
**QUEST FOR A BETTER UNDERSTANDING OF
CHILDREN AND CULTURES
TWENTY-FIRST CENTURY CHILDREN'S
CULTURES, RIGHTS AND EDUCATION FROM
AN ANTHROPOLOGICAL PERSPECTIVE**

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IDEALS AND REALITIES IN CHILDREN'S LIVES

Children have, until quite recently, commonly been considered unfinished and unformed as human beings in most societies and cultures of the world, even if distinct local definitions of 'children' naturally can be relatively dissimilar with fundamental contrasts as regards to children's general societal role and status, as well as cultural identity¹. The concept of the 'child' is itself questionable and

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controversial, because no positive unambiguous understanding of the concept's cultural connotations exists on a contemporary international level; however the United Nations' (UN) Convention on the Rights of the Child (CRC) from November 1989 pursues an universal framework with impartial principles for the project of, as Article 2 in the Convention states, respecting and ensuring the rights of the child "without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status."² The convention on the Rights of the Child, ratified by all but two UN member states (not ratified by USA and Somalia), is ambitious and necessary, but the international academic discourse on human rights during the last decades has also revealed CRC's shortcomings and problem that partly stem from the convention's strong foundation in modern Western world-views and ethics that, according to some influential post-colonial critics, risks to undermine cultural and ethnic liberty and diversity in its general focus on formal abstract rights for 'individuals' without noticeable interest in customary law, cultural practices etc³. Local indigenous cultural models, for instance regarding interpretations of childhoods and welfare, critics say, are often ignored and discarded by 'universal' rational models that CRC and other human right charters embody, because serious attempts to adapt new external models to traditional models, that are part of the cultural heritage of the children in question, are regrettably missing. Children, a vulnerable societal group without formal political power and economic resources, do usually not – even if CRC has been signed and ratified yet not implemented by most nation-states of the world – enjoy full explicit recognition as creative and cultured category of

people with peculiar values and identities that reflect currents and flows of their time⁴. In order to get a better understanding of the daily realities of children in the North and South, centre and periphery, we have to upgrade and enhance our information and evaluation, not limiting our perspective to standard universal human rights schemes, as people are connected to and influenced by networks of rights that embrace family and local community, peers and school, etc. Interestingly, the African Charter on the Rights and Welfare of the Child (ACRWC) from 1990, which is unique as judicially approved regional charter on children's rights, reflects essential African social and cultural conditions that affect the lives of the continent's youngest generation, e.g. poverty and HIV/AIDS, more than global human rights law⁵. Welfare represents, in most African contexts, a higher concern than rights per se. ACRWC exemplifies the urgent need for a more visible and powerful local and regional dimension in the complex debate on children's rights in different parts of the world in order to fill the gap that CRC leaves, especially in relation to welfare and cultural diversity questions⁶. What is most important to remember, when the cultural freedom of children and young people is critically reviewed from an anthropological angle, is to take children's 'own point of view' sincerely without intolerant prejudiced comprehension. Furthermore, children should by and large be respected and valued as active participators and contributors to society, not just passive immature beneficiaries under the control of parents and other authorities; albeit, this thesis does not suggest that children are entitled to unlimited liberties, or that they necessarily should be stimulated to choose modern 'hedonist' lifestyles, but rather that children, ethically, possess cultural rights to learn, to participate and to communicate, as well as to protection against cultural imperialism and acculturation

that in worst case can lead to ethnocide.

CULTURAL RIGHTS FOR ALL

The best way to protect the cultural diversity – hence also ‘humanity’ as value and ideal – of the world today is by defending children with ‘cultural rights’ as one of the main shields against threatening aggression from culturally homogenizing and standardizing processes of the global capitalist market economy misleadingly branded a progressive ‘globalization’ in popular public discourse. Children in the South, especially those belonging to ethnic minority groups, are in risk as double victims – as non-adult and as non-Western – often deprived of basic formal education, social welfare and cultural recognition, as well as true judicial protection⁷. The subject of cultural rights is, in contemporary theoretical and philosophical debate, usually linked to (cultural) relativism in opposition to universalism, therefore also often a part of provocative critique of universal definitions of human rights mainly focusing on the needs of the individual⁸. Cultural rights, nevertheless, can never be totally disregarded when human rights are presented, because every individual is influenced by cultural customs and values that give life integrity and ‘meaning’. Cultural capital is, for many children of the world, the core ballast giving hope for a brighter future, because human rights, as defined in modern political juridical terminology, are rather abstract and difficult to attach to their everyday life experiences and practices. Unfortunately, prominent children’s rights specialists often shut eyes to the importance of cultural sensitivity in international comparative analysis of human rights issues with the unfortunate result of relatively naïve and speculative conclusions⁹. The vision of cultural rights, easily

misinterpreted as commercial usage of `exotic` vanishing traditions and cultures in a fast changing world community, is to promote and protect cultures at local, national and international level, and, according to Ms Farida Shaheed, the new `Independent Expert in the field of cultural rights` at the Office of the UN High Commissioner for Human Rights (OHCHR), to secure cultural rights within the educational system, the freedom of scientific research and creative activity, the right to benefit from scientific progress, the right to access cultural heritage, cultural rights of persons with disabilities etc¹⁰. The symbolic and qualitative nature of the concept of culture makes it quite challenging to frame and define it in rational conclusive fashion, a fact that also makes it relatively easy to manipulate and misuse other people`s `cultures` without the burdens of legal consequences. Children from ethnic minority groups, including disabled people, are especially defenceless in this respect, and these lost victims are ironically also often described as criminals and troublemakers by the dominant groups in the countries. Their culture is often considered illegitimate and impure, even destructive, with the common consequence of deep social marginalization and cultural degradation of the children that get stigmatized by peers in school and local society. The cultural rights vision, in defence of human dignity, is to disseminate the idea that, basically, all cultures have equal value and the right to flourish on own premises. This thesis in harmony with customary cultural relativism points out that cultural chauvinism and ethnic discrimination are based on the lack of cultural knowledge and experience that to a great extent stems from educational systems underestimating the value of cultural (and multicultural) information and communication¹¹. Appointing (for 3 years) an `Independent Expert in the field of cultural rights` through resolution 10/23 of 26

March 2009 is a step in the right direction by the UN system thus demonstrating its concern for cultural rights that is “about empowering individuals and communities to create culture as continuously evolving ways of life, each culture being equally valued”¹². Cultural rights, Pakistani sociologist Farida Shaheed stresses with reference to the dimension of cultural freedom, is also the right “to question existing parameters of ‘culture’ [...] and to continuously create new culture.”¹³ The Universal Declaration on Cultural Diversity represents an excellent document clarifying the link between culture and (human) rights as expressed in article 5:

“The flourishing of creative diversity requires the full implementation of cultural rights as defined in article 27 of the Universal Declaration of Human Rights and in article 13 and 15 of the International Covenant on Economic, Social and Cultural Rights. All persons have therefore the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons are entitled to quality education and training that fully respect their cultural identity; and all persons have the right to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.”¹⁴

These ambitious and respectable goals are, as mentioned earlier, especially far from everyday life realities when children belonging to weak and marginal ethnic groups are in the centre of attention, but they are also contested by diverse obscure opponents of cultural ‘diversity’ that often represent ethnocentric attitudes and morals of influential societal groups. In recent debate on human rights and cultural values there has been an interesting political philosophical

frontier between intellectuals from Europe and Asia arising from the general disagreement on culture's and society's status in the context of universal human rights as manifested in this warning by Singapore's Foreign Minister, personifying so-called 'Asian Values' at an international conference in Vienna in 1993: "Universal recognition of the ideal of human rights can be harmful if universalism is used to deny or mask the reality of diversity."¹⁵ The process of globalization – a complex web of interconnectedness that means that our lives are increasingly shaped by events that occur at a great distance from us – implies that we more and more frequently face fundamental questions about our rights and our cultural identities forcing us to take a stance.

CHILDREN'S EDUCATIONAL RIGHTS

Education is the most important intellectual and cultural capital for children in underprivileged positions in society in their lifelong struggle for respect and dignity, as well as the main institutionalized societal platform for dissemination of the vision of a nation that united gratifies elementary principles of cultural diversity and cultural freedom in harmony with basic human rights. The formal education of children should fully respect their cultural identities, as enshrined in the UNESCO Universal Declaration on Cultural Diversity from November 2001. Education should not alienate children from their families and cultural heritage, as commonly observed when school curricula and pedagogical methods exclusively reflect the customs and lifestyles of the privileged classes and dominant ethnic groups of society, but also be relevant and appropriate in relation to the identities of relatively weak group of children¹⁶. Education is not only a question of protecting and empowering the subordinated and

exposed part by introducing his culture to distinguished academic arenas, but indeed also instruction that should give young citizens, no matter what is their ethnic or cultural background, unbiased knowledge on cultures and humanity in a globalized world full of incomprehensible contrasts. According to CRC as well as the Declaration of the Rights of Indigenous People children belonging to ethnic, religious or linguistic minority groups have rights to education and to practice their own culture, but this should not force children out of mainstream education and into specialized education schemes for minorities. In many countries, including most European countries, main-stream education does “not provide cultural and linguistic inclusiveness to minorities’ children.”¹⁷ In many cases general minority rights are championed without sensitivity to the troubled children and youth that needs high quality education in order to establish and reproduce cultural identities as well as to get access to documented knowledge associated to other cultures and languages, regions and countries. We should, however, not forget that children’s cultural rights is about cultural emancipation and elimination of ethnic discrimination that the lives of so many children is severely afflicted by, as noticed by Eglantyne Jebb, the Founder of Save the Children, in 1923 when he advanced this radical and that time very provocative claim: “I believe we should claim rights for children and labour for their universal recognition.”¹⁸ One of the sources of deep frustration among children, in 1923 yet still today, is the direct and indirect educational discrimination that segregates children and replicates social and cultural stratification in society. Minority children, The International Save the Children Alliance says in a report on children’s rights (2000),

“face substantial difficulties in trying to reconcile living between two cultures. Their experience of discrimination and consequent low social status invariably places them at high risk of poorer educational outcomes, ethnic violence, health problems, higher mortality rates and criminal activity.”¹⁹

The widespread problem of discrimination and racism within education makes life miserable for a growing number of children and young people from many old and new marginalized groups that the states fails to support and honour. In Israel, for instance, there have been two educational strategies – integration for Jewish children and segregation for Arab children; the result is expressive inequality for the Arab community²⁰. Education, respecting the cultural rights of all children, should not contain derogatory representations of minority children, but rather present positive images of all cultures and ethnic groups. Teacher training should also, according to recommendations by The International Save the Children Alliance, be reformed in order to pedagogically reduce prejudice towards minority cultures²¹. And, not to disremember, children themselves, as free independent members of society with personal priorities and preferences, should always be encouraged to participate in decision-making at school and elsewhere in society. The promotion of cultural/human rights in school can only succeed if the children in question have the freedom to interpret and express own culture on own premises, otherwise the experiences and realities of the child will stay invisible and old ethnic stereotypes and injustices will continue to flourish. Change must start in primary school where many children get their first experience of severe racial discrimination and blatant lack of respect for their human rights, and the first step to take is to identify and register existing discrimination of children by sensitive teachers with expertise in

human rights. The best way to exhibit respect of children and their culture is to also demonstrate courtesy and estimation towards the child's parents, kin, ethnic community and wider social network. Children are parts of complex webs of relations that involve different roles and statuses that define their opportunities and obstacles, hence also often their future prospects.

CHILDREN AND CULTURAL DIVERSITY

Cultural rights, often considered an underestimated and undeclared part of the UN Universal declaration of Human Rights (1948), the CRC (1989) and other universal declarations, growing in relevancy in the globalized post-industrial world that symbolizes a serious threat to small and peripheral cultures and languages around the world, but especially in the South, are put on the agenda through the Fribourg Declaration of Cultural Rights (DCR) launched, in cooperation with UNESCO and numerous NGO's, in Switzerland in May 2007²². Many actual and potential conflicts and wars, often involving children as main victims, have been triggered by violations of cultural rights that the international community often fails to comprehend because of the general marginalization of cultural rights in human rights debate. Article 3 (b+c) in DCR, discussing cultural identity and heritage, states that everyone – alone or in community with others – has the right

“To know and to have one's own culture respected as well as those cultures that, in their diversity, make up the common heritage of humanity. This implies in particular the right to knowledge about human rights and fundamental freedoms, as these are values essential to this heritage

To access, notably through the enjoyment of the rights to education and information, cultural heritages that constitute the expression of different cultures as well as resources for both present and future generations”²³

Children’s education is obviously a core part of DCR that emphasizes, beside the need to get precise information on human rights, children’s freedom to receive teaching of an in their own language, as well as knowledge related to their own culture (art. 6). Also, in the same DCR article, the parents’ right to ensure the religious and moral education of their children, while respecting the child’s freedom of thought and conscience, is curiously affirmed. Cultural diversity, DCR notes, cannot be effectively protected without the implementation of cultural rights. Cultural diversity, seen as the common heritage of ‘humanity’, is, says Mr Matsuura, Director-General of UNESCO, “as necessary for humankind as biodiversity is for nature.”²⁴ It should, according to the first article of the UNESCO Universal Declaration on Cultural Diversity (2002), “be recognized and affirmed for the benefit of present and future generations.”²⁵ The fact is that the future generations are, at the same time as pompous declarations are formulated and signed by political leaders, strongly menaced by new intricate forms of unethical cultural imperialism and economic exploitation that defraud children of cultural rights and force them to leave their home and family without any protection against downfall and poverty. Children not belonging to the dominant ‘normal’ group of citizens – nomads, refugees, displaced, homeless, orphans, disabled, etc. – are often systematically discriminated at school and other public and private institutions, as well as in the media and public discourse, in ways that unmask society’s structure of inequality and corruption incarnated in the formal educational curricula and methodology.

CONCLUSION

Culture – values, beliefs, convictions, language, traditions, etc. – is a symbolic capital that defines the social person as individual and member of a group and that empowers the individual to protect herself/himself in the uneven walk of life. Culture is a heritage that connects the person to his past and future through systems of knowledge and tradition passed from generation to generation. Culture is also an intangible heritage that includes language, belief systems, rituals, legends and other non-physical aspects of cultural life. Culture is also the right to inherited land. The huge contemporary problems of ‘land grab’ – a concrete and unmistakable offense against the poor peasant victims of the plunder – manifests violations against the cultural rights of people that leave nonaligned children dispossessed and ‘homeless’. This problem can only be tackled by respect of cultural diversity and realization of the irreplaceable value of cultures (on equal terms) for children’s identities and social welfare²⁶. And these values must be carefully implemented in the public and private institutions of education and in the ethics of teaching in order to bolster a humane ethical awareness of the creative and innovative, stimulating and thought-provoking aspects of cultural knowledge and communication. ❖

NOTES:

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