

Towards a New Improved Pedagogy of “Children’s Rights and Responsibilities”

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Abstract

There is evidence from around the world that teaching on “rights and responsibilities” in schools is confused and ill-informed; as a result, children are misled and manipulated. Child researchers in Nicaragua discovered new evidence to support this view. An examination of the literature in search of guidance on how to teach children about rights and responsibilities found no consensus, but revealed eight different ways in which the relationship between children’s rights and responsibilities has been conceptualised: (1) Rights imply duties of a duty-bearer; (2) Rights imply responsibilities by reciprocity; (3) Responsibilities can be inferred from human rights instruments; (4) Some legal instruments define both rights and responsibilities for children; (5) Cultural and religious traditions may emphasise responsibilities, but rights can still be promoted in a way that is sensitive to these traditions; (6) Responsibilities can be paired with rights as part of classroom management strategies; (7) “Citizenship” can be taught as a contractual arrangement involving rights and responsibilities of the citizen; and (8) Children, as active citizens, can take on responsibilities, including the promotion and defence of their own rights and the rights of others. The challenge for educators is to develop a pedagogical approach that can encompass all of the above in a way that is appropriate, relevant and not confusing to children.

Key words

children’s rights – rights and responsibilities – human rights education – active citizenship

1 Introduction

Educating children about their rights is often seen as provocative or inflammatory (Osler and Starkey, 2005) and linked to concerns about children's behaviour in school. Because of this, there is a 'commonly held perception in UK human rights education discourse about the need to balance rights and responsibilities', giving rise to, 'constant expression of this concern by school leaders and teachers' (Mejias and Starkey, 2012, p. 129). And this perception is not limited to the UK. The Council of Europe says that Education for Democratic Citizenship should empower people 'to exercise and defend their democratic rights and responsibilities in society' (Council of Europe, 2010, p. 7). The belief that children need to be educated about their responsibilities as well as their rights is also widespread in Africa, Asia and Latin America amongst both professionals and parents (Mhaka-Mutepfa et al., 2014; Quyen et al., 2013; López Hurtado, 2003).

But how is this to be done? What, if anything, should we teach children about the relationship between their rights and responsibilities?

The notion that there is "correlativity" between human rights and responsibilities (or duties¹) is well-established in political and social philosophy (Feinberg 1973, Shue 1980/1996; Perry, 2009). This article will show, however, that as the literature on children's rights continues to develop, the precise nature of this correlativity in the special case of children's rights has become subject to competing interests and, instead of becoming clearer, has become increasingly confused. As a result, the teaching of "rights and responsibilities" in and out of schools has become confused and confusing (Howe and Covell, 2010). This paper has been written as an attempt to sort out some of the confusion and, in so doing, encourage further reflection among educators, leading to more robust conceptual frameworks and thus to more ethical and effective pedagogies for "rights and responsibilities".

In writing this paper I have turned one of the established conventions of academic writing on its head. It is conventional in an academic article to summarise and critique the relevant literature first, thus establishing the context for the description of a piece

¹ What is the difference between "duties" and "responsibilities"? Goodin (1986) explains that duties are based on actions, and responsibilities on results. I have a duty when something has to be done and it is up to me to do it, and I have a responsibility when it is up to me to see to it that a certain result occurs. In this discussion we can regard them as synonymous, noting that "duties" was more commonly used in earlier times and "responsibilities" is more common nowadays. Also, in English "*rights and responsibilities*" is more common than "*rights and duties*", but in the Spanish-speaking world the more alliterative "*derechos y deberes*" (rights and duties) is still more commonly heard than "*derechos y responsabilidades*".

of research and its findings which follows. In this case, the piece of research in question was carried out by a team of child researchers, who had not had the opportunity to read up on the literature before undertaking their research project. So here the children's research findings are presented first, followed by discussion of the literature that these findings eventually led me to.

In 2013, a team of child researchers from rural communities and coffee plantations in northern Nicaragua carried out research on children's perceptions of human rights in rural schools. Details of the methodology and full findings are beyond the scope of this paper, and are available elsewhere (Shier, 2015, 2016, 2017). This paper is about a subsequent intellectual journey that I, as the lead adult facilitator, was impelled to undertake as a result of the children's findings. However, a brief summary of the methodology and the children's overall findings will provide context for the discussion that follows.

In order that the child researchers could come as close as possible to understanding and expressing how children themselves perceived their rights in school and the issues that concerned them, the adult facilitators who supported them used a distinctive methodology known as '*Transformative Research by Children and Adolescents (TRCA)*' (CESESMA, 2012; Shier, 2015, 2016). A team of 17 young researchers was formed: 9 girls and 8 boys, aged 9-15, all of whom attended local primary schools in four neighbouring villages in the coffee-growing area of La Dalia. They participated six half-day workshops (their teachers and school heads having granted them time off school for this), and between the second and third workshops, they collectively interviewed 150 other children in their villages, aged 6-15 (average age 10.2 years), using an interview schedule they had developed themselves to gather data on their experiences and perceptions of, and opinions about, human rights in their schools.

Following the principles of TRCA the young researchers (with adult facilitation) undertook their own analysis of their data, formulated conclusions and recommendations, and drafted a report entirely in their own words, which was subsequently published under their own names in a leading Latin American Children's Rights Journal (*Niñas y Niños Investigadores*, 2014).²

² This all happened in the course of my doctoral research project, and a full account of the project, including the ethical issues raised, along with an English translation of the young researchers' report, can be found in Shier (2016).

Findings the young researches highlighted in their report were: (1) Most children said their teachers treated them well. Many, however, said they were treated badly by other children. (2) There was widespread confusion about rights and responsibilities, which suggested teachers were not teaching this properly (as this is the main topic of this paper, the children's finding on this will be quoted in full below). (3) The right to play and recreation was one of the rights children felt was most consistently violated in school; (4) In particular, children were deprived of play-time as a form of punishment (as physical punishment was no longer allowed), and many children considered this a violation of their right to play.

One of the questions on the young researchers' interview questionnaire was: 'How have you been taught about human rights at school?' The section of their report summarising their findings in relation to this question is worth citing in full:

Children's perceptions on how they have been taught about their human rights in school

We discovered that what children learn about their human rights depends on what school they go to. That is, children from different schools gave very different replies. In one school, almost all of them had learnt about their human rights, and could mention many of them. The rights they mentioned most were:

- The right to education,
- The right to health-care,
- The right to a name and a family,
- The right to be treated well or with respect,
- The right to play,
- The right not to be sent to work before they reached working age.

In another school, the children said they knew rights were important and that you can defend your rights when they are violated. However, they didn't mention the rights they knew, and some said they hadn't been taught about their rights.

In two schools, when we asked the children what they were taught about their rights, almost all of them answered talking about their duties and the rules of behaviour, and not about their rights; for example:

- Respect the teachers,
- Be well-behaved,
- Ask permission before speaking,
- Don't grope the girls,
- Pay attention in class,
- Don't spit on the floor,

- Respect your parents and older people,
- Hand your homework in on time,
- Don't leave the classroom during class.

From this analysis we conclude that not all the teachers are teaching children's rights as they should. Because of this many of us are victims of violence at school, at home, or in the community due to lack of information.

(NIÑAS Y NIÑOS INVESTIGADORES, 2014, P. 134, TRANSLATED FROM SPANISH BY HARRY SHIER)

The young researchers discovered that many of their classmates were confused and misinformed about their rights. They did not understand the difference between rights and responsibilities or the relationship between these. Being repeatedly told that 'you can't have rights without responsibilities' only added to the confusion.

2 The relationship(s) between rights and responsibilities

The Nicaraguan young researchers were not the first to remark on confusion about the relationship between rights and responsibilities. As mentioned above, Howe and Covell (2010), in a paper sub-titled "Miseducating children about their rights", had already identified this problem in the UK context. The Nicaraguan young researchers' work adds weight to their view that greater clarity is needed in teaching children about rights and responsibilities.

One thing that would help to achieve this clarity is if educators themselves were able to reach a consensus on how the relationship between rights and responsibilities should be set out so children can grasp a sound understanding of it. And so I asked myself the question 'What do educators need to understand about the relationship between rights and responsibilities?', and turned to the existing literature in search of an answer. But I did not find an answer. Rather I discovered a myriad different ways in which a relationship between rights and responsibilities has been conceptualised, some overlapping, some contradicting; some philosophical, while others seem to have emerged from classroom pragmatism. I then embarked on a process of identifying and labelling a number of distinct conceptualisations, which was dialogic, iterative and incremental; that is, rather than systematic analysis of a defined body of literature, the framework grew and took shape as new ideas were discovered and added. The framework of eight distinct conceptualisations presented here cannot therefore be considered the final verdict on the matter. It does however, offer an overview of this complicated territory in a way that has not been attempted before. The specific

literature that informed the shaping of the framework is referenced in the discussion that follows.

It is worth noting here that, whilst I was seeking scholarly views on the relationship between the rights and responsibilities of *children*, much of the relevant literature deals with the relationship between *human rights* and responsibilities in general. I have incorporated these ideas here on the basis that children's rights are indeed human rights (Cantwell, 2011), and in relation to these issues, the key human rights concepts are valid for children. In other cases, particularly when looking at rights and responsibilities in the context of schools and schooling, there is a sharper focus on *children's rights* as such.

Each of the eight conceptualisations will be considered in turn.

2.1 *Rights imply responsibilities of a duty-bearer to a rights-holder*

First it is necessary to distinguish between a “moral correlation” of rights and duties, and a “logical correlation” (Feinberg, 1973). A logical correlation exists if my having a right implies that *someone else* (such as the government) has a corresponding duty towards me. For example, my right to education is meaningless unless the government assumes the obligation to guarantee my access to a school. Shue (1980/1996) proposed that each right can give rise to three different kinds of correlative duty: A duty not to deprive people of their rights, a duty to protect people from being deprived of their rights, and a duty to aid those who have been deprived of their rights. Eide (1987) re-engineered this model into the now better-known formula of states' duties to *respect*, *protect* and *fulfil* rights, which was subsequently taken up by the UN Committee on Economic, Social and Cultural Rights (CESCR, 1990), but Shue's original version serves well in this context. Although philosophers differ on whether this correlation is logically necessary (Donnelly, 1982; Nickel, 1993; Perry, 2009), it has become a fundamental principle underlying contemporary human rights discourse (Gosselin, 2006; Etnison, 2013). In particular the role of “duty-bearer” has become central, not just in academic discussion, but in the work of activists, advocates and development agencies around the world who adopt a human-rights-based approach to development (Besson, 2015). In 2003 this conceptualisation was formalised by the main UN agencies in their ‘Statement of Common Understanding on the human rights-based approach to development cooperation’:

In a HRBA [human rights-based approach], human rights determine the relationship between individuals and groups with valid claims (rights-holders) and State and non-state actors with correlative obligations (duty-bearers). It identifies *rights-holders* (and their entitlements) and corresponding *duty-bearers* (and their obligations) and works towards

strengthening the capacities of rights-holders to make their claims, and of duty-bearers to meet their obligations.

UNITED NATIONS, 2003: 3

This principle has been widely applied and adapted in the children's rights field (Lansdown et al., 2007; Lundy and McEvoy, 2012).

Our first way of connecting rights and responsibilities is therefore the correlation between the rights of a rights-holder and the corresponding duties of a duty-bearer.

2.2 *Rights imply responsibilities through the principle of reciprocity ('If I have rights I must respect your rights')*

A "moral correlation" of rights and duties, by contrast, is when my having a right implies, not that someone has a duty towards me, but that I myself have a duty towards someone else. Feinberg (1973) says that this kind of correlation is not essential or logically necessary, and Donnelly goes so far as to say that it is 'rather obviously false' (Donnelly, 1982, p. 288). However, if rights are held to be universal; that is, based on rules that apply equally to everybody, the idea of reciprocity; that is to say that a rights-holder has a correlative duty to respect the equal rights of others, is appealing as a moral value. For a person to claim the right to freedom from torture while engaged in torturing others would be logically conceivable, but morally repugnant (Feinberg, 1973).

Years later, with the UN Convention on the Rights of the Child (CRC) in place and children more firmly established as rights holders, the idea of a logical link from rights to responsibilities is again asserted:

An individual claiming his or her rights simultaneously accepts and acknowledges the equivalent rights of others, which leads logically both to a sense of how one's own rights are limited and to an associated sense of obligation to others.

JEROME, 2012: 102

Howe and Covell (2010) call it a 'conceptual linkage' and emphasise that it also applies to children:

Inherent in the concept of rights – children's rights as well as adult rights – are corresponding responsibilities. If a child has a right not to be bullied at school, she or he has a responsibility not to bully other children.

HOWE AND COVELL, 2010: 95

Although they see children as acquiring such responsibilities as a correlative of rights, they emphasise that, as far as the CRC is concerned, rights must have primacy over responsibilities and ‘The lion’s share of responsibility is with government and adult authorities’. (Howe and Covell, 2010: 95)

A second way of relating rights and responsibilities, then, is the reciprocity principle, which says that if I have rights, so does everyone else, and if I want to enjoy my rights, I am obliged to respect your rights.

2.3 Responsibilities can be derived from rights through the analysis of human rights instruments

Is it possible that other kinds of responsibilities may be identified as the moral correlative of exercising rights, and if so, what might they be? Osler and Starkey (2005) suggest that it may be helpful for the international community to discuss this topic with a view to moving towards a common understanding of agreed responsibilities. With this objective in mind, they reviewed a number of existing human rights instruments, along with reports from various international commissions and expert groups, to see what sort of proposals had emerged that might lead to a possible codification of human responsibilities. Based on this analysis, they drew up their own list of ‘universal responsibilities’ (Osler and Starkey, 2005: 162).

The simplest form of the reciprocity principle, as discussed above, gives rise to mainly negative responsibilities; for example, if I have the right not to suffer discrimination, I have the corresponding responsibility not to discriminate against others. Osler and Starkey’s proposal, however, contains a number of positive responsibilities, which they have derived from rights documents, but *not* through the application of simple reciprocity; e.g.: ‘work for equity’, ‘work for freedom, justice, development, democracy and peace’, ‘develop skills and talents’, ‘show solidarity and stand up for the rights of others’, ‘actively participate in governance and civil society’, and, ‘work to eliminate corruption’.

Henry Shue’s (1996/1980) three-way analysis of states’ duties referred to above may be helpful here (although Shue was discussing the duties of the state, and not responsibilities of individual citizens, his basic distinction is still pertinent). He suggested that human rights give rise to three distinct classes of duties: the duty not to violate rights (respect), the duty to prevent others from violating rights (protect), and the duty to aid those whose rights have been violated (fulfil/provide). It is one thing to say that my having a right imposes on me the duty not to deny others the exercise of the same right (the simple reciprocity principle); but does the reciprocity principle also impose on me a duty to intervene when someone else’s rights are threatened by a third party, or to come to the aid of those who have been denied their rights by others? All

of these actions may be considered morally worthy, but which of them are my responsibilities and why? For example, every child has a basic right not to be discriminated against, and from this it is easy to derive the idea of a moral responsibility not to discriminate. But what responsibility does a child have when it comes to taking action to prevent discrimination, or organising support for those who have suffered discrimination?

Considering Osler and Starkey's proposal in this light, it appears that the responsibilities they propose cover all three types. The responsibility to 'show solidarity and stand up for the rights of others', for example, is different from 'don't violate the rights of others'.

A third way of relating rights and responsibilities, then, is to analyse existing codes of human rights, and through a process of ethical reflection and deliberation try to determine what kinds of corresponding responsibilities these may give rise to (which may go above and beyond those derived from simple reciprocity).

2.4 *Responsibilities can be defined alongside rights in legal human rights instruments, nationally or internationally*

Osler and Starkey (2005) note that responsibilities have not been as comprehensively codified as rights. In some cases, however, they certainly have been codified; that is, children's responsibilities have been enumerated and specified alongside their rights in legal instruments. Internationally, one of the best-known examples of this is the *African Charter on the Rights and Welfare of the Child* (Organisation for African Unity, 1990). This charter, signed by all 57 states of the African Union, includes as Article 31 a list of children's responsibilities including: to work for the cohesion of the family; to respect parents, superiors and elders at all times and assist them in case of need; to serve the national community; to preserve and strengthen social and national solidarity; to preserve and strengthen African cultural values; and to contribute at all times to the promotion and achievement of African Unity. (OAU, 1990, Article 31)

Although these responsibilities are related to some of the child's rights established in the preceding thirty articles, they are not posited as either moral or logical correlates of these rights. The responsibilities come into existence because they have been defined as such by the drafters of the Charter, and accepted as such by the states that ratify it. Although they recognise that for a human rights instrument to impose duties on children in this way is contentious, Sloth-Nielsen and Mezmur (2008) believe this article represents a valuable addition to the international human rights agenda, because it shows how, 'Children should be required to play a role at family, community, national and continental levels, in accordance with their age and maturity as they grow up, as part and parcel of their heritage, empowerment and developing citizenship' (188).

In Latin America, a number of individual states have developed their own legal frameworks which define children's responsibilities alongside rights in a similar way. The Nicaraguan Children and Adolescents Legal Code, for example, includes the following article:

Article 54. Children and adolescents as social subjects and rights-holders have duties and responsibilities according to their age, for themselves, with the family, school, community and nation. The family, the community and the school should educate children and adolescents in the assimilation and practice of their duties and responsibilities as part of their overall development.

Article 55 then lists these duties and responsibilities which include: to obey, respect and express affection to their parents, grandparents and legal guardians; to help with the housework according to their age, provided this does not interfere with their education; to study diligently, do their homework, obey the school rules and respect their teachers; to respect the human rights, ideas and beliefs of other people, particularly the elderly; to respect national values, laws, symbols and national heroes; to protect the natural environment and participate in activities to this end; to respect and care for their property, and that of their family, school and community, and to participate in activities to maintain and improve these (Asamblea Nacional de Nicaragua, 1998, Article 55).

As with the African Charter, there is some correspondence between these duties and the rights established for children and adolescents in the same law (itself closely based on the CRC). However, the duties exist not because of a supposed moral correlation, but because they are defined as such in statute law.

A fourth way of connecting children's rights and responsibilities, then, is to specify both, side by side in a formal legal instrument. Two things need to be emphasised here: First, children's responsibilities defined in this way cannot be held to be universal. They have no validity outside the jurisdiction(s) where the instrument in question is in force. Secondly, the CRC, the preminent point of reference for children's human rights throughout the world, does not list any responsibilities of children. Whatever responsibilities children may have, the CRC neither confirms nor denies them.

2.5 Rights can be promoted whilst acknowledging traditional views about children's responsibilities, seeking to resolve difficulties in ways that are respectful of local culture.

All the above concepts suppose some kind of linkage of rights and responsibilities, however vague. In almost every culture throughout the world, however, children have been held to have duties or obligations since time immemorial, while children's rights

are widely considered to be a new-fangled twentieth century invention. In societies with a Judaeo-Christian heritage, for example, for over two thousand years it has been considered to be the duty of the child to, 'Honour thy father and mother that thy days may be long upon the land which the Lord thy God giveth thee' (Exodus 20:12). Islam, Buddhism and other religions have comparable injunctions in holy texts regarding children's duties to their parents (Saeidi et al., 2014; Sasson, 2012; Browning and Bunge, 2009). In traditional African communities the extended family may be more significant, but here too children's responsibilities to their family are understood as part of their cultural tradition (Cobbah, 1987; Twum-Danso, 2009). These old concepts of children's responsibilities thus predate the newer discourses of children's rights by many centuries. Nowadays a modernising approach that gives primacy to rights over responsibilities may have to seek dialogue with a traditional approach that does the opposite (Wessells and Kostelny, 2017).

Complex challenges arise where these traditional ideas about children's duties, which often include obedience and servility, lead to cultural practices that violate children's rights; for example female genital mutilation (Khosla et al, 2017; Momoh, 2017), and forced early marriage (Hale Reed, 2014). A number of writers have explored potential responses to these challenges. Zwart (2012) speaks of the need to find positive elements in the local culture that can be brought into play by local rights defenders to help protect children's rights without disrespecting traditional values. Kaime (2005) suggests that a shared understanding of the concept of human dignity often provides a starting point for resolving such issues thorough local consultation within practising communities, but also emphasises the need for those who choose to abandon such harmful practices to be given adequate social support.

A fifth way of connecting children's rights and responsibilities is therefore to promote rights whilst acknowledging traditional ideas about children's duties and, where possible, supporting the evolution of such ideas.

2.6 Responsibilities can be invented as part of a classroom management strategy and rights granted as a reward for fulfilling them

However, research shows that what actually happens in schools is often none of the above, but something more worrying. There is a tendency, observed by researchers in the UK (Howe and Covell, 2010, Mejias and Starkey, 2012; Trivers and Starkey, 2012), and confirmed by young researchers in Nicaragua (Niñas y Niños Investigadores, 2014), for teachers to invent lists of children's responsibilities to suit their own interests, which are often related to behaviour management issues. Such invented responsibilities are often devised and taught in the context of learning about

rights, and are presented as corresponding to particular rights. Howe and Covell give the following example:

You have the right to nutritious and healthy food. It's your responsibility to make sure you eat enough fruits, vegetables, yoghurts, and that you drink enough water.

CLASSROOM CHARTER IN A HAMPSHIRE SCHOOL, CITED IN HOWE AND COVELL, 2010: 98

Children themselves are often involved in the formulation of these supposed responsibilities, the above example being taken from a 'Classroom Charter of rights and responsibilities' drawn up by children and teacher together. However, as the children have not been given correct information about the nature of rights and responsibilities and the relationship between them, Howe and Covell describe this kind of teaching as 'miseducation'. It could also be described as manipulation of children, as defined by Roger Hart (1992). According to Howe and Covell, not only are responsibilities being made up on the spot, but children are taught that only those who fulfil their responsibilities acceptably are entitled to claim their rights, as if it were a reward: "Children who are naughty, they told us, do not get rights" (Howe and Covell, 2010, p. 99).

This kind of invention of children's responsibilities is not confined to individual teachers. Lists of invented responsibilities have appeared many times in educational materials from governments, NGOS, and even UN agencies. A widely-distributed example is UNICEF UK's 'Little book of children's rights and responsibilities' (UK Committee for UNICEF, 2003). To be fair, many of the responsibilities listed are legitimately derived using the simple reciprocity principle ('If I want to enjoy my rights I must respect the rights of others'), but it also contains this:

If children have a right to be educated, then they *have the obligation* to learn as much as their capabilities allow and, where possible, share their knowledge and experience with others. (p. 24; emphasis in the original).

After listing a number of these responsibilities and obligations of children, the booklet concludes by saying, 'You can probably think of many more' (p. 25). This gives the impression that, as far as UNICEF UK is concerned, children's responsibilities and obligations are whatever they can think up.³

³ The obligation to share knowledge and experience with others is interesting because when I was at school it was common for children to be set individual work, and to be punished if

So a sixth way of linking children's rights and responsibilities is to invent responsibilities as a support for classroom management strategies (and/or get children to do it), and teach children that rights are a reward they get if they fulfil their responsibilities correctly.

2.7 *The concept of "citizenship" can be conceived (and taught) as a contractual arrangement involving both the rights and responsibilities of the citizen as such*

Citizenship Education, sometimes called "Education for Democratic Citizenship" (EDC), is now part of the school curriculum in many countries, and the teaching of EDC inevitably touches on notions of rights and responsibilities. In its influential '*Charter on Education for Democratic Citizenship and Human Rights Education*' the Council of Europe (2010) makes the link explicit:

Education for democratic citizenship focuses primarily on democratic rights and responsibilities and active participation, in relation to the civic, political, social, economic, legal and cultural spheres of society. (Article 3)

The basic idea here is that being a citizen means having both rights and responsibilities, and that good citizens are those who fulfil their responsibilities as a corollary of enjoying their rights. In some ways this is analogous to the previous relationship where, in the microcosm of the classroom, the good student fulfils her or his responsibilities and enjoys the corresponding rights. In this version, however, the connection is made at a societal level and affects all those who would consider themselves citizens. Jerome (2013) has analysed the 'increasingly contractual view of the relationship between rights and responsibilities' (p. 165) that emerged in the philosophy of the "New Labour" government in the UK (1997-2010), and became a central focus of its approach to citizenship education. Describing this as a project 'to create the new citizen of tomorrow' (p. 57), he notes that:

This has been described as a 'responsibilization' agenda, in which citizens are educated, coerced and ultimately required to demonstrate an appropriate level of responsibility.

JEROME, 2013: 165

they were caught sharing their work with their classmates. Has this practice now disappeared from UK schools?

Indeed, “responsibilisation”, as Jerome identifies it here, has been much discussed and condemned as a neoliberal governance tool (Cradock, 2007; Kelly, 2001; Liebenberg et al., 2013).

The seventh way to connect rights and responsibilities, then, is to establish the connection at the centre of a neoliberal construction of “democratic citizenship”.

2.8 *Children, as active citizens, can take on responsibilities, including the promotion and defence of their own rights and the rights of others*

Superficially similar, but fundamentally opposed to the previous concept, the eighth and final way of relating rights and responsibilities is to propose that children and adolescents, as active citizens, far from being ‘educated, coerced and ultimately required’ to accept responsibility, may themselves choose to take on responsibilities as advocates and activists for children’s rights (and indeed all human rights) (Cunningham and Lavalette, 2004; Such and Walker, 2005; Theis, 2009; Smith, 2010; Shier et al., 2014). This is the approach taken by CESESMA in Nicaragua. Writing specifically about the context of rural children’s struggle for education rights, Shier and colleagues (2013) explain the relationship between rights and responsibilities as follows:

While the principal duty bearer in respect of education rights is, and will remain, the state, one thing the Safe Quality Schools project has demonstrated is how active empowered citizens, particularly children and young people themselves, can play a positive role in identifying rights violations, and voluntarily taking on the responsibilities that correspond to them as stakeholders in promoting rights awareness, defending their rights (and other people’s), and holding the state to account for its failings. (200)

Several things here are worth noting. First, the assumption of responsibility by children as active citizens is not seen as a substitute for the duty of the state to provide education. Children do not take on the state’s responsibilities, but rather those that correspond to them as stakeholders, which include ‘holding the state to account for its failings’. Secondly, no responsibilities are imposed on children. It is clear that they themselves, as empowered citizens, voluntarily decide to take on responsibilities. Thus these children cannot be seen as victims of the kind of neoliberal “responsibilisation” discussed above. Another way of putting it is that these empowered children can *assume responsibility*, but this does not mean that they can be “*held responsible*”.

Howe and Covell's (2010) view of a conceptual linkage between rights and responsibilities based on reciprocity was mentioned earlier, but for them too, the real importance of responsibilities is not as a correlative of rights, but as related to citizenship. They do not see children as having to be coerced into doing their duty, but suggest instead that, 'Children need to be motivated by a sense of responsibility and they need to be willing to exercise that responsibility' (p. 95). Howe and Covell recognise that the child's capacity to exercise responsibility will vary with age and maturity, and therefore propose that children, as citizens, should take on responsibilities in accordance with the evolution of their capacities.

This, then, is the eighth and final way of linking children's rights and responsibilities: Children, as active citizens, can take on responsibilities, including the promotion and defence of their own rights and the rights of others, and the calling of duty-bearers to account, and, in so doing, exercise to the full their right to participate.

3 Conclusion

This completes our review of the eight different ways that the connection between children's rights and responsibilities has been conceptualised in the literature. In summary:

1. Rights imply responsibilities of a duty-bearer to a rights-holder.
2. Rights imply responsibilities through the principle of simple reciprocity ('If I have rights I must respect your rights').
3. Responsibilities can be derived from rights through the analysis of human rights instruments.
4. Responsibilities can be defined alongside rights in legal human rights instruments, nationally or internationally.
5. Rights can be promoted whilst acknowledging traditional views about children's responsibilities, seeking to resolve difficulties in ways that are respectful of local culture.
6. Responsibilities can be invented as part of a classroom management strategy and rights granted as a reward for fulfilling them.
7. The concept of 'citizenship' can be conceived (and taught) as a contractual arrangement involving both the rights and responsibilities of the citizen as such.
8. Children, as active citizens, can take on responsibilities, including the promotion and defence of their own rights and the rights of others.

Whilst this collection of eight distinct conceptualisations may seem complicated, ironically it represents an oversimplification of the complex underlying terrain. If we were to continue to unpack the overlaps, the contradictions and the many possible variations and sub-divisions, the problem would only become more complex.

With no clear conceptual base on which to build their pedagogy, teachers are confused. It is not surprising that this often leads them towards a vague discourse of rights and responsibilities as a way to manipulate children as part of their classroom management strategy. And if teachers are confused and ill-informed, it is not surprising to find that children end up confused and ill-informed too, as the young researchers in Nicaragua discovered.

A pressing task is therefore to synthesise a less confusing conceptualisation of the relationship between children's rights and responsibilities, and seek to build an informed consensus around a starting point that human rights educators (and teachers in general), in and out of schools, can understand and work with.

The eight-way scheme presented here is not geared towards the typical classroom and, if used as a teaching aid, would likely confuse more than it clarified. However, it does indicate what needs to be addressed in developing pedagogy for rights and responsibilities. In a manner appropriate to their educational level, students should be aware that there exist duty-bearers, against whom legitimate claims can be made if they fail in their responsibilities. They should be aware that their responsibility to respect the rights of others places constraints on the exercise of their own rights. If they live in a place where local law places responsibilities on them (like Nicaragua), or where their government is party to an international treaty that does so (like the African Charter), they ought to be aware of the implications of this. They should know that the exercise of their rights is not dependent on the prior fulfilment of responsibilities; and if they engage in an exercise of inventing lists of rights and responsibilities to put on the wall of their classroom, they should be aware that such a list, whatever its merits, is different from a statement of legal rights like the text of the CRC. Finally, if they choose to take on the role of active citizens and engage in campaigns for the protection, promotion or defence of their own or other people's rights, they will benefit from the opportunity to think through what it means to *take on responsibility* voluntarily, and how this differs from being *held responsible* for the wrongdoing of the powerful ("responsibilisation"). To develop a pedagogical approach that can encompass all of this in a way that is appropriate, relevant and not confusing is a pending challenge.

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