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# Does Human Rights Education Exist?

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## Abstract

*In this paper I trace my own thoughts and praxes on human rights education (HRE) in conversation with others since 2007. An element of self-referentiality is tracking my arguments, for which I apologize. Revisiting my research and engagement with HRE over the past decade, I try to make sense of the shifts in my own praxes to disclose, to myself, radical-alternative possibilities for thinking and doing HRE. In travelling with myself, and others, I began to wonder: Does Human Rights Education exist?*

‘Does human rights education (HRE) exist?’ is not an ill-judged or frivolous question. Neither is it a question that strikes through the vast body of work that goes by the name of HRE. Rather, the question is purposefully exaggerated and provocative. Not to make a ‘yes’ answer the obvious outcome, but to consider the very possibility of a ‘no’ rejoinder. One can have a cluster of associated questions. Did HRE exist before? If it did, how did it ‘disappear?’ If it did not, what is it that goes by the appellation of HRE? Does HRE exist

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now? To engage with these questions is to work through the appearances of HRE in order to pierce through the surfaces and scenarios of the truths it produces. Such engagement is deeply concerned by what is clustered under its banner, and how its discursive authority is constructed and mobilized to thwart the global project of emancipation.

I entered the HRE field in the mid-1990s, as South Africa emerged as the international human rights poster child after the 1994 democratic elections that ushered in the 'post-Apartheid era.' During this time, I started engaging the processes of the United Nations agencies associated with HRE as the Decade for HRE (1995-2004) was proclaimed; and later on, was taken further by the World Programme of Human Rights Education (WPHRE) (2005-ongoing). Responsible for HRE within the newly established South African Human Rights Commission, I subsequently directed the establishment of its National Centre for Human Rights Education and Training.

Like any good HRE zealot, I modeled almost my entire praxes within the parameters established by the Decade of HRE and the WPHRE and the work of international and national non-governmental organizations (NGOs) and civil society organizations in the field. When I started with my doctoral studies in 2003, it was fitting and convenient for me to focus on HRE. During this time, I facilitated a series of human rights workshops across the country. It was in Qunu, the small rural village in South Africa's Eastern Cape where Nelson Mandela grew up, whilst putting these workshops into practice, that my uneasiness with a kind of HRE that takes its starting point to be authorized by human rights universals started, and became the central catalyst for the arguments advanced in my doctoral work.

### **[Incessant] Critique as Fidelity**

I have seen too many productive instances of the mobilization of human rights for transformative and emancipatory purposes through education to dismiss it as a failing enterprise. Experiencing first-hand how HRE can generate forms of actions for social justice as a democratic South African society struggled to emerge from a colonial-apartheid past post-1994, I more or less took it for granted that HRE would be configured to follow the trajectory of the people's education of the 1980s that

functioned as the pedagogical arms of the struggle against apartheid, and social injustice in general. With an unmistakable Freirean and critical pedagogical orientation, people's education was 'defined variously as an educational movement, a vehicle for political mobilisation, an alternative philosophy of education, or as a combination of all three' (Motala and Vally, 2003, pp. 182-183). Key for me, as Carrim and I (2006) explored peoples' education and critical pedagogy in *Human Rights Education and Curricular Reform in South Africa*, was the assumption that a South African HRE was in fact located within the tradition of critical pedagogy. On this score, HRE, at that time, existed; at least to my mind. That is, in the true sense of the definition and purpose of education: the development of critical thinking and competencies.

I later on came to realize, as I participated in the complex processes of the United Nations agencies and their programs on HRE, that the global 'wave' of democratization of the 1980s and 1990s and the affirmation of human rights as a world-wide moral language, were closely knitted into the fabric of neo-liberal and capitalist expansion within which HRE was and is located. I can distinctly recall the Geneva encounters of the 1990s and 2000s, the debates on HRE as a critical endeavor, and the slow, painful, realization of the inevitable conscription of HRE into a conservative, 'declarationist' frame, generally speaking. There are exceptions. Nevertheless, the pragmatics demanded by every day and real life work on the HRE front reveal that the HRE landscape is a complex one with pedagogical formulations of all varieties on the spectrum of *conscription* and *resistance*. To complicate matters further, the configuration of HRE into its own industry and economy generated additional contestations. Thus, *critique* became the inevitable orientation which my relationship with HRE took; *critique* as fidelity, as a sort of 'higher' commitment.

Mapping exercises on the approaches to HRE surfaced as very useful schemes for making sense of the field and reflecting on praxes. The work of Tarrow (1987, 1992) and Reardon (1997) were instructive. However, it was Tibbitts' (2002) seminal work on "Understanding What We Do: Emerging Models for Human Rights Education" that provided

the basis for further critical reflections.<sup>1</sup> Almost a decade later, Bajaj (2011) published an influential piece, "Human rights education: Ideology, locations, and approaches," which followed my own reflections on a "Conceptual Typology of Human Rights Education" (2010). Recently, Coysh (2017) did us all a great favor by bringing together various musings on *Human Rights Education and the Politics of Knowledge*. Coysh not only treated the HRE field with critical sophistication, but she also charts HRE through the maze of work done by the United Nations and its agencies, and social actors across the globe to conclude (p. 174) that the

[...] institutionalisation and centralisation of the HRE discourse has gradually eroded diverse ways of knowing and interpreting human rights by regulating the production, distribution and consumption of the HRE discourse as a means of social control; something that has been perpetuated by a lack of questioning and critique.

Coysh (2017) captures much better the arguments I had in mind since 2003, which I sought to formulate in my doctoral work. I always had a sort of respect, despite its declarationist orientation, for the 1997 compilation edited by Andreopoulos and Claude, *Human Rights Education for the Twenty-First Century*, and regarded our lack of a sustained engagement with the pointers, cautions and options relating to HRE within this book as a missed opportunity. In particular, it was Baxi's (1997) remarkable insights in this collection, "Human Rights Education: The Promise of the Third Millennium?" that influenced much of my doctoral work and subsequent praxes.

By the time that I completed my doctoral study in 2007, I remained convinced about its critical intellectual direction, but soon afterwards started to dislike some of my own work given the haphazard nature of the arguments I tried to convey. The study concluded,

[...] that the dominant conceptual structure of HRE has grown into a *declarationist, conservative, positivistic, uncritical, compliance-driven framework that is in the main informed by a political*

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<sup>1</sup> See Tibbitts' updated reflections on "Revisiting 'Emerging Models of Human Rights Education'" (2017) in this journal issue.

*literacy approach.* Consequently, this study develops alternative conceptual principles buttressed by a non-declarationist conception of HRE that stands in a critical and anti-deterministic relationship with human rights universals. (Keet, 2007, p. i)

The alternative conceptual principles that I (Keet, 2007, pp. 219-233) proposed were aimed at countering what I called an ‘epistemology of diplomatic consensus,’ where knowledge claims and truths are nothing more than trade-offs between the interests of the nation states that constitute the United Nations. These principles are: HRE as a political activity; anti-declarationism and mutual vulnerability; human rights decolonization; perspectivism, particularism and universalism; human needs, human suffering and solidarity; human agency; and problematizing ‘social justice.’ Later, when I joined the academy, I had the flexibility to experiment with these principles in the university setting and built my scholarly citizenship around them. While not perfect at all, they are yet to fail me. These principles also touched on a decolonized HRE and Zembylas (2018) has now taken it further in ways I could not yet imagine at that time. A key interpretive mistake I made was to ‘label’ what I see as an alternative HRE as a ‘critical postmodern pedagogy’ (Keet, 2007, p. 230) to make provision for the key criticisms levelled at human rights in general which were derived from ‘postmodernism’ and ‘poststructuralism.’ In this, I followed Giroux (1997, pp. 218-225) who suggested that through a convergence of “various tendencies within modernism, postmodernism, and postmodern feminism,” a Critical Postmodern Pedagogy can retain modernism’s commitment to critical reason, agency and the power of human beings to overcome human suffering’ as well as engage with postmodernism’s “powerful challenge to all totalizing discourses” (Giroux, 1997, p. 218). It was less about Giroux’s framing, and more around the apolitical ‘notions’ that are unfairly tagged under the rubric of postmodernism, that petitioned me to rethink my trajectory and simply designate that which I envisioned as Critical Human Rights Education (CHRE).

Since 2008, I started rethinking my career track after spending twelve years in the human rights field. I joined the university sector and began exploring social justice issues in higher education in general. I also found the time to translate my dissertation into a book which was

published in 2010 (Keet, 2010b). Not being so firmly rooted in HRE anymore, I was, from time to time, simply re-interpellated into the field but generally experienced the HRE 'emancipatory' project as moribund. HRE does not exist, I concluded, neither in South Africa nor elsewhere in the world.

### **Critical Human Rights Studies and Human Rights Critiques**

Given my location in higher education and work parameters of social justice, I further explored human rights critiques from the social sciences, law, and humanities perspectives and encountered some fascinating work in the field, including the growth on critical human rights studies, which re-awakened my interest in human rights education. These have profoundly influenced my views on my university work, which began to take shape around the theme of change in higher education and knowledge and pedagogical transformations. This new 'energy' first found expression in "Human Rights, Juridical Forms and the Crisis of Values in Education" (Keet, 2010a) and then later on in position papers on higher education transformation. Realizing that the resources for a critical HRE were already being crafted in the disciplines, I found new avenues to approach HRE from 'unfamiliar' directions. In addition, I came to know about the work of those I regard as a new generation of critical HRE praxes-practitioners together with productive engagements with my established collaborators. These affirm the *critical* and *transformative* turn at the margins of HRE. It was and is the margin, unfortunately.

On the back of my limited but 'new' experience in the higher education sector, the possibilities for a critical HRE through human rights critiques took tentative form in efforts to develop a critical anthropology of human rights (Goodale, 2006) and a sociology of human rights (Dunn, 2012) and citizenship (Sommers, 2008). A key shift in my thinking was to merge the ideas of a critical HRE rooted in critical pedagogy with human rights critiques as the essential content of HRE. This kind of formulation will have, as its logical consequence, the confirmation that HRE does not exist. That is, except for a few university programs, the idea of a *critical* HRE with *critical* content is much further away from what we are seeing at present.

When a pedestrian United Nation Declaration on Human Rights Education and Training was adopted in 2011, I was already working on rethinking HRE from the angle of a paired *critical*: critical pedagogy and human rights critiques. Thus, at the time that Cornelia Roux invited me to contribute a chapter for the book *Safe Spaces: Human Rights Education in Diverse Contexts* (2012) I took the opportunity to present, in a different format, the human rights critiques that I engaged with in my doctoral study. I argued in “Discourse, Betrayal, Critique: The Renewal of HRE” that it is possible to make human rights critiques pedagogically intelligible within a *critical* HRE. That is, HRE has to be subversive, even in relation to its own content claims, and its renewal can only proceed on the basis of incessant human rights critiques. This chapter was followed by a contribution in *Discerning Critical Hope in Educational Practices* (Bozalek et al., 2014a) on “Plasticity, Critical Hope and the Regeneration of Human Rights Education” (Keet, 2014a). I offered a plastic reading of ‘critical hope’ as a ‘left over’ form of a radical and transformative human rights education that has not yet materialized. Suggesting that these ‘left overs’ cannot be accommodated within mainstream HRE because it (HRE) works against ‘the critical,’ I suggest that a radical HRE will probably develop, not within HRE, but as its challenge (see Baxi 1994).

The human rights critiques that I have presented up until 2014 as key to the renewal of HRE, grew in depth, width, and sophistication, neatly summarized by Gündoğdu (2015, p. 12).

Some critics see the discourse of human rights, especially as it is utilized in the new practice of international humanitarian intervention, as a distinct type of neo-imperialism. Some others highlight more subtle forms of political power at work in this discourse and suggest that human rights subject us to the very state power from which they promise to protect us. What is more troubling, they contend, is that this hegemonic discourse has such a strong hold on our political imagination that it has become almost impossible to invent alternative forms of politics that can bring to light different understandings of equality, freedom, justice, and emancipation.



In addition, human rights critiques have been classified by Schippers (2016) as “human rights’ purported regulatory, disciplinary and exclusionary effects; . . . [the] anthropocentric assumptions underpinning rights discourse; . . . [and its] predilection for ‘jurocratic rule’ at the expense of democratic practices.” These scholars generally maintain that human rights facilitate the expansion and legitimization of neoliberal logics; contribute to the reproduction of inequalities and unequal geopolitical arrangements; and facilitate the exercise of bio-power and the overregulation of bodies (Keet, 2015).

### **An Order of Simulation**

The disquiet that emerged for me from 2015 onwards was the growing evidence of the development of a global mistrust in human rights, human rights institutions and the international democratic project. The global protests that have spread across the world express a pervasive distrust of democratic institutions, and human rights, as Krastev (2014) has argued in *Democracy Disrupted: The Politics of Global Protest*. In relation to the massive increase in student protests, Shay (2016) also notes that though

each [protest] has its national character, scholars of protest have identified a number of common themes: this generation of students is profoundly disillusioned with current democratic processes. They are angry with neo-liberalism’s capture of higher education and the consequences for fees and increasing inequality. They are also critical of the ways in which Eurocentric, white, middle class culture is unquestionably the norm – hence the calls for ‘decolonising the curriculum.’

Intensely aware that the HRE field contributed to this distrust by not investing rights with its radical potential, I argued for a greater urgency in renewing HRE into a critical HRE in “It Is Time: Critical Human Rights Education in an Age of Counter-Hegemonic Distrust” (Keet, 2015). As HRE has opted to become the uncritical legitimating arm of human rights universals, it has ultimately added to a counter-hegemonic distrust. Its dominant forms also lack the conceptual and practical re-

sources to be transformative, let alone emancipatory. Apart from restating my arguments, the “It Is Time” piece also allowed me to update my ‘periodization’ of HRE, critique some of my previous formulations, engage with new typologies of HRE, and bring myself up-to-date with ever-evolving human rights critiques.

HRE has dislodged itself from its own human rights principles. If HRE ever existed, it has disappeared. Drawing from the fatal theories of Baudrillard (in Clarke et al., 2009), I tried to make sense of the HRE phenomenon both as simulation and advertising whose images and signs have no reality equivalence. That is, its practices are so far removed from its promise that it has lost its original meaning, but it still operates as a spectacle that enforces its own charisma. It is thus possible to imagine the disappearance of HRE as its appropriation into a global spectacle (Keet, 2014b). This line of reasoning tries to make urgent the advancement of a critical HRE. Still, it is logically plausible and empirically grounded. That is, one can mobilize an infinite number of evidentiary instances in support of the argument that HRE belongs to the orders of simulation and spectacle. Thus, what goes by its name, in large part, is not education.

I located the “It Is Time” piece as a cautionary note premised on a straightforward logic: the task of an education is first and foremost the critique of the receivable categories with which it works. In this way, it creates the conditions for the generatively ‘new,’ advances our knowledge base, examines acceptable truths, develops praxes, stimulates agency, builds itself and its subject matter, provides the interpretive schemes for understanding a world that is awash in human rights violations, and discloses the mechanisms of power at the roots of human rights discourse. This criticality, though embedded within the broader purposes of education, I suggested, is absent from HRE (Keet, 2015).

### **HRE Inc.**

Following the “It Is Time” article, I started reporting on a research project with colleagues on human rights and citizenship framings amongst university students (Keet & Nel, 2016; Keet, Nel & Sattarzadeh, 2017). Using the lens of human rights critiques, these studies generally disclose the paradoxical nature of the human rights project, and the less

than potent capacities of human rights for social justice activism. That is, articulating with the increasing global disillusionment with the institutions of democracy and human rights, there is a marked debility in how the transformative potential of human rights and HRE is perceived. But, there are welcoming developments taking shape. The growth of human rights critiques in the general polity and critical human rights studies in the university space is one. The other relates to the enlargement of the pool of scholar-practitioners that tarry with the critical transformative promise of HRE (Zembylas, 2015; Bajaj, 2017; Zembylas & Keet, 2018).

If there is an organizing concept that brings CHRE and human rights critiques together it would be the perpetual (de/re)disciplining of HRE or of that which goes by its name. What is interchangeably referred to as the ‘renewal’ (Zembylas, 2015) or ‘regeneration’ (Keet, 2014a) of HRE presupposes such cyclical processes. That is, the never-ending reorganization of knowledges, values, skills and practices that are the constituents of HRE, and the disclosure of the mechanics of power undergirding it. The (de/re)disciplining of HRE will bring into view its incorporation into neoliberalism and multinational consumer capitalism (Slaughter, 2007). HRE, de-disciplined via human rights critiques, as Baxi (1994, p. 30) argued more than two decades ago, will be summoned to “beyond [its] untruth” via a liberatory pedagogy in the Freirean mold.

In this image, HRE will be a distinctly autonomous, decolonizing, deglobalizing, heretical project in which the very act of learning will be simultaneously an act of insurrection aiming at the dissipation of imposed knowledges. (Baxi, 1994, p. 21)

Yet, this idea of HRE was more or less aborted at the very inception of the UN Decade for HRE in the 1990s, hastening HRE into non-existence in terms of education properly understood as *education*. Discounting human rights critiques, HRE opened itself up for appropriation into project capital, incorporated in every sense of the word. The logical consequence is reflected in Hopgood’s (2013) treatise on *The Endtimes of Human Rights* in which he dismissed rights as “imperialism in the guise of moralism” (Hopgood, 2013, p.2). Hopgood further suggests that human rights function as an ‘ideological alibi to a global system whose

governance structures sustain persistent unfairness and blatant injustice,” and “it reveals that human rights and liberal capitalism were allies, not enemies” (Hopgood, 2013, p. 13).

My interest in human rights critiques, as central to the program of HRE, was based on my calculation that such critiques will bulwark HRE against incorporation. Thus, my recent work, especially “Capital Rights<sup>2</sup>” (Keet, 2017), tackles the question of the conversion of human rights into capital rights more pressingly, and engages with the decolonial and Africana critique of critical pedagogy (Keet, 2018). I have now settled on the idea that the (de/re)disciplining of HRE has to have, as its central focus, the dislocation of rights from capital. Such critical HRE has to engage with the erosion of citizenship, democracy, and human rights under the annihilating influence of neo-liberalism’s stealth revolution (Brown, 2015). Moreover, since human rights are implicated in Eurocentric notions of progress and social evolution, a critical HRE must be decolonizing in nature as well (see also Zembylas, 2018). What is thus on offer is a HRE that is folded into both a radical decolonial critical theory (Grosfoguel, 2011, p. 2) and Africana Critical Theory (Keet, 2018). That is, the critical pedagogy that should steer HRE, must, of necessity, be informed by radical decolonial critical theory, and an African Critical Theory that situates critical theory within the interpretive schemes provided by Du Bois, James, Fanon, Cabral, etc. and the “developments in philosophy of race, sociology of race, psychology of race, anthropology of race, history of race, and critical race theory; Pan-Africanism, anti-colonialism, decolonization theory, and critical post-colonial theory; black Marxism, black nationalism,” and so forth (Rabaka, 2009, p. ix).

## Conclusion

If we follow Brown’s (2015) argument that human rights have been collapsed into capital, then, as such, one cannot talk about ‘Human Rights Education’; rather, it would probably be more appropriate to name that what we do ‘Capital Rights Education.’ HRE does not exist. But cynicism is not a creative option, ‘it is the abandonment of self-

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<sup>2</sup> I borrowed this formulation from Wendy Brown (2016).

reflection, let alone self-critique', as Dewey (McDermott, 2007, p. 270), whose insights permeate the endeavor of critical pedagogy, reminded us. I would certainly not want my arguments to be read as cynical, but as the opening up of possibilities as is the real function of critique. That is, HRE does not exist insofar as it is modelled on an uncritical relationship with human rights universals. But it would be downright erroneous to argue that all practices in the name of HRE have this orientation. So, in a sense, for the purposes of putting the question which is the title of this paper on the table, we, as HRE practitioners, would do well to align our work with the real purposes of education. In doing so, a critical HRE will, intuitively, be called into existence.

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