Haiti, for instance, has been the victim of external interference and sanctions since its independence in 1804. International initiatives alone (such the IMF-initiated structural adjustment programs) have not strengthened democratic and economic processes in the country, and citizens do not have the degree of political participation necessary to protect victims of human rights abuse (Labrador & Roy, 2022). HRE hence cannot function without some degree of social order, and the current situation in Haiti illustrates the complexities of teaching HRE and addressing remedial actions.

This leads to the question of how HRE can function in other less violent but non-democratic regimes, for instance in some Gulf countries that adopt human rights language and some practices on *'realpolitik'* grounds. Langlois (2003) describes such 'rights' granted by non-democratic states as 'temporary privileges.' He examines the problem of leaders stirring 'reactionary nationalism' portrayed as 'democratization' and human rights. These regimes promote some human rights without supportive democratic principles and practices, nor widespread acceptance of international human rights as

universal norms. The 1990 Cairo Declaration on Human Rights in Islam, for example, develops a code of human rights, which prioritizes the Islamic community and Sharia Law. The African Charter on Human and Peoples' Rights prioritizes communities over individuals. In these and other countries, HRE initiatives are conditioned by local laws and politics, as well as by geo-political considerations such as development aid. These circumstances illustrate need for local human rights instructors and the need for those who can adjust content and method to take the local political, cultural, and religious contexts into consideration. In order to be transformative, HRE cannot follow a one-size-fits-all template. One prima facie example of contextualization was a USAID initiative in Afghanistan, which facilitated its women's rights program by bringing Islamic legal scholars from Egypt to show the women that the women's rights in question were compatible with Sharia law. This and many other examples require independent research to assess their methods and effectiveness.<sup>8</sup>

The importance of the attitude of governments to human rights in HRE is illustrated in the case of the Rohingya refugees fleeing persecution in Myanmar in 2016. The Bangladeshi government opened its borders and, in collaboration with local and international organizations, provided assistance and temporary asylum to over 700,000 Rohingya refugees. The Southern Bangladeshi population was initially ambivalent to the prospect of sharing extremely limited space and resources. However, a 2018 Rohingya repatriation survey by Xchange Foundation highlights important perceptions of local communities in Cox's Bazar towards the Rohingya refugees. A significantly higher number of respondents believed that Rohingya presence in Rohingya-populated areas called unions (as compared to those located in unions without Rohingya presence) did not hamper their lives. They had learned about various aspects of human rights and the government's duties from the presence of international and local humanitarian organizations in those areas. In this particular case, HRE was not limited to classrooms or formal programs; but the informal dissemination of knowledge about human rights and refugee rights served as a form of innate decoupling of HRE (Bajaj, 2012) that

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<sup>8</sup> Communication with USAID field officers involved.

occurred organically and served as a form of unique transformative agency in that particular society.

Bangladesh has collaborated with international agencies in order to bring a greater degree of human rights observance to its garment industries by imposing better workplace regulations after the catastrophic Rana Plaza garment factory collapse in 2013. Pressure from human rights organizations along with local and international labor unions, NGOs, and the general public led to the legally binding formulation of an International Labour Organisation Accord on Building and Fire Safety in Bangladesh, as well as improved regulatory compliance on the ground, with better working conditions. These initiatives called for a variety of formal and informal HRE activities through diverse agents. Once again, this example exhibits the process of decoupling or indigenization of informal HRE through the mediums mentioned, which forced a reconsideration of the conditions for effective and essential change (Bajaj, 2012). This can also be considered as a form of transformative HRE, which adopted ethics where global ideas offered techniques for instructing critical consciousness about ‘processes of exclusion,’ offering learners the chance to inquire and act upon imbalanced social relations (Bajaj, 2017).

Climate change has highlighted the range of ongoing human rights abuses. As the main duty-bearers of the human rights treaties that they have ratified, states have an obligation to take effective measures to prevent and redress human rights abuses. This comes in a world where nations that have least contributed to the climate crisis suffer its harms most disproportionately. According to the OHCHR, poorer countries need to be significant participants in, and primary beneficiaries of, climate action and must have access to effective remedies. Climate change mitigation and adaptation efforts, therefore, are required to be adequate, appropriately ambitious, non-discriminatory, and compliant with human rights obligations (OHCHR, COP21). As the impact of climate change on HRE is only beginning to take shape, it is difficult to recommend nuanced climate-related HRE content in ways that respond to the rights, needs, and capacities of the populations most at risk from climate-related disasters.

HRE proponents argue that human rights are most powerful as a learning tool when discourse centers on remedial actions and social transformation (Monaghan & Spreen, 2015). To achieve these goals, HRE needs to incorporate forms of critical thinking and experiential learning that focus on affirming the rights and the transformative agency of individuals, local communities, and global networks (be it sustained agency, relational agency, coalitional agency, or strategic agency) by exploring gaps between rights and realities, along with the necessary individual and collective work needed to achieve a more just society (Bajaj, 2018). When HRE instructors and their target populations encounter oppressive states, resistance based on religious or other ideologies, HRE advocates have encouraged dialogues that use the human rights regime to create space for deliberation and social change. Much, however, will still depend on the training and skills at the delivery points.

### **Diversity and Universality**

Conceptually and in practice, one of the major persistent targets of human rights advocacy is the elimination of all the numerous forms of discrimination and the acceptance of diversity among human beings. Recognizing and understanding discrimination, its roots, and remedies would appear to be an essential skill for all HRE personnel at all levels and within all sectors of society. Too often discrimination becomes a routine political tool used to exclude, vilify, and even persecute opponents.

The idea that every human being, irrespective of nationality or state legislation, possesses basic inalienable rights that deserve respect and recognition has moral appeal. However, the universality of international human rights has long come under theoretical and political attacks, including in HRE programs, where critics argue that the idea of “universality” does not account for regional, national, and cultural diversity, is foundationally ambiguous, lacks clarity, and assumes a default template of Eurocentricity. Thus, on one hand, human rights are criticized as not being universally applicable and, on the other, the language is used to justify all sorts of claims. HRE programs must grapple with the general human rights principles and

their applicability in diverse cultures and social conditions. This factor gains added resonance among educators as modern societies are becoming more pluralistic; thus, HRE based on universal principles is viewed to have a growing role to play in public education, notably with respect to such topics as non-discrimination and racism (Osler & Starkey, 2010; Donnelly, 1984). In becoming more widespread, HRE initiatives face the challenges and opportunities of human diversity in both literature and practice. Despite its shared common roots in domestic and international law and social change goals, HRE's inherent diversity "colors" virtually all the components identified in our input/output/black-box framework.

In addition to empirical scrutiny, HRE educators must be prepared to address legal and ethical principles, ideologies (Bajaj 2011; Martin et al., 2020), and local conditions, as well as identifying latent and overt cultural and political biases and conditions reflected in supporting narratives and instructional approaches. These contextualization challenges are encountered in many major current debates such as gender questions, the rights of future generations, the claims of the poor on the rich, corporate social responsibility, and actions that impinge on the shared environment. These challenges lead to the question as to whether and how HRE can contribute beneficially to these situations.

Organizations like BRAC underline the need for HRE to be supported by other inputs such as legal advice and access to health care. One of BRAC's goals in their HRE programs is to enable impoverished populations to understand the relationship between their needs and their rights, the rule of law, and thus the relevant obligations of government. HRE agents agree that HRE needs to be contextualized in order to build the capacity of communities to achieve a greater degree of political and economic emancipation. With that being said, HRE is enmeshed in development programs. These enjoy global stature and promote political and economic emancipation and development, all of which are recognized as needed goals for the international community as spelled out in the 2030 Sustainable Development Goals (SDGs)<sup>9</sup> and also

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<sup>9</sup> SDGs 2030 are the collection of 17 interlinked objectives, serving as an outline for peace and prosperity for people and the planet.

outlined in the UNDHRET's objective of people-centered sustainable development and social justice. This links the economic political goals of the SDGs with the human rights treaty obligations of the world's states. The combination of the two fields reinforces the legal, conceptual, and political relationship between economic and social rights, on the one hand, and civil and political rights, on the other. At the delivery points, the needed contextualization and interpretations depend heavily on the insights and skills of the individual instructors.

Most HRE scholars and educators accept the premise that HRE should be transformative and norm-enforcing (Andreopoulos, 2002). By this they mean that instruction is oriented to societal change outside the classroom, as was seen in the Rohingya host population example. Like the word "contextualization," all change-oriented components of HRE impinge on and incorporate numerous, often sensitive, economic, political, and cultural dimensions in the community at large. This societal change component is often a challenge for instructors, because it requires sophisticated knowledge of both principles and the evolving social environment of the population in which HRE is being implemented. Recommended remedies can be subject to diverse and arbitrary thought patterns and/or even ill-informed or biased opinions.

### **Cultures and Context**

Over the years, human rights debates have gravitated around universalism and cultural relativism. The official or formal interpretation and application of international human rights conventions are primarily the task of the international treaty bodies and the international and domestic courts. In doing so they must resolve priorities among human rights themselves as well as with other social priorities, values, and traditions. The United States, along with other Western countries, places the importance on individual and civil and political rights, whereas many other nations prioritize community, duties, and economic and social rights (Bell, 1991). This division of priorities among rights has permeated virtually all human rights advocacy since,



including within HRE, as the underlying principles are influenced by differing social and political traditions.

A large part of human rights activism and HRE has been a top-down, intercultural process that is dependent on foreign funding and the international human rights language acceptable to donors. Grounding the importation of international human rights ideas in local cultures calls for considering local political, economic, and cultural realities. This demands expertise on the part of delivery agents. It is not a new challenge. To *indigenize* and *vernacularize* human rights concepts such as democracy and rule of law, human rights educators need to recognize and value analogous concepts in the language, experience, and practices of their target audiences. Most communities facing human rights abuses can recognize the abuses as unjust, although they may not use the human rights label. Thus, some human rights educators pose more questions than answers because they believe that answers best come from the people themselves. Such HRE pedagogy is seen to empower both sides to identify human rights problems, invoke human rights norms to find solutions, and form plans of action (Andreopoulos & Claude, 1997). In their respective classrooms, HRE instructors at delivery points around the world are “on their own” as they seek arguments and narratives to persuade their target populations of the value of human rights and the applicability of an international regime to their lives. They have to adjust their “inputs” to local conditions.

To reiterate, regional entities can promote, protect, refine, and monitor human rights in their respective geographical and culturally similar regions<sup>10</sup> and help concretize the human rights legal language for their different communities. Thus, in the titles of their corresponding treaties, the Europeans put “fundamental freedoms,” the African Charter adds “people’s rights,” and the American Convention title includes “duties.” A closer reading of their respective charters shows other refinements in their descriptions and

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<sup>10</sup> The African, Inter-American, and European Conventions on human rights, established under the auspices of intergovernmental organizations comprising of member states, notably: the Council of Europe, the Organization of American States, the African Union, the League of Arab States, and most recently, the Association of Southeast Asian Nations.

prioritizing of rights. HRE programs, which operate within the overall regional frameworks, can make use of legal flexibilities. In practice, however, teaching about rights reaches far beyond the interpretation of treaty language. As has been argued frequently in this text, content, method, and outcomes depend on all the factors identified in the input/output/black-box schema.

States often use arguments like cultural relativism and national interest to rationalize their actions and policies that conflict with the universal human rights standards (Beitz, 2009). They are also important actors with respect to religious influences within their jurisdictions. A persistent challenge to HRE is composed of the many different ways in which human rights, or at least rights, are labeled. Varying in different social contexts, human rights and HRE are subject to critiques, such as for being “conceptually eclectic, declarationist, conservative, positivistic, uncritical, or compliance-driven” (Keet, 2017, pp. 3-4). Some educators complain that by placing human rights within a legal framework, HRE deters target populations from exploring in depth an understanding of social justice. Such labeling of HRE illustrates different motivations, expectations, and cultural roots, as well as educational theories (Bajaj, 2011). Thus, HRE instructors need to be prepared to explain relationships between local cultures, religions, and human rights as defined by both national governments and international human rights standards and practices.

A practical example of the inherent ambiguities pitting human rights against social customs is visible in responses to the practice of Female Genital Cutting (FGC). It is estimated that over 200 million girls and women worldwide have suffered the effects of FGC, and approximately 3.6 million girls and women are at risk each year. FGC is seen to infringe upon several human rights outlined under international covenants.<sup>11</sup> Human rights-based approaches to the eradication of FGC have included the enforcement of laws, education programs focused on empowerment, and campaigns to recruit change agents from within communities. One successful rights-based health

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<sup>11</sup> Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination against Women, and the Convention on the Rights of the Child.

intervention in Sierra Leone has been to respect the importance of the passage rites while promoting alternatives that do not involve cutting. The approach includes recognizing the importance of *soweis*, the women leaders who perform FGC by finding for them alternative sources of income (Breault, 2018). These rights-community-based approaches thus preserve communities' cultural heritage and social values while eliminating the practice defined as an abuse of young women's rights. This case illustrates the need to build community-wide trust assuring ongoing dialogue with respect to traditional practices while simultaneously addressing universal human rights norms.

Gender-based discrimination remains a global problem, which takes many forms and has deep roots particularly in rural cultures. A 2019 Indian government investigation reported by Al Jazeera, for example, revealed that not a single female was born in 132 villages over a period of three months in one north Indian state, the cause being female feticide. Traditionally, the desire for a male over a female child is aggravated by the concept that girls become financial burdens on families due to the practice of the marriage dowry, as it exists today, particularly in rural, impoverished regions. These beliefs are deeply rooted in the Indian population of over 1.3 billion and its immense diversity of religions and cultures. There are now numerous HRE initiatives taking place in India, which could expand the data available for researchers interested in the sources of HRE success and failure. For example, Justice Anand, former Chair of India's National Human Rights Commission reported,

It is said that the awareness of human rights is largely limited to the educated sections of society, while ideally it is necessary to create awareness about human rights at all levels. There has been a growing realization that human rights cannot be taught only from formal documents. Indigenization of human rights education thus, can be one of the crucial components of human rights education in India. (Bajaj & Wahl, 2017, p. 147)

In the face of nationwide human rights issues, new HRE programs are needed to reach every stratum of society where abuses are prevalent. This educational task would be to build on a community's sense of injustice and

desire for transformation. Many HRE studies have shown that HRE works best when it responds to people's desire for change and becomes a building block for educators (Holland & Martin, 2017). Sen (2004) also underlines the importance of the interaction between the instructor and the target audience: not only to encourage target populations to adopt new knowledge and values, but also to inspire the development of agency and capability for transformation outside the classroom. Examples of such successful transformations in different communities need a greater degree of critical evaluation.

HRE can be conceived as a space for dialogue, rather than just the application of norms. Noam Chomsky (2014) outlines in his 1969-2013 collection of essays that we do not have to subordinate ourselves to the principal architects of policy and the doctrinal standards of those in power in order to achieve universal human rights. An organized public has the potential to map out space for authentic concern for human rights within their communities, and thereby influence the scope of human rights education, because we can benefit from lessons of past struggles, and because our awareness of nuanced cultural differences between societies has become stronger as the world has globalized. Contextualized HRE thus plays a vital role in the fight against social injustices. Significant HRE experience now has been dispersed among those organizations that work at the delivery points which needs to be collected, examined, and the lessons shared. As HRE becomes more integrated into policy discussions at national and international levels, greater research on what HRE is, does, and means will be needed to ensure how it can be adapted best and expeditiously to specific problems and contexts. The diversity of contexts in which HRE has been successfully implemented is indeed a testament to its relevance, adaptability, and promise as educational reform.

### **Critical Thinking**

Many human rights educators see forms of critical pedagogy as promoted by Paulo Freire (2001) as a core HRE methodology. This method calls for critical reflection on the part of the educator with the goal being to improve societies through learning focused on social justice. It is often seen as an essential "pedagogical input" in HRE teaching, particularly in

marginalized communities where cultural hegemony often displaces and excludes certain social groups from the economic and social service institutions and benefits of society. This methodology makes self-reflection on part of both students and teachers/facilitators paramount. The balance of power between students and teachers is also of primary concern for Freire in calling for limiting a top-down pedagogy that mirrors societal forms of oppression. Hence human rights educators need to pose open-ended questions, use common language, encourage deeper discussions, and assure students that their opinions will not be shared publicly.

One of the other problems examined by Freire (2001) is that the field of human rights is generally “too westernized.” Critical thinking, and critical pedagogy in particular, call for HRE curricula that provide for legitimate forms of diversity, cultural practices, physical environments, and other differences affecting target populations. Like other methods, Freire’s critical pedagogy encourages instructors and students to engage in critical thinking, notably by examining the claims of all sides (Zembylas, 2015; Zembylas, 2017). Examining the presence and impact of any Western bias on the definition of imputed abuse and the choice of remedies would be only one of the tasks confronting an instructor committed to critical thinking. All critical thinking requires examining the evidence and the principles upon which a statement, opinion, theory, or course of action is based. The primary foundations of human rights theory and practice are norms that are legal and ethical principles (Barretto, 2011). The secondary foundations are the relevant empirical facts and theories about causalities. For any given initiative these add up to the extensive potential choices of educational and societal goals, materials and methods, along with cultural and other forms of diversity relevant to every HRE project. The project evaluation challenge is to submit the choices to critical evaluation before, during, and after a HRE program. Only by more systematic evaluation can we learn the lessons from past and ongoing HRE activities. The input/output schema is designed to identify the elements to be evaluated from a critical pedagogical, contextualized approach.

Freire’s theory of dialogical practice argues that we must put aside the understanding of dialogue as just a classroom technique. Rather it calls for

an epistemological relationship, an indispensable scrutiny of the processes of learning, knowing, and living in society. One institutional illustration is BRAC's HRE work in Bangladesh, based on a model requiring the mapping of community needs in order to contextualize their education programs. One of their most unique and effective outreach programs has been through their extensive and targeted training of paralegals. As agents who bridge the gap between the state's mainly under-represented communities, they are equipped to provide information about the rule of law, reduce legal barriers, and complement the larger judicial system by facilitating access to justice. For instance, BRAC's Human Rights and Legal Services Program (HRLS)<sup>12</sup> aims to develop human rights awareness, increase gender sensitivity, create a platform for greater cooperation between local elites and community, and reduce corruption through grassroots administration. With their basic training in criminal law, paralegals play a significant role in court, community, and prisons.

Dialogue at the community level takes the forms of legal awareness and providing legal assistance, organizing community workshops, communicating with local authorities and NGOs, organizing procedures for penal lawyer action, follow up and fact checking. Since the inception of this program, women in 61 districts of Bangladesh have greater access to tools that generate their understanding of basic rights of women and children, and access to legal services. The process coincides with Freire's notion of the epistemological bond in dialogue, whereby learning and knowing is a dialogue between experts and local communities that focuses on core needs of communities. Regular mapping of community needs is designed to deliver effective HRE strategies, celebrates diversity in program development, and assures the capacity to adapt to constant changes in community needs.

As developed above, given its widely accepted goal to incorporate legal and ethical principles resulting in transformative social change, HRE draws on many empirical, disciplinary, and theoretical sources to establish (a) its case for social change and (b) the strategies needed to reach the desired changes. Both of these are separate intellectual and practical processes, but

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<sup>12</sup> Communication with BRAC executives in Bangladesh.

which are often intermingled without clear analysis. An example can also be drawn from BRAC's paralegal program, where the power of legal language clarifies the controversies often arising from human rights agendas. The case for social change is based on a presentation of: (a) a *terminus a quo*, typically empirical data on violations of human rights such as the lack of basic education or clean water; (b) an analysis of the causes of the violations; and (c) a *terminus ad quem*, adequate remedies. Each category has its own methodology.

Thus, for example, Osler and Yahya (2017) reflect on their work on HRE in Iraq with regard to the education of women. Their account begins with empirical data on the status of women's education based on Islamic principles and traditional local practices within the Kurdish communities. They define the main HRE goal as substantive equality between boys and girls. They see HRE as a way to recognize and overcome discrimination by the analysis of learning content, teaching methods, assessment styles, management of peer relationships and learning results. The potential remedies begin with analysis of cultural norms within a broad human rights framework. Their work illustrates the numerous variables and critical assessments that have to be taken into account in HRE precisely because it is a composite of ideas that seeks to change other people's ideas, norms, and practices.

### **Looking Ahead**

The purpose of this article has been to begin to map the current terrain of HRE as a major global activity and to call for the research needed to delineate effective and sustainable initiatives with a view to future actors learning from the past. In our input/output schema, we have emphasized the relevance of the many diverse factors that come together in HRE initiatives. If more HRE research is needed, what is needed and who should do it?

To be beneficial, the research must reach the delivery points—namely, the varied group of teachers, instructors, activists, animators, artists, labor leaders, etc. Looking across the whole field of human rights education, most would agree that the content emphasis has been on the norms, institutions, and processes of the international and domestic human rights regimes,

mostly in a prescriptive mode. In practice, this form of education has fed into many domestic and international human rights advocacy activities, including educational programs. This study has argued that HRE requires bringing together both the “legal and ethical normative content,” on one hand, and the “pedagogical principles and skills,” on the other. The confluence of these two dimensions has to be the focus of the research needed to assess the effectiveness of any given HRE initiative.

Moreover, as so much HRE is already cross-national, future research calls for an international institutional network of actors and researchers. Key among the actors would be major teacher training institutions that have integrated both the substantive and the pedagogical dimensions into their teaching and research. Our analysis underlines the fact that HRE teachers need more specific training and future HRE programs need to benefit more from independent research on existing HRE initiatives. To achieve greater sustainability, HRE also needs to be integrated into public education systems and to expand cooperation among all the various agents. To do this, however, potential actors need sufficient funding, and authoritative HRE bodies need to exercise to the limits their persuasive and mobilization powers with respect to states and to the research capacities of the world’s academic institutions, especially those involved in teacher training.

The research agenda would have to be developed, negotiated, and funded at committed teacher training institutions. Based on the analysis of this study, the teaching agenda to prepare delivery point instructors would cover the following:

1. The HRE Field: Inputs and Outputs
2. The Human Rights Regime: legal, ethical, institutional, and ideological elements
3. The Analysis of Social Situations
4. Pedagogical Choices: goals, principles, content, skills, and methodologies
5. Remedies and Transformative Actions
6. Evaluating HRE Projects



That said, this article is not designed to be a final word or analysis. Rather, it is intended to encourage debate on both HRE research and teaching methods. We have sought to flag the topics that need to be addressed, notably identifying the elements of successful HRE initiatives; the quality of underlying pedagogical principles, such of those of Freire; the importance of HRE being institutionally and culturally critiqued and rooted, sustained, and transformative in nature; using delivery points as the litmus tests; and emphasizing the role of critical thinking, while analytically examining these concepts in theory and practice. We aspire to see these questions become a stimulus for others to be able to mine the field of HRE for its wisdom and riches, in the present and future.

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# Notes From The Field

## Becoming a Bright Star Through Human Rights Education: (Re)humanization Through Participation

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### Abstract

*This essay explores a Human Rights Education (HRE) project that was initiated in the urban slums of Nairobi. The HRE project was combined with photovoice to support participants in the project to become empowered and make lasting change within their communities. The project took place within a program for young mothers called the Bright Star Initiative. Through 12 weeks of training, these young moms learned about human rights principles, how to apply them to their lives, and how to advocate for change utilizing a human rights framework. The project led to multiple interventions that are currently supporting the populations in these areas. The main goal of the project was to disrupt the oppressive forces that continue to subjugate, exploit, and dehumanize these young mothers.*

**Keywords:** Human rights, human rights education, photovoice, Black liberation, critical consciousness

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**A**rticle 3 of the Universal Declaration of Human Rights (UDHR) states that “Everyone has the right to life, liberty and security of person” (United Nations, 1948). Unfortunately, this article is violated daily around the world. Across the continent of Africa, human rights violations are rife. The legacies of the Arab slave trade, colonialism, the Trans-Atlantic slave trade, neo-colonialism, neoliberalism, and racial capitalism have left Africa in a state of chaos grounded in cultural genocide. The Euro-American footprint can be seen at all levels of government and society in Kenya (Lang’at, 2008). Further, nations like the United States, Russia, and China are trying to occupy the continent for military and economic benefit (Mdoe, 2022). Thus, the subsequent scramble for Africa continues to underdevelop, destroy, and deplete Africa of its natural resources and labor force (Rodney, 1972). As a result, Africa has yet to experience development free from foreign intervention and control.

To counter the Western and Eastern domination of the continent, education grounded in a human rights framework is needed to activate African citizenry to liberate themselves from the lingering control of their colonial masters. This human rights project was a response to the enduring legacy of oppression that remains on the continent. This project was born out of the love and compassion that I have for the land of my ancestors. It is also a part of a larger goal of uniting the entire African Diaspora to counter the effects of anti-Blackness that is now a global pandemic. However, to create an effective human rights education program, two types of learning are required: “learning about human rights and learning for human rights” (Coysh, 2017, p. 55). This essay focuses on the process of learning about human rights and creating a pathway to learn for human rights. Ultimately, by educating people to learn about human rights principles, how to apply those principles to their lives, and eventually facilitating collective action to defend and advance their dignity and social justice, we support people who have been historically marginalized by cultivating a “critical consciousness that helps identify oppressive power structures and leads to actions aimed at changing oppressive or disempowering social conditions” (Wang et al., 1997).



## **Background**

This human rights education project began in Kenya, a country in East Africa that is home to over 48 million people. This project was completed in the largest city in Kenya, Nairobi. Sixty percent (60%) of the 4.4 million people in total living in Nairobi live in informal settlements, otherwise known as urban slums (Lang'at, 2008). There are over 200 slums in Nairobi, which house over 2.5 million residents. These areas lack the critical services that their inhabitants need to survive. There is a lot of crime, poverty, and illness within these areas. The biggest slum in Nairobi is called Kibera, which houses around 250,000 people. The Kenyan government has attempted to support people living in these settlements; however, their interventions don't work because they are generated from the top down rather than from the bottom up (Gulyani & Bassett, 2007).

## **Researcher positionality**

In 2021, I started the Black Mental Health Program at the nonprofit, the International Mental Health Association (IMHA), where I have worked since 2020. The program was designed to promote positive well-being and mental health of Black-identifying individuals worldwide. I created this program to help heal Black trauma, foster positive Black identity development, decolonize the Black mind, and restore the African historical memory that was thought to be lost through slavery to create community and a general sense of unity among the entire African Diaspora. To date, this program has helped to connect folks throughout the Diaspora and is sowing the seeds for social change, Black empowerment, and Black liberation.

## **The Project**

IMHA was established in 2019 by two women mental health clinicians, one being American and the other Bangladeshi. They had a vision to build a healthier world by pursuing mental wellness through an intersectional lens. Their commitment to build capacity for local action and global collaboration that centers mental health, led to the creation of capacity-building projects worldwide that focused on the environment, economy and equity, identity,

justice, education, and peacebuilding. IMHA works with communities around the world who are striving to bring change involving mental health, putting culture first. The goal is to collaborate with communities to build from the greatness in their people and the wisdom in their culture. Social justice is at IMHA core, and it is a non-negotiable value that is centered in all our work.

The Black Mental Health Program has a team on-ground in Kenya. This team consists of three members that provide the support, training, and facilitation of IMHA's East African Programming. Biko, a former journalist, is IMHA's social media manager and creative visionary. He creates beautiful media and supports the young moms in the Bright Star Initiative by facilitating mental wellness activities and exercises. Dorcas is IMHA's social change maker and creator of the Bright Star Initiative. A future social worker in training, Dorcas and her family have supported people in the slum areas all her life. Lastly, Esther serves as a volunteer for Bright Star. She provides support to the team and has a business background which she uses to train the Bright Star participants in entrepreneurship to support their families and earn a sustainable income.

This human rights education project was grounded in the African philosophy of Ubuntu. Ubuntu means "humanity" and it is an African philosophy that values collectivism over individualism (Nabudere, 2005). Further, Ubuntu philosophy emphasizes that "a person is a person through other persons" and "seeks to honor the dignity of each person" through the "development and maintenance of mutually affirming and enhancing relationships" (Nussbaum, 2003, p.1). Since Ubuntu values relationships, we utilized the "relational approach" to human rights education which focuses on "learning of human rights through narratives in relations" (Zembylas & Keet, 2019, p. 42). We wanted a culturally specific program designed and facilitated by folk directly from the communities we serve that supported their cultural values and way of life. The idea for the project's intervention was developed through our commitment to Black unity throughout the African Diaspora by restoring the glory of our African heritage through the dismantling of the vestiges of colonialism in Africa.

### ***The Bright Star Initiative***

Social issues and human rights violations permeate Kenyan slum areas. I heard there were numerous nonprofits working in these spaces to alleviate social problems. However, when on the ground, I didn't see any other organizations working in these areas. I found that nonprofits come here to secure funds (Wright, 2012). They round up kids, take pictures, feed them or provide them with a small amount of money, then leave. We investigated the organizations that proclaimed to serve these areas, but none were active or didn't return our calls.

Interestingly, I was at a market one day and there was a young girl who was running at full speed while holding a couple of children. An older woman was chasing her and yelling at her in Kiswahili. I asked my colleagues what was happening, and they told me about the situation. Apparently, the girl was a young mother, and young mothers in Kenya are stigmatized in various ways. They are essentially disowned by their communities and forced to find means to survive. Many turn to sex work, theft, or other activities within the informal economy. They lose all their rights when becoming young moms. They aren't allowed to attend school, some lose their employment, and others take the lives of their children or their own because they can't cope. These young mothers became be the first folx we would support through our organization.

The program the nonprofit I work with now facilitates for young moms (ages 12-19) and is called the Bright Star Initiative. We work with young moms from these informal settlements to provide basic mental health support, educational opportunities, and skill development for obtaining employment. The program also provides a space to co-create community, develop a positive identity, and a safe space to process trauma.

### **Through the Lens of Human Rights**

Although human rights are important, many governments fail to recognize and support these fundamental rights of their citizens. In short, human rights are the basic rights and freedoms that belong to every person in the world, regardless of one's identity, nationality, or social location

(Dembour, 2010; Zembylas & Keet, 2019). These rights protect the dignity and self-worth of a person. However, these rights must be enforced to apply to individuals (Dembour, 2010). Unfortunately, in many countries, the State acts as an oppressive force to prevent people from obtaining their rights (Gibson & Grant, 2013). In Kenya, the stigma surrounding young mothers is often shared publicly by government officials and contributes to the shaming, stigmatization, and isolation of girls who have early pregnancies (Lang'at, 2008).

In Africa, there exist many different cultures, ethnic groups, and tribes that have, at times, held conflicting ideologies and perspectives. Failing to interrogate the forces that have created situations where young girls can become pregnant without having solutions for them to provide for themselves is a legacy of colonialism that the country has endured (Hall et al., 2018). As a result, Africa developed unequal gender roles that have produced oppression (Oyewumi, 2002). In a capitalist system, women face a myriad of challenges, and their oppression is reproduced in the maintenance of global racial capitalism (Lorde, 2000). Further, women's labor is exploited and undervalued. This also extends to domestic work that isn't considered labor within this system. Additionally, these young mothers have been stigmatized through the lenses of religions and ostracized because of the rigid gender roles imported from colonialism, and ultimately, they have experienced social death because of the cultural practices of certain tribes (Fanon, 2004). These sources of stigma compound the already heavy stigma that these girls face within a world obsessed with the concept of creating, reproducing, and maintaining the nuclear family (Oyewumi, 2002).

### **Human Rights Education**

Human rights education is the antidote for oppression, at least in theory. Human rights education is the "training, dissemination and information efforts aimed at the building of a universal culture of human rights" (Human Rights Commission, 1996, as cited in Bajaj, 2008, p. 99). Human rights education provides individuals with education about their human rights and how to promote and defend their own rights and the rights of others. This information can then be utilized to foster a critical consciousness within learners

that can lead to societal transformation (Hantzopoulos & Bajaj, 2021). A human rights education also needs grounding in a critical framework, lest these rights become an act of performance rather than liberation (Zembylas & Keet, 2019). As a result, critical feminism is utilized throughout this project because an intersectional analysis is needed to explore how issues of race, class, gender, etc., contribute to the patriarchal structures of oppression and knowledge that inhibit these girls' growth and independence (Lorde, 2020).

Human rights theory is grounded in the social work framework of empowerment theory. Empowerment theories address the dynamics of discrimination and oppression. In these theories, individuals become aware of their life situation, how it came to be, and how to improve it (Adams, 2008). Rather than blaming themselves for their situation, which is neoliberal logic, individuals are allowed to engage in critical inquiry (Freire, 1970). Much like empowerment theories, human rights education empowers people to realize their full potential while, at the same time, supporting their own healing and the advancement of social justice (Bajaj, 2017; Meintjes, 1997; Robbins et al., 2019). Empowerment then serves as an intervention that provides individuals with the knowledge they need to access resources, address unequal power dynamics, and develop a strong sense of self and community (Robbins et al., 2019). Social stratification is a primary reason for these social inequalities, as they provide the justification for placing individuals and groups in their "correct" place on the social hierarchy (Knight, 2005). Understanding social stratification and how this oppressive system creates the conditions that the young mother currently experiences is how we begin to develop a critical consciousness of their society's organizing structures (Adams, 2008).

### **The Bright Star Initiative**

Ultimately, to support the activation of a critical consciousness, a human rights education project was developed with these young moms within the Bright Star Initiative. The program cohort started with nine participants, but over time, that number dropped to seven moms because the other two had other pressing needs to attend to. Unfortunately, meeting basic needs and having good mental health is a privilege that many people from these

areas don't get to experience. We needed to find a way to support these young moms' mental health and foster their connection with their children and provide them with opportunities to become changemakers within their community.

### ***What Do You Want?***

The most important thing that I do before conducting any research, designing a project, or developing a program, is to complete a needs assessment with the community that we will support (Adams, 2008). Unfortunately, this is a part of the work that gets skipped over, especially in Western-dominated settings. The West values "expert" knowledge, which leaves local communities in the lurch. However, empowerment theory shows us that individuals residing within these communities produce knowledge that is informed by their lived experiences, which is just as valid as academic research (Robbins et al., 2019). This process begins with a needs assessment to see what the community truly needs. To make a change, the community must be activated to carry out the transformation project. Otherwise, someone else will decide the fate of these people, and in most cases, it is usually someone from the West who is loyal to the "liberal facade" (Fanon, 2004).

One morning, I interrupted my teammates as they were facilitating a session with these young mothers. The three questions I asked them were:

1. What is the biggest challenge you face in your life?
2. What is one of the biggest issues your community is facing?
3. What is one thing you want people to know about your situation?

Surprisingly, these questions facilitated an engrossing discussion among the young moms. For the first time in their lives, they were positively centered in a conversation. Instead of having insults hurled at them, they were asked one of the most valuable questions they could be asked: "How do you envision your life now that you know that your situation isn't your fault but a part of a bigger system that tries to hold you back?" The conversations were lively and extremely engaging, highlighting the conscious-raising

effects of liberatory education (Freire, 1970). This was the information that I needed to begin my shift back into my role as an educator of human rights.

*Facilitator:* “What is your biggest regret?”

*Participant:* “That I had a child as a child.”

*Facilitator:* “Why do you regret having a child?”

*Participant:* “Because everyone says it wrong.”

*Facilitator:* “Do you think it’s wrong?”

*Participant:* “Yes. *(pause, looks around the room)*. No, because I love my baby *(holds baby close)*. Even though it is very hard, I wouldn’t want to be without her.”

*Facilitator:* “So, what do you really regret?”

*Participant:* “Not having the courage to say what I just said to you to everyone who said it was wrong.”

### ***A Locally informed Human Rights Education***

Despite the universal claims of human rights, in practice, human rights are impacted by the local context that they are being discussed within (Grant & Gibson, 2013). As a result of this contestation, enforcing human rights can get tricky depending on the setting one resides in. Therefore, a power analysis is one of the most important activities that one can do with their students. No matter their age or literacy level, students should be aware of the forces that affect them throughout life (Adams, 2008; Sumida-Huaman, 2017). Some people have more advantages than others, and these intersections must be critically examined to bring about change. From the young moms’ answers to the questions posed, collectively, we designed a curriculum that would work for them in their local context (Sumida-Huaman, 2017; Zembylas & Keet, 2019).

Lesson #	Content	Activities
	HRE - Human Rights Ed   PH - Photovoice Training	
1	HRE: Introduction to HRE	HRE - Identity Interviews
2	HRE: What are Human Rights?	HRE - Review UDHR
3	HRE: Building a Human Rights Community	HRE - Panel discussion
4	HRE: Exploring Human Rights Challenges	HRE - Asset mapping
5	HRE: How to Advocate for your Human Rights PH: Introduction to photovoice & exploring our issues	HRE - <i>Role-playing</i> : Activist Actions PH - Mindmapping our issues
6	HRE: Framing Issues through HR lens PH: Oppression & Social Justice 101	HRE - <i>Role-playing</i> : Framing Issues PH - Mindmapping our issues
7	HRE: Acting through Human Rights PH: Photography 101	HRE - Create HR Strategic Plan PH – Photo Practice
8	HRE: Applying Human Rights to our Photovoice Project PH: Taking Photos & Discussion	HRE - Utilizing the HR Framework PH - Taking photos & analyzing
9	PH: Taking Photos & Discussion	PH - Taking photos & analyzing
10	PH: Analyze Data	PH - Coding/Theme creation
11	PH: Analyze Data	PH - Reflection on themes
12	PH: Write our Report, Decide on Action Plan	PH - Writing results

Figure 1. Human Rights Education & Photovoice Curriculum

Once the curriculum was complete, the young mothers reviewed it to ensure it captured everything they wanted to learn about. At this point in time, I was a bit nervous about teaching human rights, especially in a country that commits so many human rights violations. Would I face legal issues because people think I am trying to incite a revolution? Are we over-inflating how we can support these youth? What if we give them these skills, and it leads to more oppression? I had to get comfortable with these questions before beginning to facilitate. I drew inspiration from civil rights activist and educator Septima Clark’s Citizenship Schools, that stated that they do “one



thing and do it well” (Cotton & Horton, 1976, p. 10). This advice helped me to scale down my training and just focus on the most important lessons for these young moms. What is something that can help them improve their situation right now? The other learnings will come later. Human rights education and advancing social justice is a life-long discipline (Grant & Gibson, 2013).

I led sessions to equip the team to deliver the trainings, and I supported their training sessions by having debriefs and strategy sessions to improve the delivery of our training. The training took place in phases. After the first phase, we discovered we needed an action-oriented component to our work because our participants were excited to create change.

### ***Your Rights, Your Life***

The first few weeks of the 12-week HRE training were exciting. The participants learned about their rights as human beings and that these rights could never be taken away (Knight, 2005). Giving someone an education that can lead to their liberation is something that many educators aspire toward. However, liberation looks different in different contexts. When asked what they wanted most of all, the moms mentioned “community.” They lost their communities once they became pregnant. Many of these moms blamed themselves for their situation. They don’t have access to mental health support, so many of them developed mental health issues such as depression, anxiety, and panic disorders. Our HRE training gave these young moms the space to name and feel their pain, process it, and heal. It also gave them a space to radically imagine a future without oppression.

*I stressed for my baby because his first birthday was in a week, and I had no money to celebrate. I was sad. The other girls, who they [IMHA] call my “sisters,” saw my stress. They used the little money they had to buy us a cake and have a party, not just for my baby but the other babies who never had a birthday party. I was so happy and so was my baby. I didn’t know that people who are not your family can be so caring...Now I understand why they call us sisters. (~Course Participant)*

After the first week of HRE classes, one of the moms asked if they could use some of the skills they learned to make change within their community. This was exactly what we were looking for. The training had already activated someone into action. We then decided on what kind of action we would like to take. Many moms wanted to bring awareness to their situations, while others wanted to agitate the government to provide for their needs. As I heard all the ideas that were generated, I thought about a photovoice project that I did one summer with young adults who were experiencing homelessness in the United States. That project was so impactful to those youth and their communities. Eventually, the work was presented to the city's mayor. It was a proud moment, especially when I saw one of my students leading a Black Lives Matter (BLM) protest in the park.

### **Photovoice**

Photovoice “is the process by which people identify, represent, and enhance their community through a specific photographic technique” (Wang et al., 1996, p. 47). Photovoice gives individuals the opportunity to control the narrative about their life situation. It gives participants from the community the ability to share their perspectives on the issues that affect them and their community. This is done through photography, which acts as a radical form of communication that can eventually lead to significant social change (Wang & Burris, 1997). This process is facilitated by documenting the reality of the participants' lived experiences through photos, which are then shared and discussed among the group.

Engaging in a critical dialogue about what the person sees in the presented images centers on critical analysis. Through this analysis, participants can situate their problems within a larger context (Wang & Burris, 1997; Adams, 2008). This is how people become aware of the structural forces of society that created their oppressive situation (Robbins et al., 2019). As a result of the analysis, consciousness-raising occurs, which can lead to the development and enacting of social transformation (Adams, 2008; Freire, 1970). Collective actions such as mutual aid, collective problem-solving, and

community empowerment are outputs of a successful photovoice project (Molloy, 2007).

### ***Photovoice Training***

The photovoice project was an eight-week project that we combined with the HRE training. By this time, we had 20 more young moms who were interested in the program, so we took them on. I wanted as many participants for the training as possible because I wanted to create a community that would support one another that wasn't dependent on our team and organization. Robbins et al. (2019) found that the commitment to anti-oppressive work is "too overwhelming for any one individual, and thus, solidarity and involvement with similar others in collective action is crucial" (p. 94). Therefore, creating a community is important for this kind of work because facing systems of oppression alone can be a daunting task that can cause burnout. Our training room was filled with giant sticky notes that explored all the issues that the young moms were facing. Many spoke about the division within their families, how their communities expelled them, and how they felt sad and lonely.



*Figure 2. Participant's note from "Identity Interviews" activity*

As the weeks passed, the participants learned more about their rights, activism, and advocacy. How does a powerless community generate collective power? What are some things we wish people knew about your situation? The moms came up with some fantastic ideas. We then clumped these ideas into themes, which we then deconstructed. I included some Liberatory

Psychology and Critical Pedagogy within our lessons. I wanted to help activate a critical consciousness within our participants. I kept *Pedagogy of the Oppressed* (Freire, 1970) with me wherever I went. It was a great reference because it reminded me that every step of the way, I need to reflect on the power dynamics that I am constantly creating (Adams, 2008). In Africa, my lighter skin privileged me, which is something that I was aware of. However, at times when moving throughout the country, I had to be reminded that not everyone is treated as well as the “cool Black guy from America.”

Additionally, the participants learned about photography and how pictures can tell a story. Many of the moms enjoyed learning about photography. They never thought they would take pictures of something so hideous (their words about the informal settlements) and get paid to do it. I compensated the participants for their “time and burden of participation” to ensure that they weren’t being exploited for their lived experience and because they would share the benefits of this research project (Gelinas et al., 2018). They were also in awe that one could write about their oppression and others would empathize with them and offer support. Rehumanizing these young moms was the first intervention of the training. We gave these young moms the ability to utilize their natural talents without confining them to a box their society created for them because their experience was not in line with the colonized normative African family narrative (Oyewumi, 2002).

### ***Photos & Transformation***

After four weeks of photovoice training, we had two weeks of photos to take. We started in the immediate area around the academy where we held our training. The young moms took pictures of the garbage that littered the streets of their community. They captured the pain in the faces of their elders as they tried to care for themselves and their young grandchildren. Many of these elders give up on life. We had an elder who wanted to take her life and the lives of the four kids she cared for. Luckily, we were able to provide her with support and a community of others who could support her. Since our intervention, she has been doing well and has continued to remind us that she wants to live and feels like she got a second chance at life. Additionally,

the young moms created a *chama circle* to help support this elder. A chama circle also known as a *sou-sou lending circle* is an informal money saving club where a

*group of individuals meet on a regular basis, placing money in a pot, which is then allocated to a particular group member. The meetings continue, with a different member of the group being selected for the pot at each date, until everyone has received it once. (Levenson & Besley, 1996, p. 41).*

Even though they didn't have much themselves, they were able to secure \$50 USD, which provided the elder with an opportunity to start a business for herself, which would support her and her family.



Figure 2. "mwanga" (illumination)



Figure 3. "matumaini" (hope)

This display of compassion came directly from the young moms themselves. I did not influence them to take this action. I noticed that the more training these young women received, their habits and ways of living changed. Instead of just looking out for themselves and their children, they banded together to help one another. They would also use human rights language when discussing their issues. One night around 2 a.m., a young mom was kicked out of her home by an abusive parent. Our organization doesn't have anyone on call, so we couldn't help in the situation immediately. However, instead of a disastrous outcome, two of the moms from the program picked the mom up and invited her to stay with them. They pooled their

money together and created a “safe house” for any of the moms in the program who may be experiencing any issues.



Figure 4. "nakupenda" (I love you)



Figure 5. "The spirit of Ubuntu"

### ***Photovoice in Action***

“You have a right not to be abused.” Who does he think he is? Do women have as many rights as men? Why don’t men respect us?” These were some of the questions that came up during the photovoice project. The young moms were changing, and so was the community around them. The number of small acts of kindness they completed during our training was amazing, forming a network of mutual aid and collectivity. More people within the settlement began working together to help one another. Resources were shared, food distributed, and joy cultivated. In a hopeless world, seeing joy is an act of resistance. My teammates shared a video where Black joy was on full display as people spontaneously took to the streets with music blaring to dance and share their happiness with one another, despite enduring daily hardships. Events like these happen more often now. Everyone in the slums we serve is getting to know us. We have so much demand for our program, yet we don’t have the funding to expand. However, I continue to push my team and our service users to think creatively about solutions that we can uncover. We don’t need funding to be empathic or compassionate. Sadly, the “nonprofit industrial complex” (INCITE!, 2017, p. 10) is just as competitive as the for-profit industry. Instead of supporting one another, we battle for

foundation dollars, much of which has come from the blood of the people we serve (Adams, 2008).

### ***Collective Community Knowledge through Photovoice***

After the data collection phase, which consisted of reviewing photos and engaging into critical dialogue about them, we coded the data we generated to discover themes. The themes that emerged from our photovoice project were: (1) maintaining good health; (2) access to food; (3) access to resources; (4) discrimination; (5) stigma; and (6) lack of opportunities for social mobility. We then took some time to brainstorm why these issues are a problem and how they affect the community. The participants then decided on a plan of action that they could utilize to solve some of these problems. Although many of the suggestions of how to alleviate the issues that these communities face were designed as low-cost interventions, their implementation will need more monetary support. Throughout this process, the participants learned how to make demands, compromise, and advocate for their needs. By allowing the participants to design the solutions to their problems, we facilitated their agency to create lasting change within their communities (Adams, 2008). They chose to display this data in a table that shows the issue, why it is important and provides practical solutions to solve these issues (see Figure 6).

Overall, the young moms were satisfied with what they discovered during their research. They identified the problem areas within their community and designed solutions to address these issues. We also asked the participants to frame the issues through a human rights lens. We did this because by utilizing human rights language, these young moms are developing collective power grounded in a humanizing framework (Mignolo, 2009). Not only are the young moms (re)claiming their humanity through this project, but they are also transforming the oppressive social conditions that have led to their suffering (Fanon, 2004; Adams, 2008; Asante & Dove, 2021).

<b>Issue</b>	<b>Importance</b>	<b>Ask</b>	<b>UDHR Articles</b>
<i>Maintaining good health</i>	“Conditions in these slums are not livable. There is no fresh air, no clean water, and no nature.”	“We would like to plant two trees monthly in the community (a total of 24 for the year). We found an NGO (non-governmental organization) to provide the trees for free. We want a large-scale community clean-up project. The community will lead this effort, and we need government support to remove the trash.”	Article 3, 16, 25
<i>Access to food</i>	“The majority of the people living in the slums make only \$1.25 USD a day. This isn't enough to feed our families. Food prices have increased, yet wages haven't.”	“We would like the Kenyan government to provide subsidized benefits for baby diapers, formula, and other necessities. The government can create jobs for us to clean up our community or provide additional services to cover the cost of the benefits.”	Article 23, 25
<i>Access to resources</i>	“Since we lack opportunities to obtain money, we cannot afford the necessities we need in life to survive. Medical care is expensive, and the government is not helpful.”	“We would like an initiative at hospitals that provide people with the medicine they need. Hospital visits are free, but we still need to pay for the medication, which many of us cannot afford.”	Articles 3, 21, 25
<i>Discrimination</i>	“It is difficult to obtain work as a young mother. We can only become hairdressers, cooks, and seamstresses. We need more opportunities to provide for our families.”	“Create more career development/skill development opportunities for young moms. These can be in the form of fellowships, internships, or apprenticeships so that we can learn skills that will help us provide for our families.”	Articles 1, 2, 5, 7, 21
<i>Stigma</i>	“The stigma surrounding teen pregnancy is difficult to navigate. People stare, they call us names, and we are denied access to the activities that make humans human.”	“The government needs to create an awareness campaign around the stigma of being a young mom. We are producing a play that will explore the issues that young mothers face in our society.”	Articles 1, 2, 5, 7, 9, 23
<i>Lack of opportunities for social mobility</i>	“There aren't many employment opportunities for us. Education is also not an option, as the policy that was created to allow young moms to return to school six months after giving birth is not enforced. We would like opportunities to obtain an education.”	“Women in Africa are at a disadvantage, especially if they are single mothers. We propose a program that supports young mothers by linking them with elders as mentors and supports. This way, a larger community is being created, and we support one another.”	Articles 13, 23, 26

Figure 6. Table of themes



Each area of concern was critically discussed, and the young moms practiced framing these issues utilizing human rights language. “As ideas from transnational sources travel to small communities, they are typically vernacularized, or adapted to local institutions and meanings” (Merry, 2006, p.39). At first this process was awkward, yet as we continued to practice, they became more comfortable engaging with these frameworks and utilizing human rights vernacular. The actions plan they created were analyzed through the lens of Ubuntu to ensure that African traditions and values were centered. This process ensured that whatever demands the young moms advanced, they would be beneficial for the entire community. After deciding on a plan of action that was framed through human rights language, the next phase of the project involved the young mothers advocating for their rights. Ultimately, they would like to put on a performance that captures the complexities of the issues they and their community are facing. Through this performance, they hope to inspire action towards change and social justice. A creative-arts performance was chosen because these moms wanted to express their bodily autotomy. They felt “restricted” by the external forces that have oppressed them and wanted to release some trauma but also disrupt the colonial logics that produce their marginalization.

### **Reflections**

Unfortunately, without education, money to support themselves, and a strong sense of self, these young moms weren't set up for long-term sustained success. Human rights education could serve as a vehicle for liberation. However, there wasn't enough money for additional programming, so we had to do our best with the little we had. Designing a locally relevant, trauma-informed, and decolonized human rights education curriculum was free, yet the implementation required additional and ongoing funding. Further, it's not enough to educate people on injustices and their rights without an outlet for transformative collective action. An action-orientated intervention that is community-led is required to disrupt the unequal power structures that reproduce social stratification that leads to poverty, oppression, and dehumanization. These thoughts led to the idea of completing a project

with these young moms to ensure that even after we were gone from their lives, they could still resist the forces that continued to dehumanize them (Wang & Burris, 2007).

Additionally, there were some limitations and issues from the project that we can address while we wait for the next cohort. I wish we had additional funding to include some of the elders from the community for the project. This way, they could have earned some money but also made an intergenerational connection, which we feel is extremely important in this hyper-individualist social media age we currently live in. We also would have liked to have more funding to provide our participants with meeting their basic needs. Lastly, we plan on providing skill development training to the next cohort that consists of learning how to cook popular streets foods like samosas and chapati so the young moms can earn money to sustainably support themselves and their children.

### ***Positionality***

I'm a cisgendered Black-identifying male who is the executive director of a non-profit and the director of the Black mental health program. I am a highly skilled social worker and licensed therapist, as well as a military veteran, educator, and academic. I had a lot of privileges within the space, and I continuously had to reflect on how I "took up space" within our training. Many questions defaulted to me when people couldn't find an answer they thought I would approve of. I was seen as the "expert," but at the start of the study, I positioned myself as a "helper," seeking to not be paternalistic and to act with cultural humility (Tervalon & Murray-Garcia, 1998), who was a part of the community. I had to be fully aware of any ethical clashes that may have occurred during our training. As a social worker, my value system was tested repeatedly as I witnessed oppression, human rights violations, and dehumanization. I had to switch roles often due to some of the issues that my positionality had created. To maintain a participant-led space, at times, I had to remove myself from the training or a session for the day because I felt that my presence was negatively affecting the learning.

## Conclusion

I learned a lot over the course of this project. My proudest moment was when a young mother who didn't say a word for weeks was the loudest, most energetic, and most excited to design solutions to address their problems. She took the lead and felt comfortable utilizing human rights language to make a case for herself. The way these participants spoke after receiving this training changed significantly. They became more aware of their own discriminatory and stigmatized behavior, that may have affected others. They learned that "hurt people hurt people," so it is important for all of us to take a moment to reflect on what our thoughts are at the moment. Are these thoughts unifying? Or do they create more division? If your thinking creates division, take a minute to pause and reflect on how you can use this space to support others rather than sharing an uncritical thought. Providing these young moms with a human rights education was a powerful intervention.

Going forward, this curriculum can be utilized in other settings. IMHA does a lot of work in Uganda, which is a very anti-LGBTQ country due to rigid laws that criminalize homosexuality. We plan on rolling out this project with participants there to advocate for legislation to help protect these vulnerable populations. Further, this training would be extremely helpful to our work in Nigeria. We support an area that serves 10,000 school-aged children, many of which have been former child soldiers or have been involved in conflict. Empowering these communities to act through human rights education and photovoice would be a powerful intervention that not only educates for change, but takes action to produce sustainable outcomes (Adams, 2008). In the end, providing opportunities to educate people on their human rights is an act of resistance (Hantzopoulos & Bajaj, 2021; Zembylas, 2017). This project showed us that there are many ways to support oppressed communities, with the most important aspect being allowing them to lead the project and decide on how to enact change. For me, human rights education isn't just about teaching people how to liberate themselves from oppression; it also provides them the opportunity to be human (Asante & Dove, 2021). We have become a colder and more individualistic civilization, especially after the COVID-19 pandemic. How do we (re)forge genuine human relationships with one

another? Where can we utilize collective power to help those who aren't protected by the "wages of whiteness" or privilege (Gomez et al., 2022)?

Lastly, as we have seen from this study, by grounding learning about systems of oppression in a human rights, trauma-informed, and strengths-based way, we are providing people with the opportunity to make lasting changes to their own communities. The hegemony of the Western lifestyle is alluring because people have become culturally dislocated from their ancestral ways of being. Through this project, a pathway to liberation was created by cultivating a collective and critical consciousness that is needed to transform the powerless into powerful agents of change who can experience the right to "life, liberty and security of person" (United Nations, 1948).

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# Notes From The Field

## Inside the *Hirak*: The Dynamics of a Mass Movement for Social Justice and Human Rights

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### Abstract

*In 2019, Algeria witnessed the emergence of the Hirak mass movement: a pro-democracy uprising marked by epic nationwide demonstrations and transformative public dialogue. Hundreds of thousands of Algerians mobilized to protest social injustices and political corruption, educate each other about their common rights, and articulate their collective goals. Through the Hirak's shared platform, people from all walks of life took to the podium to galvanize the masses through ideas and action. The Algerian Hirak was a form of public pedagogy; a grassroots expression of human rights education. Why is the Hirak so important in the history of global social movements? In this Notes from the Field article, Mr. Berrahmoun offers his analysis as a native Algerian, historian, and activist researcher. He positions the compelling story of the Hirak in the broader Algerian historical context. Finally, the author reflects on the future of Algeria's path to social justice and suggests potential steps toward transformative change.*

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*Where before people saw in the future a repetition of the past, human rights education helps them dare to think of new ways to grow individually and collectively in a more open future—to visualize both a better life for all and the means to achieve it.*

(Bajaj et al., 2016, p. 28)

This essay addresses the phenomenon of Algeria’s 2019-2021 *Hirak* mass movement—a pro-democracy uprising marked by massive nationwide demonstrations and transformative public dialogue. From 2019 to 2021, hundreds of thousands of Algerians from all sectors of society persevered in their demands for human rights, namely: civilian-led government, equity in the distribution of wealth, separation of powers, an end to military intervention in politics, and freedom of speech, among other issues.

Participants in the *Hirak* gathered to raise collective consciousness about their lived reality; they envisioned a path to democracy that might bring about a better quality of life for themselves and future generations. Together, they mobilized to educate each other about their common rights and to articulate their collective goals. At the *Hirak*’s shared platform, people from all walks of life took the podium to galvanize the masses through ideas and action. The Algerian *Hirak* was a form of public pedagogy—a grassroots expression of human rights education.

The *Hirak* was triggered by the ailing President Bouteflika’s announced intention to continue his reign of control (Serres, 2019), backed by the Algerian military, for a fifth term of office (Benderra et al., 2020). The public outcry in response to this announcement forced Bouteflika to resign.

Both domestic and international observers detailed escalating levels of government repression against *Hirak* activists, including use of excessive force, arbitrary arrests, imprisonment, suppression of protests, obstruction of journalists covering the movement, and prosecution of anti-government dissenters (U.S. Department of State, 2020; Rupert, 2021). These and other acts of repression clearly violated tenets of the Universal Declaration of Human Rights (UDHR) (United Nations, 1948).

This essay contextualizes the *Hirak* in the broader scope of Algerian history and briefly describes the longstanding struggles of Algerian citizens toward freedom and democracy. The essay then expands upon the human rights violations that were perpetrated during the repression of Algeria's *Hirak* movement and describes efforts by internal and external sources to intervene. Finally, I conclude with a reflection on the future of Algeria's path to social justice. Human rights education, I believe, holds the key to effect radical change.

### **Historical Context of Algeria's Struggle for Freedom and Democracy**

Algeria's history is the story of cultural resiliency, struggle against tyranny, resistance, and change. The Algerian people have continuously fought for freedom, sovereignty, and democracy. In recent times Algeria made international news headlines when the *Hirak* ("movement"), a social and popular mobilization of historic proportions, first spread across Algeria beginning on February 22, 2019. Hundreds of thousands of civilians across Algeria marched every Tuesday and Friday for two years to protest the aging president's embedded power and associated corruption. The increasing strength of the protest movement came to enfold calls for peaceful democratic reform, anti-corruption measures, and demands for a civil democratic state without military involvement in politics. The *Hirak* was propelled largely by students and youth along with Algerian citizens from all walks of life. These citizens asserted their popular will to change society through peaceful protest and mass mobilization. As proposed by Giroux (2003), "Resistance must become part of a public pedagogy" (p. 14).

Mass mobilization and the fight for freedom, exemplified by the 2019 *Hirak*, have manifested throughout Algeria's turbulent colonial history and decolonization struggle. It is worth noting that a succession of events laid the groundwork for the 2019 *Hirak*, starting with the brutal 1954 War of Independence from France, considered one of the 20<sup>th</sup> century's most heroic wars of decolonization (Serres, 2019).

Algerians were joyful and optimistic in the aftermath of independence; however, their happiness was diminished by internal power struggles

as various political factions vied for control of the newly installed provisional government. Ahmed Ben Bella, elected as president in 1963, was then deposed by Colonel Houari Boumediene in a 1965 military coup. Boumediene also faced an attempted military takeover in 1967 and an assassination attempt in 1968. However, he strengthened his power and served as elected president until his death in 1978. An authoritarian party system was the norm in Algerian political life during his presidency (Layachi, 2019).

Upon Boumediene's death, the Algerian army appointed Chadli Ben Djedid as the new president. Ben Djedid's tenure during the 1980s was marked by the "Berber Spring" protests—among the first post-colonial popular uprisings. These protests were significant in demanding recognition of the linguistic and cultural rights of Algeria's indigenous Amazigh people. The suppression of the Berber Spring protests resulted in the killing and arrest of activists in northern Algeria. To this day, the Berber Spring protests symbolize Algerians' aspirations for increased political opening, social justice, cultural equity, and freedom of expression (McDougall, 2017).

President Ben Djedid's term was also characterized by shifting from a socialist model to economic liberalization. Ben Djedid's economic reforms included privatizing some state-owned companies, reducing state subsidies, and raising prices. Corrupt elites profited from the neoliberal policies while the unemployment rate increased, and anger grew among the younger generation (Layachi, 2019).

By 1988, an increasingly disenfranchised youth population revolted throughout Algeria. In the famous October 5th uprising, Algerian youth protested hogra (contempt), unemployment, corruption, and the single-party political system. More than a thousand young Algerians died in this struggle (Algeria-Watch, 2009). For the first time in post-independence Algeria, the army tortured protesters (Belkaïd, 2019).

The October 5th uprising led to the change of the Algerian constitution and ushered in a brief new era of political freedom. Dozens of political parties were formed, and free municipal elections were held. Freedom of expression, association, and the press were institutionalized. In the 1991 legislative elections, the Islamic Front of Salvation (FIS), an Islamic political party,

won the first round. The military establishment refused to accept the results of the legislative elections. They consequently forced president Chadli Ben Djedid to resign and declared a State of Emergency in 1992. Leaders and supporters of the FIS were detained and deported to military camps in the Algerian Sahara (Belkaïd, 2019). Human rights violations and extrajudicial executions radicalized the FIS supporters. A brutal civil war also known as the 'Black Decade' ensued, lasting approximately ten years. Throughout this time and until 2011, the State of Emergency remained in place.

1999 witnessed controversial presidential elections. The army's favored candidate, Abdelaziz Bouteflika, took power after other candidates withdrew their campaigns in protest of perceived election rigging.

As president in the aftermath of the Algerian Civil War, Bouteflika oversaw some controversial efforts to address amnesty and rapprochement. The Charter for Peace and Reconciliation was drafted in 2005, and a popular referendum was organized. However, the Charter was passed without full participation involving civil society or political parties. Many criticized the Charter for whitewashing the truth about the war and avoiding meaningful resolution. The Charter failed to prosecute those armed groups and Algerian security forces who were accused of human rights violations and crimes against civilians.

During the early and middle years of Bouteflika's presidency, Algeria witnessed a period of relative stability and security. However, following the 2010-2011 Arab Spring uprisings in Tunisia and Egypt, waves of unrest spread across Algeria. Algerian human rights activists and opposition figures founded the National Coordination for Change and Democracy (CNCD), bringing together trade unions, associations, and political parties. The CNCD attempted to challenge the status quo and rally the people, but the ideological divisions of its leaders prevented it from implementing changes to the system (Layachi, 2019).

In 2013, President Bouteflika suffered a stroke and deteriorating health, resulting in his absence from political and public life. Despite his illness, Bouteflika maintained his presidential title while his clan continued to dominate the Algerian economic and political scene.

## The Inception of the *Hirak* and Corresponding Human Rights Violations

By early 2019, the government announced the ailing president's candidacy for a fifth term amid alarming economic indicators with high rates of unemployment, inflation, and a rising trade deficit (Serres, 2019). Bouteflika's candidacy announcement provoked the Algerian peoples' mistrust of the corrupt political system; it was the tipping point that triggered nationwide anger and reaction. The *Hirak* movement erupted on February 22, 2019, and rapidly spread across Algeria.

Immediately after the *Hirak* movement got underway, the authorities in Algeria rushed to contain the responses of external players and send former Foreign Minister Ramtane Lamamra on a tour focused on reassuring international capitals that the Algerian situation was under control, and that the political system could overcome the crisis. Given the after-effects of the intervention in Libya, countries needed no convincing, and France was keenly aware of the antipathy of Algerian public opinion against any statement it might make. (Arab Center for Research & Policy Studies, 2020, p. 26)

As a direct consequence of the *Hirak*, the Algerian Secretary of Defense forced President Bouteflika to withdraw his candidacy in March 2019. *Hirak* members moved to demand radical political and economic reforms, respect for human rights, social justice, and freedoms of expression, association, and press. Most importantly, people demanded a return of the sovereignty and power guaranteed to them in Articles 7 and 8 of the Algerian Constitution (Algeria Const. art. VII & VIII).

Initially, the government appeared to respond by organizing a new presidential election and constitutional referendum. Nevertheless, as activists and journalists were imprisoned and jailed, it became clear that the government did not intend to implement fundamental reforms. Three years after the protests' inception, the same regime remained in power. Initial government actions to curb corruption and impose jail sentences were later reversed by releasing offenders back into society. The 'token' constitutional referendum of 2020, boycotted by over 75 percent of the voting public, was still

passed despite widespread opposition. Although the weekly mass marches were temporarily halted in 2021 due to the COVID-19 pandemic, the *Hirak*'s goals continued to be expressed in large and small acts of resistance.

Throughout 2021, arrests and imprisonment of civil society leaders, human rights activists, lawyers, political figures, bloggers, social media activists, and journalists continued. According to the U.S. State Department's (2021) report on human rights in Algeria, "Significant human rights issues included [...] arbitrary arrest and detention; political prisoners; serious problems with the independence of the judiciary and impartiality; unlawful interference with privacy; serious restrictions on free expression and media" (p. 1).

In 2021, Algerian authorities closed public gathering spaces in Algiers to prevent *Hirak* protestors from assembling. They used excessive force and detained activists, charging them with "undermining national unity," "offence to the president and public officials," "incitement to unarmed gathering," and "impacting the army morale" (U.S. Department of State, 2021, p. 3). More than 50 people were also charged with terrorism-related allegations under Article 87bis of the Penal Code defining terrorism. These legal actions aimed to intimidate anyone daring to challenge the Algerian authorities.

Furthermore, the Algerian government intensified its crackdown on civil society organizations, political parties, and youth associations. One example is the 2021 dissolution of the Rally Youth Action (RAJ), an association whose objectives included human rights education and support of Algerians affected by civil war. The Algerian government arrested RAJ's founders and prosecuted its members.

The above violations of freedom of expression, association, and peaceful assembly contradict Articles 19 and 20 of the UDHR, adopted by the United Nations General Assembly in 1948 (United Nations, 1948; Howie, 2018). Article 19 of the UDHR (1948) protects freedom of opinion and expression in the following terms: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (United Nations, 1948; Howie, 2018).

Article 20 of the UDHR (1948) protects the right to freedom of peaceful assembly and association (United Nations, 1948).

### **Efforts to Address the Human Rights Issues**

The United Nations Human Rights Committee (UNHRC) states that freedom of opinion and expression are “a foundation stone for every free and democratic society” (Howie, 2018, pp. 12-13). UNHRC also declares that “political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching and religious discourse” (Howie, 2018, p. 13) should be protected.

In an Associated Press article (2022), the former President of the Algerian League for the Defense of Human Rights (LADDH) declared that “For the last two or three years, there have been thousands of legal cases against activists. Their only error is that they expressed their political opinions on social media and are fighting for a state of law” (Associated Press, 2022).

In the wake of escalating arrests, domestic committees were established. These groups aimed to defend activists’ rights and publicize human rights violations to both domestic and international audiences. One such committee was the National Committee for Freedom for the Detained (CNLD). CNLD has maintained a record of activists detained and jailed in Algerian prisons in connection with the *Hirak*. According to Amnesty International (2022), as of May, 2022 over 266 people are still imprisoned for voicing their political opinions (Amnesty International, 2022).

Along with the domestic committees focused on human rights issues, both Algerian and international non-governmental organizations have pressured the Algerian government to respect freedoms outlined in the UDHR (1948). In 2021, 82 local and international civil society organizations addressed a letter to the Algerian government during the 47th session of the United Nations Human Rights Council. The letter expressed the signatories’ concerns about Algeria’s worsening human rights violations. The Algerian government was urged to:



condemn the escalating crackdown on peaceful protesters, journalists, and human rights defenders, including the excessive use of force [...] amend or repeal overly broad provisions of the Penal Code and other legislation used to repress fundamental rights and freedoms, notably law 12-06 on civil society organizations and law 91-19 on public meetings and demonstrations, in line with the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR). (Human Rights Watch, 2021, p. 1).

Social media campaigns were also instrumental in efforts to expose the violation of freedoms in Algeria. The hashtag #PasUnCrime (Not a Crime) was a recent online campaign launched by dozens of non-governmental organizations. The #PasUnCrime campaign aimed to draw attention to the repression inflicted upon journalists and peaceful protesters.

Most recently, current Algerian president, Abdelmadjid Tebboune, elected in 2019, launched an initiative called Outstretched Hands. The initiative called for dialogue between political forces, civil society, and the Algerian government. The initiative, viewed by some as a superficial public relations scheme, was timed to coincide with the 60th anniversary of Algeria's independence. However, some Algerian opposition figures demanded the release of all jailed political prisoners before any dialogue could take place.

On the international stage, powerful nations such as France, Russia, China, and the United States (U.S.) have maintained their relations with the Algerian government, despite human rights concerns, in accord with economic and geo-strategic interests.

### **Analysis and Reflections**

This essay has presented an overview of Algeria's historic social justice movement, the *Hirak*, and outlined the Algerian government's attempts to suppress that movement through systemic human rights violations. Further, this essay has documented intervention efforts by domestic and international sources.

Reflecting upon the trajectory of this mass movement and the events leading to it, one can observe that the 2019 *Hirak* represented a monumentally important and radically different chapter in Algeria's history of resistance to injustice. Whereas recent years witnessed localized marches and strikes (teachers, doctors, labor unions, unemployed youth, and others), the *Hirak* sprang from a national, collective sense of humiliation, frustration, and despair. People wanted to reclaim their dignity as a nation and to forge a path towards democracy. Unlike previous uprisings, the *Hirak* reached beyond Algeria's borders, drawing active support from Algerians from throughout the diaspora in Europe, Canada and the U.S. Impressively, the *Hirak* brought together all sectors of society without centralized leadership for two years, maintaining ongoing nonviolent assemblies that shared a common purpose and hope.

Algerian citizens have historically struggled to transform their socio-economic and political conditions for greater empowerment. As a mass movement, the *Hirak* has drawn important lessons from this history of struggle. Algerians lived under a brutal colonial rule; however, through valiant sacrifices they ultimately attained their freedom and dignity. In the post-independence era, Algerians lived under the repressive single-party system during the 1960s-1980s. They endured the horrors of the 1990s civil war. Throughout these and other periods, Algerians evolved a collective consciousness about the most effective methods of resisting and confronting injustice and despotism. Having experienced significant authoritarian aggression and bloodshed, Algerians have learned that violence will not lead to democracy; instead, it serves the regime's interests in retaining power and repressing opposition. Rather than resorting to violence, members of the grassroots *Hirak* movement chose to engage in more impactful peaceful protests.

In the aftermath of the *Hirak*, the international community is watching to see how the current Algerian regime will address its human rights issues and whether it will embrace change – or continue to govern by force and repression. It is advantageous for the Algerian government to project an

image of respect for human rights. This creates an opening for a new era of productive dialogue and reconciliation.

While the 2019-2021 *Hirak* can be viewed as a short-lived historical phenomenon, its broader impact lies in the spontaneous yet deliberate choices of the demonstrators to struggle through peaceful action. According to Paulo Freire as explained by Aldawood (2020), “transformation of an oppressed community comes about through dialogue and the development of a critical consciousness that recognizes oppression and produces an empowered community” (p. 118).

The *Hirak*’s goals of self-governance, democracy, economic equity, and freedom of speech have been sought by generations of Algerians. What does the future hold for Algeria in its quest for social justice? Transformative Human Rights Education offers a promising pathway to engage “different sectors of the population [...] and — by creating a shared understanding of human rights—renegotiate together their [...] social reality” (Bajaj et al, 2016, p. 24).

### **Looking Ahead: Envisioning Social Change**

While it is impossible to predict the next iteration of nationwide protest in Algeria, it seems plausible that some version of the *Hirak* will emerge in the future. Hopefully, lessons from past years will help shape a new movement that is better organized and ultimately more impactful than the *Hirak* of 2019. Despite the outpouring of public protest over a period of two years, the *Hirak* was unable to unseat the Algerian regime and permanently remove it from power. The military establishment, security forces, media outlets, and economic structures - all inextricably linked under the regime’s control - were powerful factors in preventing the *Hirak* from achieving its goals. Added to that, the regime was able to consolidate its rule under the cover of the COVID-19 pandemic, which initially disturbed the power structure. At the outset of the *Hirak*, the regime made a pretense of installing a civilian government to appease the protestors. In reality, this “New Algeria” promoted by the regime was a recycled version of the existing system, with the same repressive agenda imposed upon the population.

In order to uproot the powerful and deeply entrenched regime, the *Hirak* needed more than massive crowds and aspirations for a true democracy. Among the 2019 *Hirak's* shortcomings were lack of structure, absence of leadership, lack of consensus between diverse ideologies, and uncertain long-term strategies. What lessons can be learned from these limitations? What tactics could a new mass movement adopt to challenge and unseat the existing power structure?

The following suggestions are offered as potential steps in a process of democratic reform:

- Call for a national forum bringing together social justice movement leaders to outline the path forward. Include army officials in this political process to help ensure that political decisions will be upheld and protected.
- Encourage new leadership to emerge from the national forum; recruit candidates that reflect Algeria's diverse ideologies and population groups, including youth. This diversity would aid in replacing the current regime's aging elite.
- Establish a transitional period during which new political parties can be formed; hold public debates aimed at a participatory democracy.
- Establish a timeline for specific measures including constitutional reform, elected provisional government, and a newly elected Parliament.
- Organize elections that are observed by neutral members of the international community.
- Review /revise national history curricula at all levels of education; introduce human rights and peace education.

Whatever shape the next *Hirak* may take, the strength of a future mass movement will depend on its ability to reform the existing power structure and replace it with a more legitimate, representative system. Such a system could build consensus among diverse ideological groups, unite Algerians around

strong, intergenerational leadership, articulate clear sociopolitical goals, and galvanize transformative change.

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# Notes From The Field

## Toddlers and Robots? The Ethics of Supporting Young Children with Disabilities with AI Companions and the Implications for Children's Rights

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### Abstract

*Rapid advancements in Artificial Intelligence (AI) pose new ethical questions for human rights educators. This article uses Socially Assistive Robots (SARs) as a case study. SARs, also known as social robots, are AI systems designed to interact with humans. Often built to enhance human wellbeing or provide companionship, social robots are typically designed to mimic human behaviors. They may look endearing, friendly, and appealing. Well-designed models will interact with humans in ways that feel trustworthy, natural, and intuitive. As one of the fastest-growing areas of AI, social robots raise new questions for human rights specialists. When used with young children with disabilities, they raise pressing questions around surveillance, data privacy, discrimination, and the socio-emotional impact of technology on child development. This article delves into some of these ethical questions. It takes into account the unique vulnerabilities of young children with disabilities and reflects on the long-term*

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*societal implications of AI-assisted care. While not aiming to be comprehensive, the article explores some of the ethical implications of social robots as technologies that sit at the boundary of the human and nonhuman. What pitfalls and possibilities arise from this liminal space for children's rights?*

**Keywords:** Artificial Intelligence, young children, disability, children's rights, technology

*"I picture a young child, alone in a sterile hospital room, surrounded by beeping machines and unfamiliar faces. It's a scenario that no parent wants to imagine. Yet, it's a reality for many families of children with disabilities. Now I imagine that same child, smiling and engaged, playing games and learning alongside a tireless, friendly, and unfailingly patient companion. What if this companion was not a human caregiver, but a robot? Would this revelation spark wonder? Fear? Hope? Repulsion? Perhaps a mix?"*

(Extract from my researcher journal, December 5, 2022)

**W**hat ethical questions arise from trying to meet human rights through nonhuman care? The rapid advancement of Artificial Intelligence (AI) poses new debates and challenges for human rights education (HRE). Interrogating how technology affects human rights has been deemed an urgent agenda (Risse, 2019). In turn, HRE scholarship has emphasized the need to go beyond hyperbole and sensationalism around advancements in AI and attend to its often-forgotten human dimension (Holmes et al, 2022). In tandem, ethical design specialists have called for cutting-edge technology to prioritize users' long-term wellbeing (Peters et al, 2020). In this respect, the growth of Socially Assistive Robots to support young children with disabilities raises new questions about children's rights and the rights of those with disabilities.

My previous research on nurturing young children's wellbeing has explored strategies for an ethic of care that is inclusive (Kurian, 2023) and trauma-informed (Kurian, 2022). My current research draws on Benjamin's (2019) concept of the socio-technical imaginary. The socio-technical imaginary weaves together the societal and the scientific. A new device or invention is never simply technical; technology can alter the fabric of society, sway

our emotions, and reshape our worldviews. The socio-technical imagination enables us to connect present realities and possible futures, by appreciating “the creative, even beautiful dimensions of liberatory design, as well as its risks and pitfalls” (Benjamin, 2019, p. 11).

Early Childhood Education (ECE) has not historically been at the forefront of technological innovation. A recent review of AI<sup>1</sup> in ECE observes that, despite the surge of interest in AI in education, there is “a lack of knowledge and discussion on the role of AI in ECE, an educational area which is usually ignored in cutting-edge research” (Su & Yang, 2022, p. 2). Yet, AI innovations for young children have been growing rapidly (Jung & Won, 2018). In particular, Socially Assistive Robots have gained increasing attention as potential companions to support the learning and development of children with disabilities.

To explain the key term used in this article: Socially Assistive Robots (SARs) are also known as social robots. Autonomous or semi-autonomous, they interact and communicate with humans, emulating human norms of behavior (Henschel et al, 2021). Social robots perhaps come closest to the popular imagination of the “walk-and-talk” robot immortalized in film and television. Their key aim is to assist humans through social interaction. Hence, they are typically designed to look, sound, and feel like a non-judgmental, non-threatening presence (Bedaf et al., 2015). They can be humanoid (human-like in appearance and behavior) or take on other forms (e.g., animatronic characters). They may have an endearing or appealing appearance to foster human-robot bonding (Shneiderman, 2022). Using this type of AI to promote human well-being is often a theme in SAR research; for example, the outbreak of the COVID-19 pandemic triggered some SAR researchers to examine how social robots could mitigate loneliness (Odekerken-Schröder et al., 2020).

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<sup>1</sup> AI (Artificial Intelligence) essentially signifies the simulation of human intelligence processes by computer systems. These processes include learning (acquiring information and rules to use it); reasoning (using these rules to draw conclusions); and self-correction (being able to improve and learn from errors). This helps AI perform complex cognitive tasks – for example, recognizing speech, making decisions, and translating languages.

While social robots are currently too expensive for most schools and households, they are one of the fastest-growing areas of AI. They have already been used as companions for vulnerable populations such as the elderly, dementia patients, and rehabilitation therapy clients (Fosch-Villaronga & Albo-Canals, 2019). A priority in SAR engineering is to work towards low-cost models, and affordable social robots may thus become more common in the future. This poses new ethical questions. Recent reviews of AI in ECE note the surge of social robots designed for young children (Jung & Won, 2018; Toh et al., 2016). The rationale has been that social robots offer several advantages. They cannot become tired or impatient; they offer predictable and repetitive support; and they can be programmed to seem friendly and empathetic (Ishak et al., 2019). Evidence is emerging about young children finding social robots entertaining and making learning gains: for example, social robots have been found to improve toddlers' vocabulary (Movellan et al., 2009).

Disability-inclusive innovations include using a humanoid robot to teach young children with autism about emotions through games and songs (Shamsuddin et al., 2013); and help them communicate (Romero-García et al., 2021); and imitate actions, follow instructions, name objects, focus, and match colors (Ishak et al., 2019). This use of AI is certainly innovative. If such support can help combat learning disparities in early childhood, then social robots could help fulfill the right of children with disabilities to learn on par with their peers (Article 10, U.N. Convention on the Rights of Persons with Disabilities, 2006) and the right to assistive technology that promotes their independence (Article 20).

The capacity of social robots to offer patience and unstinting care is also noteworthy. Depictions of the "soulless robot" are rife in popular culture. However, simplistic dismissals of AI or quick judgements about human care being inevitably superior might overlook the fact that ECE has its own tragic stories of human-led neglect, exploitation, and abuse. It is at the hands of human carers that young children with disabilities, rendered doubly powerless by their age and their disability, have suffered disproportionately high rates of physical, emotional, and verbal abuse. Even in everyday situations, these children are at risk of encountering frustrated or impatient adults; they

cannot always access the sensitive and responsive care they deserve (Rimm-Kaufman et al., 2003). It thus seems simplistic to caricature AI as inevitably inadequate compared to human care. When considering the rights of young children with disabilities, any system designed for unwavering patience and consistent care seems worth considering.

Nevertheless, the ethical pitfalls of social robots merit careful consideration. As one review of social robots observes, “technology has a profound and alerting impact on us and our human nature” (Fosch-Villaronga & Albo-Canals, 2019, p. 77). It becomes pertinent to ask whether social robots risk infringing upon children’s rights to privacy (Article 16, UN Convention on the Rights of the Child, 1989). After all, social robots are typically designed to *feel* trustworthy. A recent study found that children shared more personal information with a social robot than human interviewers (Abbasi et al., 2022). The study employed a famous humanoid robot from Japan—the Softbank Robotics NAO robot, which has an endearing, childlike demeanor. Researchers concluded that the children felt that they might get into trouble by confiding in adults, but that the robot seemed safe and non-judgmental (Abbasi et al., 2022).

The ethical implications are complex. On the one hand, social robotics explicitly acknowledges the need for children to feel comfortable and safe with AI (e.g., Ishak et al, 2019);—questions of human rights and wellbeing have not been ignored. On the other hand, concerns around data privacy when using social robots are not fully resolved (see Fosch-Villaronga & Albo-Canals, 2019). Social robots are capable of recording, processing, and storing every interaction with a child. In fact, to effectively adapt to social interaction, it is *useful* to equip social robots with high-fidelity sensors, cameras, and processors that collect behavioral data (e.g., where a child is standing, where they direct their gaze, and what words they utter). This helps the robot continually monitor and analyze their human interaction partner’s behavior and adapt accordingly (Henschel et al., 2021). In other words, the capacity of social robots for constant surveillance is a feature, not a bug. A robotics engineer might reasonably point out that collecting this behavioral data is

precisely what helps a social robot *be* social—in the same way that a smartphone needs to collect location data to make its GPS function work.

However, from a human rights lens, we can question: who has access to this data? How is it being used? Can a young child truly be said to be providing informed consent to sharing their data, given that even adults and experts are struggling to work out the data privacy ramifications of social robots? (see Fosch-Villaronga & Albo-Canals, 2019). Children with disabilities may need vigilant data privacy protections, as they may be more likely than their peers to suffer social isolation and become dependent on seemingly trustworthy sources of support. For context: research suggests that these children may struggle to gain peer acceptance for a range of reasons. These include stigmas around disability, cognitive impairments that make it difficult to follow social cues, and physical impairments that hamper participation in the same peer socialization activities (e.g., sports) that other children can enjoy (Kwan et al., 2020). Consequently, young children with disabilities might become socially isolated or at risk of bullying (Rodriguez et al., 2007).

If deprived of robust social support, such children might be more likely to bond with an AI companion, especially since social robots are designed to feel safe and non-judgmental (Bedaf et al., 2019). If children feel a sense of solace as a result, then this might count as a positive well-being outcome. However, how their data is stored remains controversial, particularly if children with disabilities share highly sensitive information (e.g., a personal disclosure about their home life) or lack the knowledge to provide informed consent. It has been long acknowledged that children with disabilities are particularly vulnerable to being exploited, and the youngest children more vulnerable still. It thus becomes urgent to address the ethical challenges that social robots pose for child safeguarding.

If caregivers come to rely on robots to care for children with disabilities, then the psychological consequences of social robots for child development and wellbeing also merit consideration. Ethical design experts have stressed the need for robotics engineering to address the ambiguous ethical terrain of user wellbeing as well as questions of functionality (Peters et al, 2020). For example, if children spend time with a companion programmed

to always be agreeable, would they learn how to resolve conflicts with human peers? Would social robots provide short-term comfort but hinder long-term socialization with human peers?

Of course, AI and human support can coexist. However, the way our societal scales tip between the human and the technological reflect our values; "we shape our tools, and then our tools shape us" (Holmes, 2020, p. 21). "Caring technologies" have been problematized for changing our cultural norms around *who* is responsible for caring labor (Mackereth, 2019). If social robots are always patient and tireless, would our collective sense of obligation to support the youngest and most vulnerable citizens diminish, thereby "outsourcing" our ethic of care?

AI scholars have suggested that in order to be truly human-centered and in the interests of human welfare, AI should only be used "when it is the best solution to the problem or has something unique to offer" (Hartikainen et al., 2019, p. 7). Does funding social robots to support children with disabilities distract from the responsibility of human educators to promote and model inclusion, what Bajaj (2018) memorably calls our "transformative agency" to address the "gaps between rights and realities" (p. 16)? After all, what it means to have a disability is not simply a static biological reality. It shifts and changes with "evolving legal, political and social discourses" (Singal, 2010, p. 418). It seems important, therefore, to prioritize children's rights to "wellbeing-supportive design" (Peters et al, 2020, p. 38)—rather than coming to see AI as a means to abdicate human responsibilities.

Above all, the voices of young children themselves deserve consideration. Human rights education has consistently advocated for listening to young people. It seems crucial to fulfill their right to have their voices heard in decisions that affect them (Article 12, UN Convention on the Rights of the Child, 1989), given gaps in our knowledge about how children actually respond to social robots. Despite the rapid advancement of social robots, reviews suggest that their long-term effectiveness is not yet clear (Scoglio et al., 2019). Within education, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has pointed out the "lack of systematic studies" investigating the impact of AI on children (UNESCO, 2019, p. 9). What

we do know is that concerns and fears about robots continue to be reported in research on educators' perceptions of AI (Reich-Stiebert & Eyssel, 2016; Reich-Stiebert & Eyssel, 2015; Serholt et al., 2014, 2017).

Human rights education thus has a valuable opportunity to prioritize children's voices and build a robust, child-centred evidence base on AI. Participatory processes of seeking user input have been emphasized as key to human-centred design (Peters et al, 2020). This is especially important for children with disabilities, who are doubly at risk of being overlooked. For one, people with disabilities have historically been “made invisible” in policy and research (Singal, 2010, p. 2). For another, young children who are often perceived as unable to express their views. However, research suggests that young children may be more capable of expressing their preferences than we assume (Cremin & Slatter, 2010; Kurian, 2023), and understanding their needs, hopes, and concerns about social robots is vital for their sustainability and value.

Cutting-edge technology can thus only be enriched by recognizing “the importance of including children in the design of robots for which they are the intended users” (Obaid et al., 2015, p. 502). In the pithy words of one AI specialist, “involve the user!” (Reich-Stiebert et al, 2019).

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# Book Review

*Critical Human Rights Education:  
Advancing Social-Justice-Oriented Educational Praxes*

By Michalinos Zembylas and André Keet

\$119.99 (Hardcover/Softcover), \$89.00 (eBook).

ISBN: 978-3-030-27197-8

Review by Lori Selke\*  
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It is hardly much of an insight to state that human rights are most often honored in the breach than in the observance. As an abstract concept, human rights are much admired; on the ground, however, they operate more as an ideal that too often seems to fail to persuade. Certainly, it would be hard to argue that in the 70-odd years since the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations in 1948, that there has been a substantiative reduction of human rights abuses around the globe. The Declaration gave us the language to talk about those abuses, and the field of Human Rights Education (HRE) was supposed to provide the tools to implement those articulated ideals. However, though we may call human rights “universal” and conceive of them as inalienable, the truth is that is a convenient fiction in the same way that “born this way” is: a shortcut to bypass fruitless debate over basic principles. Human rights, in other words,

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like any other idea, is a human construction, bound in time, and subject to the limitations and shortcomings any human idea is bound to possess.

This is not to say that the concept of human rights – and HRE – is not important. The UDHR is in fact a much more impressive feat if you recognize that it was created through a massive cross-cultural convening of minds and hearts intending to craft a document that would survive the social and political upheavals of the late 20<sup>th</sup> century and beyond. But it is to say that perhaps HRE has for too long been lacking in one of the essential pillars of social justice praxis: critical self-reflection.

There are reasons for this. Authors Michalinos Zembylas and André Keet suggest in their new book *Critical Human Rights Education* that on more than one occasion, HRE has been captured by the neoliberal agenda and, as a result, is primarily administered in a top-down and invasive fashion by powerful Western-based international agencies who are invested more in maintaining the imperialist and post-imperialist status quo and/or extending the project of globalized capitalism than in their titular human rights missions. The authors outline in their introduction how they began as energetic advocates for the idea of HRE, only to be confronted with the field's contradictions and limitations. They intend *Critical Human Rights Education* to provide both a diagnosis and a cure. The key word here, then, is obviously “critical.” Zembylas and Keet do not mean, in this case, to refer only to a Freirean lens. Indeed, they lean on Tuck and Yang's (2012) critique of Freirean critical pedagogy as being too deeply rooted in Western intellectual traditions to fully address key areas of social justice. Most notably, Tuck and Yang argue that postcolonial and anticolonial praxes are neglected in classic Freireanism; Zembylas and Keet concur. In the concluding section of the book, they advocate for a “pluralistic” human rights approach that allows “other geographies and historical thinkers who approach rights from perspectives beyond Europe (i.e., Third World, South, indigenous)” and embraces complexity and multiple points of view (p. 150).

*Critical Human Rights Education* is as dense and theory-heavy as they come; expect discussions of plasticity, “affect and counter-conduct” (p. 105), and aopretic inquiry. Nonetheless, this slim volume may be poised to become

a cornerstone for thinking about not only the limitations but the future directions of HRE. The authors thoroughly explore both the theoretical groundwork for alternative approaches to human rights pedagogy as well as suggesting directions for implementing the resulting insights in practice. This book should appeal to anyone interested in integrating HRE with other social justice schools of thought. For me, it dispelled once and for all the lingering doubts I had retained about this field as a fruitful avenue for advancing social change. In particular, the discussions of neoliberal capture as well as what the authors term “counter-hegemonic distrust” let me know that I was not alone in perceiving certain gaps—what the authors would call “chasms” (p. 152)—between theory and praxis. For this alone, I would recommend this book to any serious student of the field. Zembylas and Keet have provided a solid example of how to love an idea so much you cannot help but thoroughly address its flaws in the hopes that it can reach its true potential as a positive force for social change.

Zembylas and Keet are hardly the only voices with a cogent critique of HRE as it stands today—see, for example, Argenal (2022), Coysh (2014), Cranston and Janzen (2017), Echeverría and Cremin (2019). But the authors clearly welcome a full-throated and polyphonous critique of HRE. Their stated purpose in writing *Critical Human Rights Education*, after all, is to offer an opening for a more grassroots, pluralistic, and fluid conceptualization of human rights and human rights pedagogy, one that is grounded in a bottom-up rather than top-down approach and can be responsive to local concerns. This necessitates the inclusion of multiple, including and especially decolonial, points of view, many of which they draw from extensively within the text. The authors of *Critical Human Rights Education* are clear that they consider this volume as the beginning of a much-needed conversation—one that they convincingly illustrate began before their publication, and one that inherently has no end.

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# Book Review

*We Do This 'Til We Free Us:  
Abolitionist Organizing and Transforming Justice*

By Mariame Kaba

Haymarket Books, 2021, 289 pages.

\$16.95 (Paperback). \$9.99 (Ebook).

ISBN: 978-1642595253

Review by Daniel Mango\*

University of San Francisco

**I**n *We Do This 'Til We Free Us: Abolitionist Organizing and Transforming Justice* (2021), activist and educator Mariame Kaba invites us to create a new world through abolition. As a multi-genre collection of thought-provoking and liberating articles, essays, and interviews, Kaba's work invites us to imagine collective transformation, beginning with a question: "What can we imagine for ourselves and the world?" (p. 32). For Kaba, "abolition is rooted in imagination and experimentation. We must transform our imaginations to envision and build our way out of oppressive systems," she says, advising that our work should "create the conditions for dismantling prisons, police, and surveillance" (p. 110). The book moves from exploring the

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oppressive and damaging effects of the prison-industrial complex to examining oversurveillance and the deployment of police violence, ultimately tracing a society-wide system that inflicts brutality and trauma on communities of color enacted by police and advocating for its abolition.

Collective organizing to defund the police amplified after 2020's racial reckoning. Critiques of policing, the criminal justice system, and the carceral network in general have only grown since. Social movements have blossomed from these efforts, calling for reforms to end the systemic violence inherent in these oppressive systems. However, for Kaba, reforms are not enough; "some reforms" she argues, "can end up reproducing the system in another form" (p. 124). By merely reforming, we perpetuate violence and harm in our communities because reforms do not provide meaningful justice or disrupt the logic of punishment which suppresses marginalized communities to protect the status quo (Anderson, 2003).

Instead, Kaba argues, we need to render violence within our communities unacceptable by transforming how we identify and address harm (p. 127). Transformative justice – instead of punitive justice – centers responsibility and accountability for one's actions. This approach is a vital alternative to our current system: third parties distributing supposed 'justice,' a carceral network that perpetuates violence, state-sanctioned police terror, and military weaponry to keep social hierarchies intact (p. 122). She begs the questions: What do the police protect? Is it a better, safer, and healthier future? Or do their methods only benefit few?

Through these questions, Kaba points readers to the intersection between individual and human rights. By using criminalization to protect property (and those who hold it), we mutate the state's failure to provide people's basic needs into decentralized, individual responsibility for these problems and the existence of crime itself (p. 20). Ultimately, we must shift our framework to one that values the procurement of safety, creating safe communities through collective responsibility and empathic human relationships that support one another and viewing violence as an unacceptable means of problem-solving.

To help facilitate this transformation, *We Do This 'Til We Free Us*, is structured to escort the reader toward the horizon of abolition. The first section, entitled “So You’re Thinking About Becoming an Abolitionist,” defines the book’s scope by articulating what qualifies as abolition, deflating conflation of prison abolition with anarchy (p. 32). She argues it is a lack of imagination that inhibits people from envisioning a world without the criminal justice system. Yet, as Angela Davis (2003) reminds us, even the prison system itself started as a reform. Abolition imagination requires us to transcend the limitations of our current structures which have influenced us all in some way or another. Engagement in collective responsibility and action while experimenting with new ways of being is one way to facilitate this creation of a new society (p. 33). Simultaneously, we must reduce people’s contact with the criminal justice system, whether through refusing to utilize the police for community issues or through implementing restorative practices.

The second section, “There Are No Perfect Victims,” explores how gendered and sexual violence permeates the prison-industrial complex. For too long, women have had their bodies and rights violated not only by men but also by the structures that are supposed to protect them (p. 68). Incorporating stories from women and girls who have been sentenced and convicted of crimes for defending their bodies and lives, Kaba emphasizes how Black women consistently do not receive the same protection or guarantee of justice as non-Black populations. When these women defend themselves, legal systems refuse to protect them because these systems “deem that these people have no legitimate selves to defend” (p. 93). Police, meanwhile, are protected by the law, and their calls of “self-defense” defended, reproducing collective anti-Black narratives that Black bodies are inferior and their only purpose is to be controlled and punished (p. 61). Similarly, Kaba reminds us that while women's prisons were started to protect women from gendered male violence, they have become breeding grounds for violence and dehumanization.

The third section, “The State Can’t Give Us Transformative Justice,” analyzes the state’s role in perpetuating systems of oppression. To Kaba, policing is inherently oppressive, and its tactics are intentionally harmful,

"rooted in anti-Blackness, social control, and containment," and therefore unredeemable (p. 84). To maintain this struggle, we must continue "to organize with those people and communities that are most impacted by oppression" (p. 85). Small wins – like Chicago legislation providing reparations to the Burge police torture survivors, leading to the city becoming the "first municipality in the United States to legislate reparations for survivors and victims of racist police violence" (p. 134) – are they key on this continual march toward abolition. It is how we take the long view on the arduous journey to transformative justice.

In the fourth section, "Making Demands: Reforms for and against Abolition," Kaba maps the difficult process to reach abolition. The section begins as a guide for individuals who want to start working toward abolition. For most non-abolitionists, reform seems like the first step.<sup>1</sup> However, by opposing reforms that increase police and their funding, organizers can begin to use that money to explore alternatives to policing. By understanding that hurt people hurt people – those who experienced trauma are likely to inflict it on others – we can examine how scarcity and lack of human services generate harm. Meeting needs reduces harm; people are less likely to engage in behaviors leading to harm once their basic needs are met.

The book's final sections present the theory and practice of abolition through movements that have made positive changes by practicing new approaches to community harm and violence. She highlights popular social movements, high profile legal cases, case studies, and grassroots level campaigns that have organized for transformative justice – best exemplified by her inclusion of the Free Joan Little Movement, "the only example of mass mobilization against state violence on behalf of Black women in the US to date" (p. 141). This campaign used "defense campaigning," a strategy that focuses on systemic causes to the terrible prison conditions rather than just the individual narratives.

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<sup>1</sup> Although Kaba does not advocate for reform, she does offer a guide called "Police 'Reforms' You Should Always Oppose," which is an invaluable resource for those who want to begin their abolition journey (p. 98).

These last sections are integral. They give readers practical ways for how to begin to create change within our communities. They encourage us to work toward specific, concrete outcomes: supporting bail reform, letter writing, financial support, prison visits, and collective organizing (p. 138). Further, her inclusion of the reparations framework, which outlines five elements of reparations – repair, restoration, acknowledgment, cessation, and non-repetition – is an invaluable contribution to the radical imagining of the concept of transformative justice and what it can possibly look like (p. 95). These actions, when strategically deployed, are the praxis for a more just and humanizing world.

As an educator and social worker, this book provides justification and strategies for the proliferation of human rights education (HRE) in my classrooms, in universities, and beyond. HRE's goal is to challenge unequal systems of power, uplift the oppressed, and eliminate the causes of inequality (Ishay, 2004). The Universal Declaration of Human Rights (UDHR), meanwhile, recognizes the “equality of all humans, the right to self-determination, and the freedom from tyranny, oppression, and exploitation” (Grant and Gibson, 2014, p. 5). Through teaching human rights and using HRE methods, we are challenging and transforming systems of power that reproduce oppressive practices within our spaces of learning. Moreover, as an educator and social worker, not only does the prison-industrial complex dehumanize, oppress, and deny people their basic human rights, the school-to-prison complex does much of the same. Social movements must center on collective rights that welcome differences, foster inclusion, and value human dignity (Glendon, 2001; Coysh, 2017). This education can be delivered at the community level through individual educators, grassroots organizations, and non-profits, leading to the increased development of human rights-oriented social movements (Bajaj, 2011). Kaba's book, then, partially functions as a “how-to” guide for abolition work, and partially as a model of how our world could look with less prisons, police, and surveillance.

Unfortunately, because the imaginations that have molded our world have been racist, sexist, and oppressive in nature, it is difficult to envision a world without police. But there is hope. Through discipline and collective

organizing that build strong and compassionate relations between one another, we can persevere in our struggle for liberation. We can offer an education that results from and displays the power of collective action and love for our fellow human beings.

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# Book Review

*Human Rights Education in China:  
Perspectives, Policies and Practices*

By Weihong Liang

Springer, 2022, 168 pages.

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Review by Jia Jiang\*

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Since the end of the Cold War in the early 1990s, human rights education (HRE) has proliferated at the global level for three decades, especially through its promotion at the United Nations. Though there is broad agreement that HRE aims to build a universal culture of respect for and protection of human rights, as manifested by the definition proposed by the United Nations (OHCHR, 1999), the practice of HRE varies across countries based on particular political, social, cultural, and economic contexts. Through tracing ideological orientations and the historical development of human rights and HRE in China, analyzing China's HRE policies, and presenting a Chinese secondary school's practice of HRE, Dr. Weihong Liang's

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book *Human Rights Education in China: Perspectives, Policies and Practices* greatly enriches our understanding of the implementation and tensions of HRE in a non-Western and less democratic society. This book contributes to the field of human rights and HRE by detailing how China modified the global discourse of human rights and HRE based on its historical and cultural traditions and political conditions. It also vividly documents how different actors (school, teachers, and students) implemented and interpreted HRE, portraying a complex picture with the tensions of HRE in China.

In Chapter 2, the book first systematically reviews the theories and issues of human rights and HRE, showing the complexity of human rights and HRE in general and setting a foundation to explore human rights and HRE in China. After examining two theoretical debates in the field of human rights, i.e., whether human rights are innate or socially constructed and whether human rights are universal or culturally relative, the author adopts a culturally relative and socially constructive framework to investigate Chinese discourses of human rights. In addition, the author extensively reviews policies, models, and implementations of HRE, highlighting that HRE is about not only promoting students' knowledge, values, and skills of applying human rights through schooling, but also about training professional groups, vulnerable groups, and the public at large to prevent the violation of human rights.

Chapter 3 thoroughly situates four main ideological orientations of HRE in Chinese discourses of human rights: Confucianism, liberalism, nationalism, and cosmopolitanism. Impressively, this chapter explores how the Confucian idea of human nature and the relationship between individual and community indicates a different understanding of human rights between China and the West. Though Confucianism believes human beings are naturally equal (similar to the West), its emphasis on the pursuit of the common good and collective interests (such as the polity's stability and prosperity) distinguishes itself from the Western prioritization of individual rights over collective interests.

This chapter also shows that China's more than a century history of nation-building and rebuilding (1860 to present) plays an important role in

shaping the liberal and nationalist discourses of human rights in China. To make a strong Chinese nation, Chinese liberal intellectuals in the late Qing Dynasty (1860 to 1911) selectively absorbed Western ideas of human rights for individual empowerment and for the survival of the nation. In contrast, nationalists in the Republic of China (ROC) (1912–1949) and People’s Republic of China (PRC) (1949–present) perceived that individual freedom and rights were means for national strengthening, as granted by the Constitution, and could be limited to safeguard public order or to protect collective interests. Moreover, this chapter reveals that Chinese cosmopolitanism also involves elements of human rights, as it emphasizes equality, individuals’ dignity and happiness, addressing the common good in human society. As a result, Chapter 3 clearly illustrates for readers how China’s human rights discourses are embedded in its cultural traditions and history, supporting the constructive and culturally relative perspective of human rights.

Chapter 4 highlights the nation-state’s role in defining human rights for citizenship making and nation building. In particular, this chapter introduces the development of human rights in the PRC, evolving from a class-based enjoyment of human rights in the Mao era (1949 to 1976) to prioritizing the development of citizens’ social economic rights in the post-Mao era (1976 to present). It shows Chinese leaders after Mao preferred to emphasize the rights to subsistence and development over civil and political rights with a concern of ensuring stable social contexts for political and economic reform, making China’s current human rights promotion different from that of the Universal Declaration of Human Rights (UDHR) in terms of rights sequences. Importantly, Liang argues that the internal conflicts between democracy and one-party rule and between promoting human rights and suppressing free expression and association will lead to tensions in the implementation of HRE in schooling. These issues are further addressed in Chapter 7 and Chapter 8.

Chapter 5 turns the focus to HRE, examining HRE-related curriculum in China’s modern history. It shows that the education of rights and citizenship in China has always served social and political functions, dedicating itself to cultivate modern citizenry that benefits China’s nation building, no

matter in the ROC or PRC. This chapter also informs readers about China's progress of HRE at the policy level in the past two decades. It is surprising to see that since the 2000s, along with China's deep integration into the world economy and the influence of globalization, the state has passed a series of national human rights action plans (2009, 2012, 2016) and has explicitly promoted HRE in public training and school education with the aim to increase people's human rights knowledge and awareness.

While China's policies of HRE seem to be ambitious, it is unclear how HRE is implemented in schooling according to previous studies. Through a qualitative study in a public junior high school that integrated HRE, Chapters 6, 7 and 8 illuminate what HRE looks like in reality. Chapter 6 shows that the focal school indirectly promoted HRE by making the school management democratic, teaching human rights content in related subjects (such as moral education, citizenship education, history, and legal-related studies), conducting extra-curricular activities, and providing a safe, engaged, and supportive school culture. However, the school was also constrained to some extent as it had to implement a censorship project required by the local government. Chapter 7 documents teachers' various responses to HRE, ranging from following the state's discourse of human rights, to adapting HRE policies by shifting the emphasis on students' engagement and critical thinking, and to avoiding politically sensitive topics.

Chapter 8 presents the students' perceptions of human rights and HRE and their evaluations of HRE-related courses and the school's human rights climate. In general, students showed a liberal and individualistic understanding of human rights, strongly agreeing that individuals should enjoy natural and equal rights. Yet, some students agreed with the state's interpretations of human rights, thinking that the right to subsistence is important and that exercising individual rights should not infringe upon the state's interests. In terms of HRE, students reported positive experiences of HRE-related courses and school climate, such as learning human rights principles, freely expressing their ideas in the classroom, and developing critical thinking skills. However, this study noticed that students' civic participation was functional for students' development of personality, sense of belonging to the

community, and skills for participation in school/community affairs. The participation was heavily regulated by school administrators and the state.

In the Conclusion, Dr. Liang proposes the concept of “embedded HRE” to understand Chinese HRE, pointing out that HRE in China is a socialization project for citizenship making that aims to enhance students’ knowledge and awareness of human rights and to promote Chinese citizenship. This chapter also highlights a major limitation of Chinese HRE caused by China’s political condition. That is, it doesn’t empower individuals and the public to recognize and redress human rights abuses.

A culturally relative understanding of human rights and HRE has been questioned by Ong (1999) and Sen (2006) as it might become an excuse for an authoritarian rule and a denial of basic human rights. As China has always been criticized for its human rights records, it could be debated whether the Chinese government’s interpretation of human rights and implementation of HRE is authentic or merely performative. However, rather than defending China’s stance on human rights, Dr. Liang’s book convincingly shows us that a culturally relative and socially constructive perspective remains a powerful tool to reveal the complexity of human rights and HRE in China. It is undeniable that China’s current situation of human rights and HRE is shaped by its political conditions; nevertheless, culture and history play an important role to influence the state and people’s interpretations and implementation of human rights and HRE. This book reminds Chinese scholars to be aware of the limitations of a culturally relative understanding of human rights and HRE; it also contributes to international scholarship by highlighting that culture and history do matter for understanding the implementation of human rights and HRE.

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# Book Review

*Unheard Voices of the Pandemic:  
Narratives from the First Year of COVID-19*

By Dao X. Tran (Ed.)

Haymarket Books, 2021, 109 pages.

\$12.95 (Paperback).

ISBN: 97816422597134

Review by Rachel Brand\*

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**U**nheard Voices of the Pandemic: Narratives from the First Year of COVID-19, edited by Dao X. Tran, is the latest book from the Voice of Witness (VOW) book series. VOW, a non-profit organization, uses storytelling as a powerful and transformative tool to illuminate human rights issues through narratives told by those most impacted by a given issue. VOW brings these narratives to educational contexts through curricula and resources, aimed to center marginalized voices and inspire school communities to tell their own stories. This book follows the stories of 17 narrators from marginalized communities across the United States, who speak to their experiences during the first year of the COVID-19 pandemic. Each chapter begins with a short synopsis of the background of the narrators, from which

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point they share their experiences, struggles, hopes and fears during the onset of COVID-19. For example, we read oral histories of people currently or previously incarcerated, farmworkers, undocumented immigrants, activists, and others in a variety of professions, including a teacher, janitor, house cleaner and stripper. We read honest and important depictions of the pandemic by those whose lives are often rendered invisible.

This book seamlessly weaves together oral histories with the political climate in which they are situated. Many of the narrators have experienced abuse and trauma in their lives prior to COVID-19, and their stories shed light on how a lack of supportive social systems, alongside structural racism, and systemic oppression, has made the impact of COVID-19 particularly devastating to their communities. The narrators experienced adverse vulnerability to the virus itself, as well as high susceptibility to job loss, abrupt changes in health care, food insecurity, isolation, fear, and violations of their basic human rights. Storytelling proves to be a powerful tool through which the reader can understand and learn from the narrators' experiences. As the narrators share their stories, several themes emerge: how COVID-19 has illuminated existing inequities, the need for visibility, and the deep impact of social isolation. In addition, the stories speak to the power of community care to help people when societal structures fail to do so.

### **Inequities Illuminated by COVID-19**

Several chapters in this book show the devastating intersection between the virus and inequities people face because of immigration policies, and failures in the healthcare and criminal justice systems. Farida Fernandez,<sup>1</sup> a nurse and community organizer, explains how Black communities have been disenfranchised, controlled, criminalized, and left without access to proper health care. Fernandez asserts: "We're not going to get out of this pandemic alive and preserve the lives of Black people unless those things are addressed" (p. 21). Similarly, Yusufu Mosley, an activist-educator, who had spent 22 years in prison writes, "There's been the revelation that Blacks and

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<sup>1</sup> Farida Fernandez is a pseudonym used in the book to protect the narrator's privacy.

Latinos and Native Americans are the primary ones assaulted by this disease” (p. 94). Mosley shares that many of his loved ones did not die directly from COVID, but rather from a lack of health care, leaving his community particularly vulnerable to the virus.

Michael “Zah” Dorrough, who has been incarcerated since 1985, reinforces this connection. When Dorrough contracted COVID-19 while in prison, he struggled to recover due to a lack of medical support or resources to protect himself. As he writes: “The starting point in discussing the pandemic is that the health care department simply does not care about our well-being. And you can actually see what not caring about us looks like” (p. 61). In addition, Raul Luna Gonzalez,<sup>2</sup> an immunocompromised asylum-seeker placed in immigration detention, paints a picture of what COVID-19 looked like behind bars. Gonzalez says that due to a lack of masks, soap, or hand sanitizer, “It was impossible for us to protect ourselves” (p. 32).

In a similar vein, several narrators speak to the disproportionate impact of COVID-19 on Latinx and undocumented communities. Gabriel Méndez,<sup>3</sup> an undergraduate student at UC Berkeley who fled Honduras at age 15, expresses particular concern about the Latinx community. Méndez writes: “Language is a barrier. There are less resources in Spanish. Even in a pandemic, we are still a minority... We get a barrier on everything – getting food, getting supplies. It’s hard” (p. 58). These difficulties are reflected in the testimony from Roberto Valdez,<sup>4</sup> a farm worker, who says undocumented farmworkers are treated “like chess pieces that politicians move around” (p. 7). Valdez notes that even though farmworkers are considered essential workers, pay taxes, support the economy, and provide food for the country, they are denied the ability to become legal residents and receive needed benefits during the pandemic.

Similarly, Anastasia Bravo,<sup>5</sup> an undocumented single mother who works as a housecleaner, writes: “We work and we pay taxes based on the

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<sup>2</sup> Raul Luna Gonzalez is a pseudonym used in the book to protect the narrator’s privacy.

<sup>3</sup> Gabriel Méndez is a pseudonym used in the book to protect the narrator’s privacy.

<sup>4</sup> Roberto Valdez is a pseudonym used in the book to protect the narrator’s privacy.

<sup>5</sup> Anastasia Bravo is a pseudonym used in the book to protect the narrator’s privacy.



money that we earn... We're not able to qualify for anything. I need economic aid from the government during this time" (p. 88). These stories help the reader understand the impossible task of navigating the pandemic while undocumented and lacking access to resources.

### **Visibility**

Another theme that runs through this book is the importance of visibility in all times, but especially in times of crisis. The narrators ask to be seen, and for people to empathize with their stories. Hamina Eugene,<sup>6</sup> a student at UC Berkeley and coordinator for the Underground Scholars Initiative (USI) asserts: "During my incarceration, I found that people often forget, or fail to prioritize, people or things that are not part of their daily interactions. Therefore, speaking these invisible communities and people into spaces is a way of prioritizing them" (p. 26).

This book gives the narrators visibility, and by reading their stories, we can connect to their experiences. In the words of Michael "Zah" Dorrrough: "We are people. We are part of the human family... The only meaningful difference is that many of us in here aren't getting the health care we need" (p. 64). Additionally, Anastasia Bravo states: "I want people to know that we are human beings, that we might have very little, but we contribute to the well-being of this country" (p. 85). The narrators give the reader the gift of understanding their experiences and make visible how society has failed to prioritize vulnerable communities.

### **Impact of Social Isolation**

Finally, the loss of community and connection during the first year of the pandemic was especially difficult for the narrators in this book. Shearod McFarland, who has spent more than 30 years incarcerated, notes that people in prison who became sick had to quarantine alone in an empty cell. McFarland equates this to "being placed in solitary" (p. 12). Yusufu Mosley discusses

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<sup>6</sup> Hamina Eugene is a pseudonym used in the book to protect the narrator's privacy.

using techniques from his time in prison to get through the loneliness and isolation he faced. He expresses his determination: “I’m gonna get through it. It will pass. And be careful” (p. 93).

Soledad Castillo,<sup>7</sup> who migrated to the United States at age 14, describes her financial concerns and the pain of losing a baby during the pandemic. These experiences are compounded by being far away from home. Castillo writes: “Americans often talk about immigration, but we don’t talk about the emotional damage that occurs when people are far away from their families” (p. 46). Castillo puts forward that COVID-19 is giving all people a window into understanding what it is like to be separated from family. Anastasia Bravo also shares her poignant feelings of isolation from not being able to see family: “I really feel the need to see my mother because of all of this. It’s so terrible. I’m so afraid. I need a hug, my mother’s hug” (p. 87).

### **Conclusion**

Despite the many obstacles that the narrators face, many moments of hope and strength run throughout the stories. Roberto Valdez discusses coming home to a box of food that had been dropped on his doorstep: “It made me want to cry. It meant that someone was thinking about us, that someone was worrying about us... Nothing like that had happened before” (p. 8). The narrators call upon the reader to understand our role in supporting those outside of our immediate communities. The narrators also speak to the ways that the communities themselves have stood up for one another. Shearod McFarland writes that people in prisons have been sources of support to one another regardless of the lack of attention from the state government. This, he says, is “evidence of the rich human potential that lies behind the walls of prisons all over America” (p. 14). These testimonies offer hope and strength, inspiring readers to look deep within ourselves to see how we work to resist the structures that oppress others.

Reading the narrators’ stories was important, painful, and enlightening. Time has passed since the book was written in 2021 and while reading

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<sup>7</sup> Soledad Castillo is a pseudonym used in the book to protect the narrator’s privacy.

this book, I found myself reflecting on how the pandemic has unfolded since. For instance, Oscar Ramos, a second-grade teacher in Salinas, expressed the excitement that he shared with his students about returning to school the following school year. Sadly, we now know that students were not able to go back to school right away and that educational inequities that resulted from the pandemic continue to be vast and impactful. Additionally, we know that not enough has been done to care for marginalized communities as the pandemic continues to linger, or in the event of a future crisis.

By reading these oral histories, *Voice of Witness* helps to create a sense of connection between the reader and narrator, and offers a path for the reader to continue to explore the issues presented through the narratives. VOW offers educational curricula and resources that center the voices of the narrators' and nurture empathy and critical thinking. *Unheard Voices of the Pandemic* can be used to explore various themes with students, such as human rights, equity, and justice. These stories and themes are then used as inspiration to help students to tell their own stories and understand the importance and complexities of the issues plaguing their own communities. As such, this book, and all VOW oral histories, offer powerful insights into the narrators' life experiences, as well as serving as an important example of oral histories as an educational tool for social change.

# Book Review

*Teaching Human Rights in Primary Schools:  
Overcoming the Barriers to Effective Practice*

by Alison E.C. Struthers

Routledge Press, 2020, 244 pages.

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Review by Johanna Estrella\*

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**A**lison Struthers' *Teaching Human Rights in Primary Schools: Overcoming the Barriers to Effective Practice* (2020) offers a fundamental argument for the urgency of introducing human rights education (HRE) to young learners. Her quantitative and qualitative empirical data from teachers in England lead us to a deeper understanding of the current disconnect between the national and international requirements of human rights education. Presenting an overview of relevant international obligations and agreements, this book shows how and why primary schools in England currently struggle to meet these requirements in both policy and practice. This work is of particular interest to readers who wish to understand how

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human rights policy from the top affects HRE approaches in primary schools, especially in the English context.

The seven-chapter book begins by introducing human rights as recognized by the Universal Declaration of Human Rights (United Nations, 1948) and its interpretations of international law. This first section emphasizes how human rights have been extended more as a legal domain than as an educational approach. Using the tripartite framework of “about, through, and for human rights” from the 2011 United Nations Declaration of Human Rights Education and Training (UNDHRET), Struthers explores the effectiveness and barriers of implementing HRE in the context of English primary schools. In light of rising extremism from different factions (e.g., Brexit, Islamophobia, etc.), the author argues that international commitments to HRE in England have become increasingly significant for counteracting divisive narratives and building a universal culture in which human rights values and principles are central.

Chapter 2 offers a deep dive into the historical events regarding the creation of human rights laws, such as the United Nations Convention on the Rights of the Child (UNCRC) and UNESCO initiatives. Using the tripartite framework helps explore its effect on one’s identity along three dimensions: individual, group, and universal. By creating this in-depth analysis, the author presents a model to be used as a measuring device for evaluating compliance with international legal requirements. Chapter 3 concisely summarizes HRE’s history in English primary education, noting the gap between international frameworks and actual implementation.

Grounded in Struthers’ empirical research with teachers, utilizing surveys and interviews, Chapters 4 through 6 center on the tripartite framework of about, through, and for human rights by dedicating a chapter to each one of these aspects. Through selected vignettes, the teachers in principle express support for taking action against the status quo, thinking critically, and encouraging critical curiosity in their classrooms. Yet these same teachers are reluctant to implement HRE due to their concerns about potentially losing control in a rights-respecting learning environment, handling

controversial topics, and integrating human rights language into everyday values and lessons.

Addressing these concerns, Struthers makes recommendations in Chapter 7 for ways to overcome barriers to HRE. Firstly, she suggests addressing the lack of political will to introduce HRE along with other curriculum changes. Secondly, Struthers proposes providing teachers with comprehensive training and resources that cover the fundamental legal components and pedagogical approaches to HRE to ensure holistic value-based elements. Thirdly, teachers need fully-funded, age-appropriate, easy-to-follow, and accessible resources to prepare HRE activities. Lastly, changes to existing assessment practices would encourage teachers to cover the HRE curriculum. Prioritizing standardized testing seems to be at odds with the main objective of HRE. Simply incorporating an obligatory exam component to HRE would defeat its original purpose altogether. After all, the purpose of HRE, as explained by the author, is to equip learners to reflect critically on the world and engage in issues of social justice, transformation, and empowerment.

Scholars looking for an HRE genealogy will find this work fruitful as it traces the multiple relationships between legal implementation and development of human rights law and how it is continuously modified according to the political context and historical demands. The qualitative data sprinkled throughout Chapters 4-6 using vignettes of teacher testimony allow the reader to understand the reasoning behind the data from primary sources rather than leaving it up to interpretation from the author.

Noting these strengths, I would highly recommend a follow-up piece using this book's findings to address a broader audience and connect universal themes, subjects, and dilemmas of HRE, such as contextualizing human rights to young students as one example. As a scholar of education with primary school experience in the United States, Spain, and South Korea, I would find comparative research on HRE in primary schools across different countries and cultural settings to be extremely helpful.

Secondly, while laying the foundation for a legal premise of HRE is important, these findings could be further enriched with a focus on pedagogy. For instance, Struthers expertly indicates that teachers adjusting

human rights content to students can become problematic if the messaging becomes diluted. However, this could leave readers with the wrong impression. Many educators recognize that adapting curriculum to be age/context-appropriate is a valuable tool rather than a barrier to effective teaching. Educational scholars such as Ladson-Billings (2021) and Paris and Alim (2017), among others, have demonstrated the importance of teachers in creating a learning environment that reflects the students' own worldviews and lived experiences. While adjusting HRE to younger learners may involve simplifying abstract topics, the real barrier seems to be less about educators accommodating their students and more about the underdevelopment of HRE as a field, resulting in fewer resources being available to teachers.

As Sirota and Mitoma (2022) have illustrated, interdisciplinary future work in HRE requires a critical lens that considers how race, ethnicity, gender, sexual orientation, legal status, class, and history play a role in how HRE is developed, whom it serves and benefits, who it is made by, and how it is regarded. A critical lens has helped many educators, researchers, and scholars, especially those championing social justice, to center their research in possibilities for greater agency and transformation (Solorzano & Bernal, 2001). Struthers already tips her hat in reverence to critical pedagogy in Chapter 2, calling for fundamental change that requires a critical voice to further illuminate barriers overlooked by traditional scholars.

In conclusion, Struthers' book mainly addresses past and current HRE implementation as a school subject within the U.K. National Curriculum in England and identifies obstacles to effective teaching. This empirical study should be seen as an important addition to the growing literature in HRE for researchers, scholars, and policymakers to build upon in the future.

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