

NORDIC PERSPECTIVES ON HUMAN RIGHTS EDUCATION

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Audrey Osler and Beate Goldschmidt-Gjerløw

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CHAPTER 6

THE RHETORIC AND REALITY OF HUMAN RIGHTS EDUCATION: POLICY FRAMEWORKS AND TEACHER PERSPECTIVES

Policy frameworks and teacher perspectives

Audrey Osler and Jon Arne Skarra

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Introduction

This chapter considers whether the human rights discourse of Norwegian education policy is sufficient to fulfil the aims of a transformative human rights education (HRE), appropriate to a multicultural society and globalised world, empowering learners to know and defend their rights and those of others. We consider tensions and contradictions both within the legal and policy frameworks and between policies and teachers' assessments of their practices. We combine our policy analysis with a qualitative study of teachers' understandings of their roles and responsibilities in relation to HRE. Teachers in Norway enjoy a high degree of professional autonomy within which they can interpret the curriculum (Mølsted & Karseth, 2016), making their perspectives of particular importance in understanding the operationalisation of HRE.

The Nordic nations have long adopted the rhetoric of human rights in education. Human rights form a key feature of Norwegian national identity and education policy is commonly understood to be underpinned by human rights. We explore whether the right to HRE, first asserted in the Universal Declaration of Human Rights (UDHR) (UN, 1948) is realisable through current policy and practice. We further consider possible constraints in ensuring HRE is transformative, in keeping with the spirit of the UDHR, or whether it may in fact be minimalist and conservative in tone.

We contend that a transformative HRE involves critical examination of the present and past, so that teachers support learners in reimagining and creating a just future. Importantly, it requires teachers to support students in *acting* for justice and rights (Sleeter, 2013). The processes of building a culture of human rights require a curriculum in which students can relate rights to their everyday experiences and their specific cultural heritage. If human rights are equated exclusively with a specific heritage, in this case Christian and humanist, the conflation of human rights values and Christian values is likely to be alienating to students from other traditions. A multicultural society that equates national Christian and humanist values with human rights places human rights culture at risk.

We first provide a brief sketch of Norway's educational response to diversity, then outline the principles of the agreed international HRE framework and consider its strengths and limitations in realising a transformative HRE that supports and enables struggles for rights. We then examine the Norwegian educational policy framework and consider its possibilities and limitations as a tool for educators, before turning to teachers' perspectives to better understand how policy and practice interact. Through this, we aim to discuss the impact of policies and teachers in enabling or limiting education for rights, justice and societal transformation.

Recognition of diversity

Changing demographics have led educational policymakers to adopt the term "diversity". In 2022, 29.9% of the total population of nearly 5.5 million was either an immigrant (819,365) or born to immigrant parents (205,819) (Statistics Norway, 2022). There are 700,369 people registered as belonging to religious communities other than the official Church of Norway, of which over half (53.6%) are members of other Christian churches and around one in four (25.1%), belong to an Islamic congregation (Statistics Norway, 2022).

Norway's global reputation depends to a large degree on the rhetoric of peace and human rights, the country's contribution to international development projects, and, historically, its approach to refugees (Vesterdal, 2019). Colonial amnesia enables Norway's 21st century political leaders to position the nation as a neutral entity in foreign policy initiatives "devoid of colonial entanglements" (Eidsvik, 2016, p. 14). Initiatives to promote democracy and diversity, by focusing on recent immigrants, have frequently overlooked long-established religious and linguistic diversity; historical injustices concerning the treatment of indigenous people and national minorities (Osler, 2015; Lile, 2019); cultural and structural racism and participation in the European colonial project (Körber, 2018); and present-day power relations.

Policies now acknowledge diversity and address intercultural competences (Osler & Solhaug, 2018; Rosnes & Rosslund, 2018). While there are progressive policies to support students' linguistic backgrounds, many initiatives

are infused with tensions and less concerned with recognition of minorities' rights and more with a desire to ensure that minorities conform to a Christian-heritage national culture (Mouritsen & Olsen, 2013; Osler & Lybæk, 2014). Research suggests that recent initiatives have not necessarily guaranteed social and racial justice (Osler & Lindquist, 2018; Reisel et al., 2019).

International and national HRE frameworks

Here we outline the legal obligations of the state regarding HRE and consider what transformative HRE might look like. The right to HRE first asserted in the UDHR (UN, 1948) was confirmed by the Covenant on Economic, Social and Cultural Rights (CESCR) (UN, 1966, article 13(1)) and the Convention on the Rights of the Child (CRC) (UN, 1989), both ratified by Norway. The UDHR preamble stresses *human dignity* as central to the human rights project and references the principles of the UN Charter, which stresses *respect* for human rights asserting that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. Article 26(2) outlines the purpose of education and the right to HRE:

Education shall be directed to... the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

The CESCR and CRC build upon this foundational document, with the CRC reasserting and detailing the purposes of education, namely:

The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

(CRC, Article 29b & d)

This *right to HRE* is underlined by Flowers (2000, p. 8) who refers to learners' “right to know their rights”. Under the CESCR and CRC, States Parties make a legal commitment to provide HRE. At first sight, Norway's domestic legislation appears to endorse these international commitments.

The focus and content of HRE has since been officially articulated in the non-binding UN Declaration on Human Rights Education and Training, which stresses education *about* human rights principles, the values that underpin them and the mechanisms for their protection; education *through*

rights, stressing approaches that respect learners' and educators' rights; and "Education *for* human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others" (UN, 2011, Article 2).

In 2014, with the revision of the Constitution, HRE became a constitutional right: "education shall safeguard the individual's abilities and needs, and promote respect for democracy, the rule of law and human rights" (Constitution of the Kingdom of Norway, 2018, Article 109). Strangely, we observe that few in teacher education emphasise this constitutional right. To understand why, it is important to understand the national educational legal framework. Lile (2019) explains that when the constitution was revised, the Constitutional Commission advised the government that Article 109 required no amendment to educational legislation, since it merely reflected the aims of education in the purpose clause of the 1998 Education Act where "Christian and humanistic values" are stressed. In education law:

the frequent references to "Christian and humanist values", [are] presented as the foundation of the nation and of education. This formulation may unwittingly exclude students from other religious traditions and risks the interpretation that Christianity is the only tradition compatible with humanist principles or human rights.

(Osler & Lybæk, 2014, p. 553)

This potentially exclusive formulation permits a conflation of two different concepts: human rights on the one hand, and "Christian and humanist values" on the other. The new constitutional right did not lead to changes to education law since promoting "respect for democracy, the rule of law and human rights" amounts, in the view of the Constitutional Commission, to respect for Christian and humanistic values.

From the perspective of the Norwegian state, the international obligation to provide HRE is fulfilled through the promotion of national (Christian and humanist) democratic values. Any state may assert that its national values are *consistent* with human rights. This does not equate with a claim that, to fulfil the international legal obligation to guarantee the right to HRE, it is *sufficient* to teach national values. The state is effectively saying, human rights are us. This is the context in which the core curriculum and subject guidelines are constructed.

We have so far considered a minimalist, state-led vision of the right to HRE in keeping with the provisions of international human rights law. The central aim of education in the UDHR and successor instruments is to promote *respect* for human rights and enable human *dignity*. This implies a degree of legal literacy among both teachers and students, in keeping with students' evolving capacities and experience. Basic legal literacy and human rights knowledge do not necessarily enable a more just society, but they are essential prerequisites for facilitating structural change.

Human rights exist to protect the vulnerable, and all humans experience vulnerability at some stage. HRE must necessarily address human vulnerability and societal injustices and power differentials (Osler, 2015, 2016). In today's Europe, the rights of migrants, national minorities, sexual minorities and indigenous peoples remain under threat. For these groups to claim their rights, they need to engage in struggle. Effecting structural change through democratic struggle requires solidarity and recognition of shared purpose within the majority society. To claim full rights at school, for example, vulnerable students need the support of those in power, including teachers. Transformative HRE is about addressing human vulnerability and enabling students to defend the rights of others, at all scales, from the school and neighbourhood to the national and the global. It is about creating and enabling a cosmopolitan vision (Osler & Starkey, 2003, 2018).

Methods

This chapter forms part of a research project with the overarching question: Is the human rights rhetoric of Norwegian education policy sufficient to enable HRE, appropriate to a multicultural society and globalised world, empowering learners to know and defend human rights? (Lindquist & Osler, 2015; Osler & Lindquist, 2018; Osler & Solhaug, 2018; Solhaug & Osler, 2018). Here we focus on two sub-questions: How are human rights constructed in the lower secondary school? How do teachers understand human rights and HRE? From this we hope to clarify whether policy and practice have the potential to enable a transformative HRE.

We examined key policy documents relating to the lower secondary school curriculum (grades 8–10) focusing specifically on learning outcomes (competences) expected of students completing 10th grade in social studies and religious education (known as Christianity, Religion, Life Views and Ethics), to discover how human rights and HRE are constructed.

Documentary analysis took place alongside a series of interviews with teachers of these subjects. Our initial review of documentary sources was to familiarise ourselves with the curriculum and identify key concepts relevant to HRE that might inform teacher interviews. Further analysis sought to relate curriculum documents to emergent themes from the interviews.

The specific documents reviewed were:

- The purpose clause of the Education Act (section 1.1) (Government of Norway, 1998)
- The core curriculum (Ministry of Education and Research, 2017)
- Competences for social science on completing 10th grade (SAFI-03) (UDIR, n.d. b)

- Competences for religion, philosophies of life and ethics on completing 10th grade (RLE1–01) (UDIR, n.d. a).

We focused on those learning goals that explicitly reference human rights, and those that mention the United Nations or specific human rights instruments.

Individual interviews were conducted by Jon Arne with five lower secondary school social studies/religious education teachers. Teacher profiles are presented in Table 6.1.¹

Our original intention was to focus on two schools (B and C), serving an urban community with a socially and culturally diverse intake. The headteachers invited teacher volunteers interested in human rights to participate. As this process produced just four interviewees, a fifth teacher, known to have expressed interest in HRE, was recruited. She worked at a Waldorf school,² situated in a semi-rural area with limited cultural diversity.

Each teacher was invited to talk about their understandings of human rights, HRE, and the needs of their students in a culturally diverse society and globalised world. They were further encouraged to discuss curriculum policy and their classroom practices. Their teaching experience ranged from less than 5 to over 20 years. This was an opportunity sample. We do not seek to generalise from it, but situate our findings within the context of other studies addressing teachers' understandings of human rights and social justice in Norway and beyond. We recognise the "double reflexivity of researcher and researched" (Clegg & Stevenson, 2013) both in the initial generation of data, between the teacher interviewees and the interviewer, and in subsequent processes of dialogue and analysis of the documents and interviews between us as co-authors. Ethical approval was granted by the Norwegian Centre for Research Data and care was taken to ensure each teacher gave informed consent.

TABLE 6.1 Teacher profiles

<i>School</i>	<i>Name</i>	<i>Gender</i>	<i>Years of experience</i>	<i>Subjects taught</i>
A	Anne	F	> 15	Social studies, Norwegian
B	Hege	F	< 5	Social studies, KRLE, English, Travelling
B	Lars	M	> 20	Social studies, English, German
C	Nina	F	> 15	Social studies, Norwegian, English, French, Spanish, Democracy in practice
C	Anita	F	< 10	Social studies, KRLE, Norwegian, Democracy in practice

Curriculum: Documentary analysis

Our analysis addresses the human rights rhetoric of education policy, considers how human rights are constructed in the lower secondary school, and whether the written curriculum permits transformative HRE. Subject curricula focus on learning outcomes or “competences”, what students can do with what they have learned. These learning outcomes rather than specific knowledge take precedence (Mølstad & Karseth, 2016). Schools also have an overarching curriculum goal or purpose, defined in the legal framework of the 1998 Education Act in which “Christian and humanistic” values are defined as national values and equated, somewhat problematically, with human rights. Subject learning goals need to be understood within the legal framework of the 1998 Education Act and the core curriculum [*Overordnet del av læreplanen*] (Ministry of Education and Research, 2017). Nevertheless, it is subject-specific learning goals that are generally prominent in teachers’ lesson planning.

Within the social studies curriculum, at the completion 10th grade, just one goal makes explicit reference to the UN and human rights:

Give an account of the main principles of the UN Charter, the Universal Declaration of Human Rights and the most essential UN Conventions (such as the ILO-Convention concerning the rights of indigenous peoples), explain how these are laid down in legislation and discuss and elaborate on the consequences of violating human rights.

(UDIR, *n.d. b*, SAFI-03)

In religious education, no reference is made to any specific instrument, but on completing 10th grade, students should be able to: “Discuss and elaborate on ethical questions related to human worth, human rights and equality, in among other ways by basing yourself on real role models” (UDIR, *n.d. a*, RLE1-01).

The social studies learning goal is open-ended and assumes the teacher’s sound grounding in HRE. The Norwegian state’s recognition of historic human rights violations against the Sámi people lasting for over 100 years, and the legacy of past assimilationist efforts, explain the reference to the ILO convention.

Curiously, there is no mention of the CRC, or what might constitute the “*most essential*” conventions. If we frame this learning goal in the context of the core curriculum, we find that it stresses that human rights are based on *human dignity* and “apply to everyone no matter who they are, where they come from and wherever they are”. The core curriculum stresses children’s special *protection* under the CRC and says that: “education must be in concordance with human rights, and simultaneously give learners knowledge about human rights” (Ministry of Education and Research, 2017, p. 4, our translation). The emphasis here is on education *about* and *through* rights, but no mention is made of education *for* rights. The core curriculum may appear

to many teachers an abstract document, remote from day-to-day teaching and learning.

It is arguable that the CRC and the right to HRE need explicit mention in the learning goals, since other rights, including those of indigenous people and others vulnerable to discrimination, are dependent on the maintenance of a human rights culture. This culture is in turn dependent on children, particularly members of mainstream society, having access to a transformative HRE which provides knowledge about rights, fosters respect for the rights of all, and skills to support struggles for justice. Without explicit mention in the learning goals, there is a real risk that teachers will not necessarily include knowledge about human rights in lesson plans.

As for the “main principles” of the UDHR (UN, 1948), outlined in the learning goal, the central principle of indivisibility of rights risks being overlooked if teachers are not given sufficient support and guidance, appropriate to students’ needs and experiences. One teacher may favour freedom of expression (Article 19), another non-discrimination (Article 2), and a third might invite students to select a topic of personal interest.

The current open-ended approach in social studies is reflected in the religious education goal, where students may debate ethical questions relating to human rights and dignity, without reference to any legal framework (domestic or international) that supports a culture of rights and protects the vulnerable. Such debates need sensitive management to avoid leaving students who encounter harassment and everyday microaggressions related to ethnicity, gender, sexuality and other aspects of identity unprotected (Goldschmidt-Gjerløw & Trysnes, 2020; Norwegian Centre Against Racism, 2017).

Teachers’ understandings of HRE

We wished to understand how human rights are constructed in the lower secondary school, and whether teachers interpret the curriculum documents to enable transformative HRE. We encouraged teachers to talk about human rights concepts and the various classroom activities they devised to enable their students to better understand these concepts and achieve the learning goals. Earlier studies suggest that while Norwegian teachers are generally positive about HRE, they are concerned about their skills in addressing pertinent issues, viewing HRE as an international topic, not one that draws on students’ life experiences (Vesterdal, 2016).

In our study we are interested in how teachers address human rights with a diverse student population. We are testing the assertion that rather than recognising diversity as an asset and prerequisite for democracy, “teachers do not fully recognise that democratic preparedness includes education for diversity. Education for democracy and diversity are... two sides of the same coin” (Osler & Lybæk, 2014, p. 548).

Teaching about rights: Teacher interests

Our study highlights how teachers' personal interests shape how human rights are constructed in the lower secondary school. All five teachers state that human rights and HRE are important and deserve a place in the curriculum. While all speak of democracy and human rights in tandem, only one, Hege, seems to conflate these two concepts, as previously observed (Osler, 2016; Vesterdal, 2016). Lars gives particular emphasis to civil and political rights, and identifies democracy, elections and voting rights as key issues in his teaching.

Anne, Hege and Anita all link human rights to character-building and as a framework for interpreting society, sometimes expressed in relation to the nation, and sometimes encompassing the global community:

Human rights is important to the understanding of the society one lives in, the democracy and how they shall cherish it.

(Hege)

It is a part of teaching young people about the society they live in, the world they are a part of, and that they are growing into.

(Anne)

Anne's comment implies a possible focus on students' own experiences. As well as different spatial scales, the teaching has a temporal dimension, addressing past and present. Lars and Nina relate human rights (implicitly) to national identity, where we come from, and where we are heading:

Human rights is important and relevant to all conflicts around the world now and historically... It is interesting for students to understand why we see human rights as basic and "right".

(Nina)

Nina's reference to "conflicts around the world" supports Vesterdal's (2019) thesis that HRE serves to support foreign policy objectives and strengthens Norway's international political currency. It may also indicate a tendency to see human rights violations only occurring far away.

Nina and Anita, at School C, appear to have participated in collaborative planning at school level concerning human rights in the curriculum, where colleagues have reached a possible consensus of approach in HRE:

In this school it is my experience that we try to include human rights in as many subjects as possible. It follows many of our projects even though it is not necessarily the main subject.

(Nina)

I feel that human rights should be an umbrella engulfing most subjects. When I say this, I mean that most subjects are actually interconnected. This because the core curriculum tells us that we shall educate our students to become active participants of society.

(Anita)

Anita's perspective lends itself to a transformative approach; she is interested in students' active participation in society. For other teachers, learning is articulated as enabling students' induction into the existent society.

While these teachers' views are not necessarily representative, their understanding of HRE's reach appears to conform with official guidance:

The human rights perspective and democracy understanding is integrated into the teaching plans both in the core curriculum, principles for learning and the teaching plans for subjects. It is hard to limit subjects like democracy and human rights.

(UDIR, 2010, p. 4)

This was a sample of teachers who expressed a prior interest in human rights. We recognise that not all teachers may share this interest. Some may even have doubts about adopting a universal human rights framework, as found in a study of Danish teachers (Decara & Timm, 2013). Among our teacher interviewees there remain differences both in how they perceive human rights and their level of interest. Several observe that a teacher's own commitment is critical in HRE provision:

I believe that it is very teacher dependent and I do not believe that all students get the same quality in their HRE. And there are probably some who have next to nothing even though it is in the core curriculum/ learning goals.

(Anne)

This assertion about uneven, arbitrary HRE provision, dependent on individual teacher interest, also matches Danish research (Decara & Timm, 2013).

Professional knowledge, learning goals and teacher autonomy

In Norway, where teachers have considerable professional autonomy, teachers are powerful agents in the construction of human rights in school. They are required to consider both the core curriculum and subject-focused learning goals in planning. HRE knowledge and familiarity with

curriculum requirements (core curriculum and subject-based learning goals) are essential prerequisites for effective teaching and learning. We asked teacher interviewees whether they made a conscious link in their teaching with the human rights-related curriculum goals for social studies and religious education.

While all were aware of the HRE-related goals, their professional knowledge and how they used these goals varied. Only one teacher in this study appears to have had any in-depth engagement with HRE as part of their professional training. Those most interested in human rights had developed partnerships with NGOs such as Amnesty International and the United Nations Association of Norway, in the form of guest lectures, workshops and study trips. It appears that their expertise was enhanced, to some degree, by engaging with these organisations.

Lars, Nina and Anita all confidently asserted they knew of the HRE-related learning goals, but quickly added that they could not cite them. Nina, who was working with younger students, thought they were probably drawn on more in Year 10, as a foundation for further study. Anne and Hege also admitted they were uncertain of the precise nature of the competences:

It is not a highly conscious link to what they [the learning goals] say, but rather a reflection of the fact that I know that we shall have human rights and *what I myself deem important*.

(Anne, our emphasis)

It is inconceivable that in mathematics personal professional choices might be made in this way, and so surprising this might be judged appropriate in social studies and religious education.

There is no external school inspection system in Norway; teachers are accountable to the headteacher. In our sample, there seems to be a relationship between whether there existed a collaborative approach to curriculum planning and the degree to which teachers were familiar with learning goals. At school B it appeared that teachers were required to submit their plans to the school administration, “to satisfy the bureaucracy”, whereas the teachers in schools A and C made no mention of any such process. Creating teaching plans is, of course, no guarantee of their subsequent use.

All the teachers asserted that the human rights-related goals were somewhat vague and it was up to the individual teacher to interpret and adapt them to their teaching style. They further asserted this as their right, in line with core curriculum guidance on adaptive teaching. This states that teaching should be adapted to the curriculum, and take consideration of factors such as students’ age, level of maturity, individuality, diversity and so on. Curiously, they interpret adaptive teaching as about *teacher preferences* rather than *student needs* or entitlements.

Despite limited expertise, only one teacher, Lars, drew on textbooks for HRE-related activities, and then only to identify assignments he might utilise in class. As one teacher explained:

The learning goals say human rights, but apart from that it is up to the individual how to present it, and I notice that I teach my own thoughts, what is important, *what I want to promote*.

(Hege)

What the teachers understood as HRE varied greatly, from an awareness of specific political rights, such as voting (predominantly Lars), through to what they judged healthy values and moral/ethical education (the other teachers).

We contend that teacher autonomy needs to be matched by a recognition that learners have the right to HRE (Flowers, 2000; Osler & Starkey, 2019). There seemed to be broad consensus on the concepts and values the teachers deemed important, with freedom of speech and gender equality mentioned by all, and child rights and political rights by some. The interview data suggests that not only were learners not accessing their right to HRE, but they were not necessarily receiving education in line with the curriculum learning goals. It is notable that Anita was the only one to mention indigenous people as an example, although this is one of the few topics about which the goals are explicit. The content and focus of HRE is not arbitrary and determined solely by individual teachers: the CRC (incorporated into Norwegian law) sets out minimum standards.

Diversity and rights

Teachers were invited to talk about diversity and rights, and to say what diversity means to them. The learning goals for social science refer to the UN Charter and the UDHR, with those for religious education requiring students to discuss ethical questions concerning human worth and equality (UDIR, n. d. a, n. d. b). Relevant UDHR concepts include solidarity, justice, equality and dignity (Osler & Starkey, 2010, p. 47).

The teachers primarily speak of cultural diversity, but some also refer to other kinds, identifying parents' educational background, the location of students' homes, and social and economic inequalities as factors impacting on students' social and academic needs:

They have very different prerequisites, both when it comes to where they are from, geographically and how our families are, so each is different both in needs and skills.

(Lars)

Well, we have several kinds of diversity, both among the level of education at home and a great spectrum of cultural diversity. We are a school

which has about 25–30% of students that speak a foreign language and they bring their cultures and values.

(Nina)

The schools' demographic make-up appears to be a key factor in teachers' approaches to diversity. All four teachers from schools B and C, with notable socio-cultural diversity, respond that they are conscious of it, whereas Anne, working at school A with less visible diversity, says she has given it little thought: "I probably haven't been conscious enough about it... my group of students are so uniform that they usually think the same about events in society that we discuss" (Anne).

Some teachers assert that certain cultures and values are not in harmony with human rights, and that individual and gender equality and individual rights are less respected in particular groups. This leads them to assert that human rights education needs to be given greater emphasis among such students.

Diversity appears a significant factor in how the teachers plan. The only teacher to claim not to take diversity into consideration when planning her teaching is Anne, who claims: "I have thought about non-European students, but I teach them in the same way". Hege is reflexive, acknowledging that she has much to learn, both about her individual students and her own pedagogical approach: "When you don't know the different backgrounds/stories it can be a bit complicated sometimes... I have sometimes thought that I did not do this completely right". And Nina recognises that teaching in a multicultural context requires her not only to consider school demographics, but also how she should prepare her students for Norway's multicultural reality: "I think one should consider one's words, but I would have done so in a class where everyone was 100% Norwegian as well. I plan both in accordance with diversity in society in general".

The "100% Norwegian" reference is potentially exclusive: the term "Norwegian" or "ethnic Norwegian" is commonly used as a pseudonym for White. Nina's choice of language reveals how students of colour, born in Norway and holding citizenship, but with migrant parents or grandparents, are not necessarily recognised as fellow citizens. A perceived need for emphasising HRE for minoritised students may not stem from a gap between their values and *human rights principles* (something which might, in any case, be explored in transformative HRE), but from a perceived gap between the students' values and Norwegian national (Christian and humanist) values. That teachers may equate national values with human rights values is hardly surprising, when policy documents and legal frameworks conflate the two.

Encouragingly, all the teachers recognise the need for discussion. As Anita puts it: "It's not like I don't dare to create a discussion or reflection because someone comes from a different culture or religion, but one should remember it". There seems to be a pressing need for teacher knowledge about human

rights principles to inform classroom discussion and debate. Open, informed deliberation of complex and multifaceted issues is critical in permitting dialogue across difference. This might prove more productive than debates which promote polarised value positions, where the inculcation of Norwegian values is the goal.

Freedom of speech and extremist opinions

To understand how human rights are constructed, we asked teachers whether they encountered any human rights dilemmas. Although all initially asserted there were no such dilemmas, each then cited professional experiences that might be categorised as such. Our analysis suggests dilemmas predominantly relate to student standpoints, and the degree to which teachers should permit expression of opinions wider society might categorise as extreme. Teachers faced difficulties in distinguishing between students' freedom of speech, and what might be construed as bullying, hate speech, racism or homophobia. They also identified difficulties in addressing some students' attitudes to gender roles.

Anne had put thought into the issue of political extremism, and what might constitute a legitimate topic for a student's individual research project. She observed: "I think that it could be a dilemma when one faces individual students with very 'special' opinions". She was among several interviewees who observed that while to hold extreme opinions was not illegal, it was difficult to know when to act, without infringing on an individual's privacy or freedom of speech. She cited two examples: first of a student with Islamic State of Iraq and Syria (ISIS) sympathies, and second a student who held Nazi sympathies. What is interesting is that in both cases the teacher justified non-interventionist strategies. Anne let her student write his paper on ISIS, reasoning he might learn something new and moderate his opinions. In the case of the student with Nazi sympathies, her colleague chose not to challenge him, fearing he might become defensive and broadcast his opinions. Here, freedom of speech takes precedence over other rights. There is little recognition that freedom of speech is not an absolute right or it might need to be balanced against the right to security. For example, the student who wished to research ISIS might have been required to examine the organisation through a human rights lens:

Terrorism clearly has a very real and direct impact on human rights, with devastating consequences for the enjoyment of the right to life, liberty and physical integrity of victims... terrorism can destabilize Governments, undermine civil society, jeopardize peace and security, and threaten social and economic development. All... impact on the enjoyment of human rights.

(OHCHR, 2008)

If the student had been asked to consider the impact of an act of terrorism on their family, neighbourhood or nation, this may have led to a better understanding both of terror and the right to security. As Nina observes, referring to extreme opinions: “I do not find it to be a dilemma, but a good opportunity to discuss right and wrong, what they can say, how they should say it, and what is actually a violation of the law”. Understanding and freedom of speech in the context of domestic law is important. This might be extended to looking at the principles of the UDHR and exploring the impact of a range of lawfully permitted behaviours on the community of the school and beyond.

Interestingly, most teachers avoided reference to racist language or hate speech. One exception was Hege, who had this to say when the conversation touched on “harsh language”:

We have had some challenges with different ways of expressing ourselves due to diversity, the language can be quite tough and sometimes enter into what we would call discrimination and racism.

We have referred previously to “silences” around questions of racism in Norway which, if broken, might “disturb the narrative of a human rights-focussed and peace-loving Norwegian nation” (Osler, 2015, p. 258). A similar discomfort about racism, and indeed about naming it, was observed by a teacher in a Danish study (Decara & Timm, 2013).

Rather than racism, the teachers identified cultural diversity and gender equality as the most sensitive subjects they faced. Nina cited an example from one minority family, where boys were prioritised over girls. From the school’s perspective, “they” (the family) were doing wrong, yet no one felt comfortable in opening a conversation to understand *why* apparent gender discrimination was occurring. Nor it seemed, had anyone considered that within the family there might be diverse opinions on gender equality. Another example concerned a divisive class discussion where a majority argued that the hijab was oppressive of women, while girls who wore hijab and other Muslim students defended it. To enable more nuanced communication and understanding between students, teachers might deploy pedagogical techniques such as getting students, in role, to defend an opinion they would normally oppose. The case provides a classic example of separating the principle, namely gender equality, from a specific cultural practice and exploring whether there might be alternative ways of applying that principle.

The teachers generally approached dilemmas by organising a student debate, moderating it to ensure that all opinions are heard. They reported the most heated debates occurring over LGBTQIA+ rights and same-sex relationships. Three of the five teachers cited the topic as sensitive. Although in the majority culture there is growing recognition of sexual minorities, it was only in 2017 that members of the Lutheran Church of Norway voted to permit same-sex marriage in church.

It seems that the teachers associated HRE with managing divergent strong student opinions. Lars thought this an inevitable aspect of teaching: “It happens that students with different backgrounds hold different opinions”. This was Anita’s maxim: “Do not let things go, keep focus on respect for one another and do not put a lid on the discussion”.

Anne however identifies key factors to consider when dealing with students with extreme opinions: first, the power balance between the teacher and an individual student, and, secondly, the vulnerability of any 13–15-year-old who stands alone against their peers. In her opinion, the teacher should prioritise that individual’s needs. To achieve open and healthy discussions, the teachers put considerable effort into teaching students how to present a case, and how to show respect for others’ opinions.

Our findings raise three issues pertinent to transformative HRE. First, our interviewees do not appear to link HRE directly with teaching for social justice. Concerns about inequality or protecting the rights and interests of the vulnerable do not seem to feature high on their agendas. Teaching for justice and peace are at the heart of the UDHR and of HRE (Osler & Starkey, 2010, 2019) and transformative practice implies enabling students to take action to defend the rights of others.

Second, making human rights relevant to students’ lives is essential. Knowing you have rights is vital in claiming them, and in defending the rights of others, locally or globally. If we drop the desire to force a consensus through HRE (as when Nina asserts human rights as “right”) and adopt a HRE pedagogy in which teachers and students explore their life experiences and read human rights through those experiences, we will be using narratives and counternarratives to good effect (Adami, 2015; Osler, 2015, 2016; Osler & Zhu, 2011). There remains the question of whether teachers see human rights as something they *need* to link to students’ life experiences and experiences of injustice. This was not evident from teacher discourses, with Anne being a possible exception. The challenge is to extend students’ understandings from the personal towards developing a sense of empathy and readiness to defend the rights of others (*education for rights*). This approach does not reject legal frameworks but demands a critical reading of them. Those who experience vulnerability or injustice generally find creative ways of working with human rights and HRE to question power relations, discriminatory structures and injustice.

The third concerns the legitimacy of human rights in a pluralist society, and the “supposed polarity between ‘universal’ and ‘particular’ values” (Adami, 2014, p. 279). At the beginning of the modern human rights project, UNESCO drew on a wide range of religious and philosophical traditions to inform the drafting of the UDHR (Adami, 2014; Osler & Starkey, 2010). No inevitable polarity between universal human rights, universal principles and diverse religious, cultural or ideological traditions was identified. There remain, however, differences between the value systems. It is possible to agree

on human rights principles, while recognising differences in values. There is not an inevitable relativistic path: within the community of the classroom students may learn from each other and agree shared principles across different traditions, values, political contexts and life experiences, as an international teacher programme illustrates (Osler & Starkey, 2003). Aligning human rights with Christianity and humanism as Norway has done (or Islam, or another religion) may *create* polarised positions.

The impact of the 2020 curriculum

From 2021, new learning goals are in place, as part of the 2020 curriculum reforms. At the end of Year 10, in religious education, students will be expected to “identify and discuss current ethical issues related to human rights, sustainability and poverty” (UDIR, 2020a, RLE01-03) and in social studies (UDIR, 2020b) students will be expected to describe how human and indigenous peoples’ rights impact on national politics and address historical injustices experienced by the Sámi and national minorities. There remains a notable silence concerning present day injustices or inequalities in Norway. Nevertheless, students are expected to discuss opportunities and challenges in diversity. Our evidence from this small-scale study suggests that for HRE to be relevant to students’ lives and everyday experiences of rights, justice and injustice, teachers themselves will need structured opportunities to familiarise themselves with the new goals in relation to human rights and racial justice and have opportunities for ongoing HRE professional development that addresses human rights close to home. Importantly, they will require a firm knowledge base (Parker, 2018) to support student learning, and improved legal literacy to connect learning goals to agreed international standards.

Conclusion

Our research has confirmed a fundamental challenge in teaching for human rights in Norway, namely that in official policy, there is a conflation of human rights values and national (Christian and humanist) values. Opportunities for HRE in the lower secondary school, in line with the international standards set out in the CRC, are further curtailed by learning goals in social studies which narrow the focus on HRE to a study of indigenous people’s rights, international comparison and, where inequality is referenced, an emphasis on past, rather than present-day, injustices. Although the CRC is referenced in the core curriculum, the teachers in our study made no reference to it or to other international standards.

Religious education properly addresses ethical and moral issues. Yet conflation between national values and human rights values in policy and practice risk creating a divide between teachers and those of their students who do not share those values. A move away from values and a focus on human rights

principles and concepts, such as equality, dignity, reciprocity and solidarity and how these are experienced (or denied) in students' everyday lives, would be a positive step. This is vital in Norway and in any multicultural society where a degree of polarity is perceived between national values and values that draw on other socio-cultural belief systems.

Teacher dilemmas arising from teaching students from diverse backgrounds remain unresolved, as teachers made no reference to structural inequalities and lacked strategies to address real injustices that minoritised students encounter. Currently, topics such as democracy point more towards civil and political rights, rather than social, economic and cultural rights. A focus on racial justice (interpersonal and structural) would give the programme strength and contribute towards transformative HRE. This points to a need for the recruitment of a diverse teacher workforce that has a better understanding of student needs and a research environment which is inclusive of diverse social, cultural and religious perspectives (Burner & Osler, 2021). This is urgently needed not just in Norway but in many *de facto* multicultural societies.

Rights-related teaching is not simply dependent on personal interests but shaped by teachers' limited legal literacy and personalised and partial understandings of human rights. The teachers also demonstrated lack of familiarity with learning goals, believing "adaptive teaching" implied freedom to interpret human rights as they saw fit. Teachers did not reference a range of human rights but select issues prioritised in society, namely freedom of speech and gender equality.

This knowledge gap needs to be addressed. It requires a stronger focus on human rights knowledge (Parker, 2018) and legal literacy in teacher education programmes. The perspectives of this small sample of teachers tend to support the findings of past research that more support and guidance is needed to enable effective HRE. Teachers themselves require education in human rights and human rights pedagogies (Osler & Starkey, 2010, 2019), as well as opportunities to engage in professional debate on the learning goals and their strengths and limitations in relation to human rights-based education.

Current policy and practice risks complacency about human rights at home and undermining the explicit commitments to democracy and inclusion that this same official policy espouses. If HRE is to be genuinely transformative and build solidarity across difference, addressing the needs of the most vulnerable, then current policy reform needs to be matched by a renewed focus on teacher education. The challenge is to enable teachers in Norway and elsewhere to recognise that transformative HRE is about realising greater justice, rather than an induction into national society and norms. A policy shift is needed away from conserving the *status quo* to facing the legacies of the past, and empowering teachers to see schooling as a tool for enabling social justice. Teachers need to have opportunities to engage in critical self-reflection,

and to develop strategies to support students in reimagining and developing skills for a more just future.

Notes

- 1 All names are pseudonyms, to protect interviewees' anonymity.
- 2 Waldorf Schools are alternative schools that build upon the teaching principles of Rudolf Steiner. The government approves the Waldorf schools and their distinct core curriculum under the 2007 law on private schools. Recognised schools are state funded.

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