

Education Rights: A guide for practitioners and activists



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►► Acknowledgements



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This guide is dedicated to the late *Katarina Tomasevski*, former UN special rapporteur on the right to education. Katarina gave invaluable advice for the first section of the guide, she was, and continues to be, an inspiration to education rights activists around the world.

This guide was produced by ActionAid for the Global Campaign for Education.

Written and compiled by *Kate Newman* based on ideas and contributions from a range of education practitioners and activists from around the world.

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► Abbreviations

AIDS – Acquired Immunodeficiency Syndrome
ANCEFA – African Network Campaign on Education for All
ASPBAE – Asian South Pacific Bureau of Adult Education
CBO – community-based organisation
CEEAL – Latin American Council for Adult Education
CEF – Commonwealth Education Fund
CEDAW – Convention for the Elimination of all forms of Discrimination against Women
CIRAC – International *Reflect* Circle
CSEN – children with special educational needs
CSO – civil society organisation
DEO – district education office
ECCE – early childhood care and education
EFA – Education for All
Four As – Accessibility, acceptability, adaptability, availability
FTI – Fast Tract Initiative
GATS – General Agreement on Trade in Services
GCE – Global Campaign for Education
GDP – gross domestic product
GWA – Global Week of Action
HIV – Human Immunodeficiency Virus
ICESCR – International Covenant on Economic, Social and Cultural Rights
ICERD – International Convention on the Elimination of all forms of Racial Discrimination
ICCPR – International Covenant on Civil and Political Rights
ICT – information and communication technologies
IMF – International Monetary Fund
INEE – Inter-Agency Network for Education in Emergencies
ILO – International Labour Organisation
MDGs – Millennium Development Goals
NFE – non-formal education
NGO – non-government organisation
OVC – orphans and vulnerable children
PRA – participatory rural appraisal
PRGF – Poverty Reduction and Growth Facility
PSI – Policy Support Instrument
PTA – parent teacher association
SMC – school management committee
UN – United Nations
UNESCO – United Nations Educational, Scientific and Cultural
UNHCR – United Nations High Commission for Refugees
UNICEF – United Nations Children's Fund
UPE – universal primary education
VAG – violence against girls
WTO – World Trade Organisation

Kate Holt / Eyevine / ActionAid



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This resource pack draws on learning and experience from work in education by ActionAid, our partners, and coalitions of which we are part, over the last thirty years. Originally formed in 1972, ActionAid now works in 42 countries around the world, linking with a wide variety of partners at local, national and international levels. We have drawn together this pack to share a wide variety of experiences in education, highlighting how different initiatives contribute to a human rights-based way of working. Building on these examples, the pack develops a range of ideas and methodologies to put a human rights-based approach to education into practice.



Katie Holt / Eyeline / ActionAid

Introduction

Approaches to international development have shifted considerably over the last thirty years. What is now clearer than ever is the importance of strengthening the voices of the poor and marginalised, while at the same time engaging with international and national power holders. This resource pack reflects ActionAid's intention to work simultaneously at all levels, taking a holistic approach to transforming education. However, focusing on six strategic areas in education (the right to education, excluded groups, financing education, citizen participation, rights in education, and education for all), the pack prioritises work at the local level. This is based on our belief that work at this level should be the starting point and should guide all other work. Local people know their own context, their needs, aspirations and realities, and work at the district, national and international levels should build on, and complement this. It is also due to the recognition that understanding a human-rights approach at grassroots level is complex and needs strong support. There are many difficult

choices to be made, and differing priorities and expectations to manage.

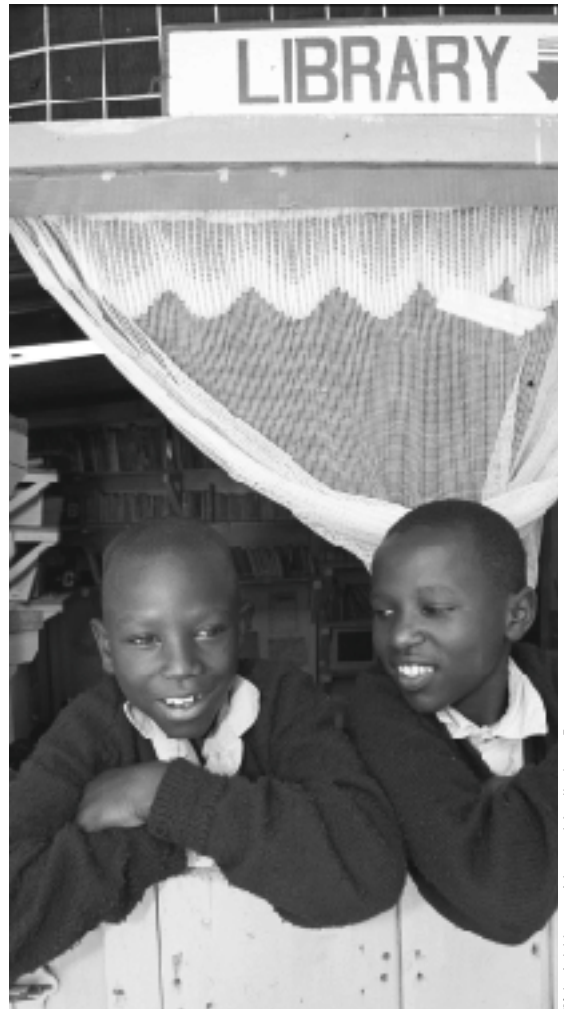
There is an international consensus around education. It is generally agreed that education is valuable, that it is a right in itself, and that it is central in promoting other rights, including women's rights and gender equality. While this lack of controversy can be beneficial, it can also cause problems. Firstly, because it is hard to keep education on the agenda, to make it high profile and exciting. But also because although we might all agree that education is a 'good' thing, there are a wide variety of views around issues such as how education should be delivered, what makes quality education, how education can promote women's rights, who should be the decision-makers in education, how much funding should be given, which parts of the education system to prioritise, etc. This pack aims to get people thinking critically about education issues, and to engage others in these debates, to work from the grassroots upwards to transform education rights into a reality.

Some background to the pack

From service delivery to rights

Although the idea of a rights-based approach has become common currency in development theory, many struggle to understand what this means in practice. This, perhaps, is particularly the case for those working at community level. Those involved in work at this level interact on a daily basis with people living in poverty, people who do not have access to education, or indeed many other services. Service delivery is an attractive option. It is concrete, measurable and visible; it is what we, NGOs or charities, have been doing for years; it is often what communities expect from us; it is what donors fund us for; and it meets an immediate need. Because of our experience and these expectations it can be difficult to move away from this role. However, as development theory and practice evolves, it is clear that service delivery, on its own, is not a sustainable way to tackle poverty and injustice, and that we have a responsibility to move away from this approach.

When NGOs deliver education services, sustainability problems occur for two major reasons. Firstly, because of the financial commitment involved in service delivery, a civil society organisation cannot guarantee indefinite funding and continuous service provision. Secondly, because of the impact service delivery can have on the relationship between citizens and their government. Through playing a service delivery role, NGOs come to be seen as the key service providers, and this leads to an erosion of the contract between citizens and their government.



Sven Torfin / Panos Pictures / ActionAid

Governments have obligations; they are morally and legally required to ensure the entire population access their human rights, including the right to education. These duties are reinforced by national constitutions and international conventions, which are ratified states and are binding to all future administrations. By contrast, NGOs are not elected, and their accountability structures are much more complex. Strengthening the relationship between citizens and their government is crucial for a long-term solution to poverty.

What is a human rights-based approach?

Taking rights, as enshrined in the Universal Declaration of Human Rights (1948), as its basis, a human rights-based approach views poverty as an abuse of human rights. These rights are upheld in international law through the International Bill of Rights and subsequent human rights treaties. Human Rights are the 'minimum standards' needed in order to live a life of dignity, they are **indivisible**, **inalienable** and **universal** – by definition they belong to every human. If a national government does not **respect**, **protect** and **fulfil** human rights for every woman and man then it is in violation of its obligations. However, while rights may be guaranteed by a particular state or government they are yours because you are human, not because of your particular citizenship. This means that while process of securing of rights might differ from country to country the rights themselves do not change.

Human rights have been developed and defined through many years of struggle, by different people in different parts of the world.

Unfortunately, due to historical, social, cultural, political and economic forces, many people, especially women, are unable to realise their human rights. These rights are systematically denied to many, merely because of who they are or where they live. A human rights-based approach confronts these rights abuses, working with people to claim their rights through dynamic, and sometimes messy processes of

resistance and change, of engagement with and transformation of relations of power. It may also enable them to define new rights, or new content to existing rights, valuing their context and perspective and recognising that rights, and rights abuses, affect people differently because of their gender, ethnicity, age, education etc.

The approach is not only about *what* you achieve, but also *how* you achieve it (see overleaf). This means putting poor and excluded people at the centre of this process, transforming the power relations that keep poor people poor and recognising the centrality of unequal gender relations in this process. It involves raising people's awareness of their human rights and empowering them through building their skills and confidence to demand and secure these rights. However, work is also needed at other levels, working with governments, civil society and donors to ensure that they are fulfilling their obligations, to transform structural inequalities and power relations, challenge discriminatory practice and ensure conditions which are conducive for all to enjoy their human rights. .

Finally, a human rights-based approach also means being aware of our own power and influence, as international NGOs, national NGOs and other civil society activists. It means reflecting critically on our role, ensuring that we are contributing to building the relationship between citizens and their government, and between government and international bodies, rather than creating spaces and filling them ourselves. It also means being aware of the power we have when engaging with others, whether they are community members, local organisations or government. This power can help to open doors, to involve people in discussion and action, but if we are not careful it can also be abused. We need to constantly keep a check on this, and work with our partners, be they other NGOs, social movements, trade unions or poor communities, to develop accountability systems to help ensure that we remain a positive force in the struggle for the right to education for all.

For more details on the right to education see **Section One**.

► **Human Rights are universal and inalienable, they belong to everyone and cannot be taken away. National Governments and the international community are obliged to respect, protect and fulfil human rights, for all women and men, and poverty is a human rights violation. A human rights-based approach focuses on achieving these rights. It follows a process which puts poor and excluded people at the centre, builds their skills, capacity and confidence to demand and secure these rights, while engaging with and challenging governments and other actors to uphold their obligations.**

How to implement a human rights-based approach to education

Taking a human rights-based approach means carefully planning work so that, for example, the poorest of the poor and those who suffer multiple discriminations, are reached. The approach involves a broad spectrum of people, from community members to grassroots activists to local, national and international NGOs, to trade unions and other civil society actors. And it means working in different ways with the range of stakeholders, at different moments in the process. Understanding that sometimes government might be a collaborator, for example, if it is showing interest in fulfilling its obligations while at other moments a key target, for example, if it is continually failing to invest in delivering the range of human rights.

Based on this premise, this pack develops ideas for achieving rights to, and in, education. It does this by building on the following principles for work:

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- **Identifying and targeting specific 'rights-holders'**, the most poor and oppressed people who may suffer multiple discriminations which impact on their ability to access and enjoy their rights;
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- Recognising the **centrality of gender** and power relations and their impact on people's ability to access education or be involved in transforming education, and therefore prioritising work in this area;
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- **Exploring the root causes** of inequality and exclusion, getting to the core of why people do not have access to their human rights, understanding the impact of tradition, culture and politics;
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- **Creating spaces and organising people** into a reflection-action process and working with them to analyse power, challenge unequal power relations and secure human rights;
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- **Building from the grassroots** to the national and international, understanding that each level has distinct but complementary roles to play;
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- **Linking with others**, including education coalitions, social movements, teachers' unions, the media and government as appropriate, based on the understanding that we should be working together, complementing each others' work, not competing with each other; or wasting resources through duplication of work;
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- **Taking a holistic approach**, focusing on education as an entry point but recognising that there are many issues which impact on people's ability to access education and that these are complex;
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- **Exploring the roles of different actors and stakeholders**, from local cultural custodians, to national elites, to the international financial institutions, all of whom need to be included in the struggle for education rights;
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- **Using participatory methods** to actively engage rights-holders in influencing, designing and monitoring education policy and delivery, ensuring that complex information is translated and repackaged to make it more accessible at the grassroots;
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- Learning from and **documenting experiences**, and sharing these with other practitioners so that practice can continually improve and evolve;
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- Being **honest about achievements**, not over claiming success, recognising that there are many different forces at play, and other initiatives which influence people's reality. It is also important to be open about challenges and failures, which can be great for learning and strengthening practice.
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Jack Pione / ActionAid

From local to national and international

This pack is focused on work at the local level, but locates this in relation to national and international policy influencing and campaigning. As civil society activists, working with people at the grassroots must be the basis of our work. This is the only way to ensure an active and empowered community, which will demand quality education from their government long after we have moved on. It is the only sustainable way of working. In addition, grassroots experience enhances the impact and legitimacy of work at national and international levels. It gives the evidence from which to develop policy positions and make claims, and ensures that work at all levels is responding to the real needs of those living in poverty.

Working across all levels requires respect for different perspectives, clear roles and space for all to play to their strengths. It requires recognition of the different knowledge and skills that each person or organisation brings. It needs collaboration, not competition, and a constant awareness of, and strategies to minimise, potential conflicts and unequal power relations. Fundamentally, this relies on excellent systems of information flow and communication, as well as transparent and accountable decision-making processes. All this is easier said than done, and achieving this synergy requires commitment. The pack suggests ways to make those connections seamless, ensuring that practice is strengthened because of the links created at every level. For the pack to be used effectively you will need to consider how you are connecting to the other levels, to strengthen your knowledge, analysis and impact. This includes developing strong feedback processes, so that activists at every level are informed of the outcome and impact of activities at any other level.

Therefore, at the local level people should be:

- **Reflecting on and analysing their context**, drawing on local realities and information accessed from partner organisations at national and international levels;
- **Developing strategic action plans**, targeting individual, community and local actions, based on in-depth analysis;
- **Building partnerships**, mobilising others and developing networks;
- **Researching** and generating evidence (which can be used locally and nationally);
- **Communicating** at local, national and international levels, through written documentation, as well as using oral and visual media;
- **Linking** with government, media and other powerful actors.

At national and international levels people should be:

- **Taking a lead from, and supporting the local process**, and expanding the policy influencing space, to ensure local voices will be heard at national level;
- **Making information accessible**, through translating, simplifying and producing alternative materials using diverse communication media;
- **Developing relationships** with government, media, academics and other powerful actors;
- **Organising public events**, focused meetings and conferences, creating public awareness and mobilising;
- **Transforming locally-generated information** into evidence-based policy, as well as coordinating additional research to strengthen local analysis;
- **Working in coalitions** with other civil society actors.

The pack itself

What is this pack?

This pack focuses on six strategic areas that are central to, and provide a framework for, a human rights-based approach to work in education. These are:

1. Understanding and securing the right to education;
2. Working with excluded groups;
3. Financing education;
4. Promoting citizen participation in education;
5. Securing rights in education;
6. Advancing a full 'Education for All' agenda.

These six areas make up the six sections of the pack. Each section begins with a brief overview of the key issues to be considered, and then discusses a range of activities which could be developed within a scheme of work. Short practical examples are given, from a wide range of countries. The majority of the activities focus on work at the local level, but national and international links are also discussed. Within each section we have chosen two or three areas which are analysed in more detail.

A list of useful resources are shared in an annex at the end of the pack.

Who is it for?

This pack is targeted at anyone working on education issues and interested in using a rights-based approach, with a focus on people-centred advocacy, rights and power. The pack will help to strengthen education work across the board, whether you are working exclusively on education or taking a broader social justice agenda.

We hope that the pack will be used directly by local NGOs and other community organisations at the local level. However, we expect that it will be of interest to programme coordinators, many of whom sit at national level. They are often responsible for supporting and giving strategic direction to the work of their colleagues at local level and this pack should be a useful resource. In addition, those working at the national level can use the pack to understand how to link effectively, both locally and internationally. Finally, the pack should also be useful for those working at the international level, helping them to understand the types of work and processes that occur at local and national levels, and to explore how their knowledge, skills and focus could complement and strengthen work at these other levels.

Engaging with the pack

The pack aims to get you thinking critically about your work in education, to give you ideas and methodologies to implement work in any of six areas. These are guided by a human-rights framework, which positions the debates and guides you through some of the key choices you will need to make for the work. The approach is a participatory one, aimed at involving a wide range of people to debate and act on education issues which affect them from a variety of different perspectives.

The different sections of the pack are cross-referenced extensively as the nature of work at community level means that it is difficult, and unproductive, to focus on issues separately. You will frequently find that when working on one topic, issues relating to another section arise. Therefore it is recommended that you take a brief look through the whole pack, familiarise yourself with the contents and be ready to move between the sections as necessary.



Planning and adapting ideas from the pack

The materials are designed to inspire. They can be used as resource materials to help in a planning process or as training materials to build the capacity of colleagues working on the right to education. You may find other uses for the materials, such as to structure evaluation processes or influence other organisations in the way they approach their work in education. You should see them as the starting point for your work and should not allow them to limit you. While some of the activities presented in the pack can be used directly it is expected that you will need to adapt the ideas for your particular objectives and context. You could plan a workshop involving key colleagues and partners to adapt this pack for your work, taking specific sections and thinking through what you would need to do to put these ideas into practice.

A key starting place is to reflect on **what sort of organisation, partnership or coalition you are**, thinking about the skills, capacities, focus and contacts you have. For example, a national CSO might have good access to national government and a range of information sources which will help support national level work, as well as being useful for local level analysis and action, but it may not have the contacts and legitimacy at local level to engage directly with community members, school management committees or local education stakeholders. This means that you might consider partnership with other organisations to ensure good implementation at local and national levels. In making this decision it will be important to understand what other civil society actors are doing, how you will position yourself, what your niche is, and how you will add to rights-based work on education, rather than competing with, or replicating what others are doing.

Once you have decided where your focus of work is, who you will be working with and how, it will be important to ensure you have a **good understanding of your 'how things work' context**. This involves awareness of current government policy and priorities (especially with respect to education); key influences on government (for example, are they swayed by national media and national opinion, or do they pay more attention to international influences?); the nature of advocacy and campaigning in your country, and the experience of rights and democracy at the local level (Is it common to organise demonstrations? Is more influence wielded over government through direct confrontation or through collaboration? How developed is civil society? Is there a concept of local participation and democracy?). This will help you decide which activities will work best in your context, how long-term your vision should be and what strategies you should follow (see also the stakeholders analysis, page 31).

A third element is to **understand education in your context**. How close is the government to achieving the Education for All goals (including ECCE, secondary and adult literacy), who are the excluded groups, why are they excluded? How will your work contribute to strengthening their rights to and in education?

An important element in this planning and reflection process is to analyse the specific ideas and activities contained in the pack, exploring how they might evolve in your context, suggestions for doing this include:

-
- **Using a case study:** read it through carefully and think through any questions you would like to ask the organisation involved (even if they are not available to answer your questions, this process will still be useful to help you consider the issues involved). What are the differences between your context and theirs? How will this impact the process? Do you agree with how they did their work? What would you do differently? What outcomes would you look for?
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- **Using a participatory tool:** it might be a good idea to practice the tool within your team, using the process to reflect, analyse and plan based on your context and experience. This will give you insights into how the tools work, and will help you support others to use the tools. It will also give you ideas about the information you'll need to source to support this work, additional questions you might want to ask, how to link the tool into wider reflection and action, etc.
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- **Using generic ideas:** you might find it useful to mix and match ideas in the pack. For example, an idea might be presented in one place (for example, analysing a school budget) and a process mentioned elsewhere that you think would be helpful in supporting this work (for example, building relationships with government). To do this you should familiarise yourself with the range of techniques included in the pack, so that you can apply them as appropriate in any given situation. When you select a topic to work on, think: How will I do this work? Who will I work with? What methodologies could I use?
-

- **Using your own experiences:** often you will have experiences, which are not reflected in this pack, but which will provide the foundations for your work. It is important to value the work you have done already, and think through how you can build on it using some of the new ideas contained here. You may also have experiences which challenge some of the ideas contained in the pack. Maybe you tried something and it did not work, or you found a more efficient way of doing it. The pack does not pretend to give all the answers. Some ideas are just not appropriate in some contexts. It is important that you take a lead from your experiences, using them to decide how you will work with the ideas in the pack.
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Documentation

Documenting work is important for many reasons:

- The process itself can help those involved reflect on their experience, sharpen their analysis and plan for action in the future.
- It is useful for record keeping, and can help in monitoring, review and evaluation processes.
- It is a key element of accountability – whether this is accountability to participants, stakeholders and partners, our own learning, our colleagues and organisations or donors.
- It can support actions and enable communication with wider audiences, raising awareness of specific issues for influencing and provide evidence for your advocacy and campaigning work.
- Finally documentation can also be useful for sharing experiences with other civil society actors, locally, nationally and internationally. To share your challenges and successes, new ideas and innovations, and lessons learnt during the process.

When planning your work with this pack we would encourage you to integrate documentation strategies throughout your work, to support your own learning as well as to enable you to share insights with, and inspire, others. Documentation does not have to be written; you can use photos, drawings, video and oral communication.

There are many choices made in documentation. And the following are key issues you will need to consider in planning the documentation process, as well as the product.

- **Aims and objectives:** Why are you documenting? What do you hope to achieve? What will your documentation focus on? What is its scope?
- **What:** The content of documentation will reflect your aims and objectives. For example, you may document a community experience of education campaigning to share with others, or your own reflections and learnings from being a project coordinator, as a tool for others to draw on.

- **Audience:** Who are your audience? Why would they be interested in this particular document?
- **Participation:** Who will do the documentation? Is it a participatory process with people documenting their own experience, or is an external person going to document the process. You need to reflect on how different people might contribute, what needs to be done to enable them to contribute and how they may benefit from their involvement. This will include an awareness of **power relations**, asking whose voices should be heard in the documentation, and how they will be heard.
- **Format and media:** This will depend on your audience and objectives. Different audiences will require different media. For example, a written document, showing quantitative information expressed in tables, may be taken more seriously by government officials, whereas a series of posters or photos may be more effective for communicating to members of the public. It is also important to look at your documentation skills and capacity. For example, if you decide a video would be the best format to document your work, you might need to involve someone with video expertise.
- **Language:** This has two levels, the language chosen for documentation, as well as the specific words and style of language used. Will the documentation be in the dominant language, in the local language or bilingual? Will it be complex and technical, or is simplicity important? Are you reporting specific facts, or would a story communicate the message more clearly? These decisions will be informed by the aims and audience involved.
- **Accessibility and relevance:** It is important to find a balance between including all the relevant information and making sure that the document is not overloaded.
- **Process:** Who will be involved when? What feedback loops are there to check that information is accurate and valid? Who is given a chance to comment on the documentation? An awareness of power relations is essential, as this will determine whose voices are heard in the final product.

Disseminating/sharing experiences

It is not enough just to produce good documentation; you also need to think through how you distribute it, and how you will ensure it reaches the intended audience. There are many different strategies depending on your objectives and audience. Documentation for advocacy and influencing purposes are mentioned throughout the pack. However, it is also important to share learning and experiences with other civil society activists at local, national and international levels.

This could be done through the networks and coalitions of which you are part. It can also be useful to develop key target groups for specific types of documentation; one group might be particularly interested in local level experience, whereas another has more interest in the national level processes and action. You may also seek out new targets for a specific publication. For example, if you documented work on girls' education you might disseminate this to education networks as well as women's organisations. This means actively seeking opportunities to ensure that there is an audience for your materials, and following up the documents you disseminate, finding out how they have been used and how you could make them more relevant and useful.

Experiences should also be shared regionally and internationally, through the various networks that exist (ANCEFA, GCE, CIRAC, etc.). ActionAid would also be interested in hearing about your experiences in using this pack. We could share these through the Education Action publication, distributed to over 4000 organisations and individuals worldwide, as well as through the networks that we are part of. We would be particularly interested to hear how you have adapted and experimented with the ideas contained here, your successes, challenges and lessons learnt, as well as new methods and ideas you have developed.

The ideas contained here are a starting point but much more learning will develop as you experiment with these ideas in practice. And this should be shared with others. Rights-based work in education is continually evolving, and we hope that practical use of this pack will help us move closer to making education rights a reality.