Teaching-learning and curriculum development for human rights education: two sides of the same coin

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Abstract

The diverse nature of South African classrooms presents a number of challenges. One of these is creating a culture of human rights. Although South African school curricula promote the infusion of human rights, teachers are still uncertain about how to apply human rights and learners are, at best, equivocal about human rights. The purpose of this research was to investigate teachers' and the learners' perspectives on human rights, to explore concomitant challenges, and to present proposals for human rights teaching-learning and curriculum development. To achieve this, two qualitative studies were conducted and the following research questions were posed: What challenges arise for human rights education in teaching-learning and curriculum development? What are the implications of these challenges for both teachers and learners? The findings suggest ways of addressing human rights more optimally in curriculum development and teaching-learning practice to the advantage of teachers and learners in diverse contexts.

Introduction

The ongoing worldwide search for ways to rectify injustices has foregrounded human rights discourses in various spheres of societal life. Carrim and Keet (2005, p.107) contend that human rights are used in education to orientate previously deprived (socially, historically and politically) learners towards competing in the global economic market and as such "human rights is thus propelled by the contradictory 'pulls' and 'pushes' of human rights and democracy, and capitalist development simultaneously". In addition, global economic forces suggest human rights as a foundation for a just political and social context in developing countries. The liberal ideals underpinning the rights-based approach to development are clearly reflected in Article 7(1) of the South African Bill of Rights (just as in the Universal Declaration of Human Rights of 1948) which "… enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom". This not only demonstrates liberal natural rights influences, but

points to South Africa's adoption of a universalist human rights language as part of a global moral evolution (cf. Dunne and Wheeler, 1999, p.7).

In this article we explore the challenges regarding creating a human rights culture in teaching-learning and curriculum development and its implications for both teachers and learners. An exploration of this nature necessitates that concepts (such as citizenship, human rights, ethicists of care, ethical community) pertinent to our arguments be clarified to emphasise the links that these concepts have with human rights education. The argumentation is informed by a moral perspective rather than a legal perspective on human rights education. The following questions were put: What challenges arise from creating a human rights culture in teaching-learning and curriculum development; and what implications do these challenges have for both teachers and learners? We conclude with several theoretically-grounded proposals for meeting these challenges. Although we acknowledge that more should/could be done on an education policy level, the proposals made elicit what this article refers to as the 'two sides of the same coin', namely teachers and learners and the challenges they experience in creating a human rights culture in teaching-learning and curriculum development.

Human rights in the South African context

In pre-democratic South Africa (before 1994) no reference was made to human rights in education, because human rights discourses in education embrace principles of justice, truth and freedom that were robustly opposed by the pre-democratic South African state (Asmal and James, 2002; Botha, 2002; Steyn, 2003). South Africa currently constitutes a secular society "with a democratic constitution and a Bill of Rights" that protects "the rights of all people in South Africa" (Constitution, 1996; Steyn, 2003, p.114). The inclusion of human rights content into the South African outcomes-based curriculum – specifically in the Life Orientation learning area under the pretext of 'education for citizenship' and through other learning areas – seems to be the riposte to attain social and political restructuring, and economic prosperity (Carrim and Keet, 2005). Human rights-related content is presented as a means of contributing to the establishment of global and cultural education for citizenship (cf. Department of Education, 2001; Chidester, 2003). 'Global citizenship' refers to the universal rights and responsibilities with which learners should become familiar to prepare themselves for the challenges presented by globalisation (Chidester, 2003). 'Cultural citizenship'

emphasises the distinct cultural identity of citizens and suggests ways of recognising and protecting citizens' cultural identity (Chidester, 2003).

In the *South African National Curriculum Statement* (Department of Education, 2002) and the *Curriculum and Assessment Policy Statement* (Department of Basic Education, 2011) global and cultural education for citizenship is promoted so that learners will participate as responsible citizens in the life of local, national and global communities. Several official documents and reports, support the inclusion of human rights in the curriculum, as a component of education for citizenship, and as a means of infusing the classroom with a culture of human rights.

Human rights as a moral construct

Although human rights discourses in education in South Africa were intended to transpire epistemologically (as part of education for citizenship) and morally (as the infusion of a human rights culture), it appears that the moral part does not always receive ample attention. McCowan (2010: pp.510–511) reiterates this point when he argues that "[u]niversal rights are primarily moral rather than legal rights, although they have official status through non-binding declarations such as the UDHR, and in some cases (such as in the United Nations Convention on the Rights of the Child [CRC]) they are turned into legally binding treaties". On an epistemological level, human rights could be described as part of education for citizenship that is concerned mostly with the political community that emanates from the political nature of the individual (cf. Kiwan, 2005). However, human rights are not only intended to be addressed as contents, but also to be promoted as a value system and/or moral code to be cherished. Hence the Department of Education (henceforth DoE) initiated the notion of the 'infusion of a culture of human rights' as well as a set of negotiable rights-based values (Department of Education, 2001). A culture of human rights could be described as an ideal or way of life that could operate on both local and global levels. This normative ideal promoted through such a culture is founded in the moral demands posed by human rights values and principles. It evolves as circumstances change and presupposes that human rights values, as values derived from human rights principles, should be constantly identified, negotiated and reassessed.

Three critical arguments will be posed against the way that human rights as a moral construct with ethical implications are dealt within the South African

education context and to orient the reader to some of the background debates of human rights education.

● Firstly, we are concerned about how human rights are 'commodified' in some instances in education. Hastrup (2003, p.26) states that "human rights have become the means of exchange par excellence in an international community". Rights in some discourses thus become a mere 'article of trade'; for example, if you want this or that right, just behave in this or that way and the right will be rewarded. The commodification of rights could lead to behaviourism.

● Secondly, the *Manifesto on Values, Education and Democracy* [henceforth *Manifesto*] (Department of Education, 2001) suggests that infusing the classroom with a culture of human rights is one strategy to bring back values in education. This approach could lead to the reification of human rights values and promote an instrumentalist approach to the infusion of a human rights culture. The DoE's endeavour to promote the infusion of a culture of human rights in the classroom is an example of what Habermas (1984) refers to as "strategic action". Habermas (1984, p.289) argues that interlocutors use language in their speech acts either to attain understanding of meanings, or to create certain effects on the hearer. He calls the former means of language use "communicative action", while the latter is referred to as "strategic action" (Habermas, 1984, p.289–290). We argue for the infusion of a culture of human rights that is based on communicative action, to promote processes of meaning-making and understanding. In short, considering a culture of human rights as a normative ideal which could not be attained through some form of strategic action, but only through continuous communicative action.

● Thirdly, the liberal natural rights underpinning of human rights discourses in South Africa does not provide sufficient foundation for the development of a culture of human rights (cf. Du Preez, 2008). This underpinning is largely due to international influences. On the one hand, this underpinning is too egotistical to justify the notion of an ethical

community;[1] and, on the other hand, it is mired by an over-emphasis on fixed knowledge about human rights underpinned on a moral level (Brown, 1999). Our hypothesis is that a culture of human rights is somewhat allegorical: it represents a way of life which requires the support of an ethical community. The denunciation of an ethical community, or an over-emphasis on self-directed individuals with no obligation towards other individuals, could threaten the supporting network needed for a culture of human rights. Within the context of an ethical community, fixed knowledge about moral issues such as human rights is not desirable; it could undermine the vibrancy and intellectual sobriety needed to sustain a vigorous ethical community able to deal sensibly with ethical dilemmas not necessarily based on fixed knowledge constructs. This is because fixed knowledge erodes the ethical community's need for infinite dialogue and questioning of what moral knowledge might be and how ethical dilemmas could be addressed (Brown, 1999; Du Preez, 2008; Josephides, 2003).

These critiques are framed in an approach to morality in education that is based on the feminist theorists, the ethicists of care. Ethicists of care argue that the people make moral decisions based on their affective and intellectual understanding of an ethical dilemma, respond to their caring self and prioritise the other when making decisions (Noddings and Slote, 2005). They also argue that moral education should allow learners to experience moral interdependence and avoid self-righteousness when encountering ethical dilemmas (Noddings and Slote, 2005). Human rights in education is not only an epistemological notion but a profound moral notion that requires an education context in which human rights are not reified, but dealt with as a complex ethical process that depends on a community of interlocutors that are willing to engage in communicative action.

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[1]   Du Preez (2008, p.29) describes an ethical community as follows: ". . . any group of individuals or a social network that enters into dialogue to talk about good, right, duty, obligation, virtue, freedom, rationality and choice. Such a group could manifest at various levels of society, for instance at governmental level. . ., business or organisational level. . ., and at the level of civil society. . . An ethical community, as a non-static entity, represents an assemblage of individuals with diverse lifeworlds, who strive to comply with the moral demands placed upon them to regulate their dialogic activities."

Human rights in the curriculum and in teaching-learning contexts

Carrim and Keet (2005) describe infusion as a process aiming at integrated curriculum design and development, albeit not equalling complete integration. They argue that the NCS, for the most part, promotes minimum infusion of human rights in the curriculum (Carrim and Keet, 2005). *Minimum infusion* refers to a situation where curriculum content addresses human rights issues indirectly, and *maximum infusion* to the explicit reference to human rights contents (Carrim and Keet, 2005). For example, the curriculum documents for the learning areas Life Orientation and Social Sciences deal with maximum infusion because the documents are directly concerned with contents regarding human rights, whilst Mathematics and Natural Sciences generally refer to human rights indirectly, hence a minimum infusion of human rights. Carrim and Keet (2005) argue for the maximum infusion of human rights that include not only knowledge, but also skills, values and attitudes related to human rights in all learning areas. In their view (Carrim and Keet, 2005), the instrumental and behavioural premises upon which outcomes-based education[2] (OBE) is constructed do not facilitate the maximum infusion of human rights. Earlier OBE documents and subsequently the NCS support human rights on a "rationalist and cognitive" level, but not on an "emotional and personal" level (Carrim and Keet, 2005, p.105). For this reason, teachers tend to focus on the epistemological dimension of human rights more than on the moral dimension, which is in contrast to an ethicist of care position. We firmly reject the binary view that OBE necessarily prevents the infusion of a culture of human rights. OBE provides for a variety of learner-centred methodologies (Jacobs, 2004), such as dialogue, which could provide more space for the development of human rights on an emotional and personal level, thus endorsing the moral dimension of human rights and providing a space for learners to deal with ethical dilemmas related to human rights. The problem is that these activities towards the infusion of a human rights culture are often trivialised because of the excessive focus placed on epistemology. We suspect that the failure to

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[2]   Outcomes-Based Education [OBE] refers to a philosophical and/or theoretical approach to education in which all activities are organised and focused to assist learners to end their learning experiences successfully. This entails organising curriculum, instruction and assessment to meet certain formerly defined outcomes. The belief that all learners can learn and succeed at their own time; that success breeds success; and that schools control the conditions of success, forms the foundations of OBE (Du Preez, 2005, p.61).

address the moral dimension of human rights in schools might largely result from teachers' personal beliefs about human rights values and education in general, their fixation with dealing with epistemology in specific time-frames as proof of what learners have mastered, and the lack of professional development of teachers vis-à-vis the methodologies for infusing a culture of human rights (Du Preez and Roux, 2008).

We argue for a balanced infusion of a culture of human rights in the curriculum and teaching-learning contexts. We extend Carrim and Keet's (2005) idea of minimum and maximum infusion of human rights to a more comprehensive understanding that includes moments in which human rights are implicitly and/or explicitly addressed, and when they are addressed as part of the curriculum or incidentally (see Table 1).

Table 1: A theoretical representation of the balanced infusion of a culture of human rights

		Mode	
		Implicit	**Explicit**
Context	**Part of curriculum**	**Minimum infusion** When teachers respond to relevant situations that arise in the class by implicitly referring to a specific principle or value that could be linked to human rights *Morally orientated*	**Maximum infusion** Learning about human rights *Epistemologically orientated*
	Incidental	**Covert infusion** Curriculum contents usually only provide a space for the implicit addressing of human rights *Epistemologically orientated*	**Overt infusion** Transform a practical situation – whether it is linked to the curriculum or not – into an explicit learning opportunity in human rights *Morally orientated*

With regard to teaching-learning, a communicative, dialogically-orientated approach that promotes human rights on all four dimensions of infusion (Table 1) could lead to the infusion of a culture of human rights. Dialogue implies that learners are active agents and that teachers set the scene for learning (Du Preez, 2008). This learning scene, which presupposes an ethical community, should be one characterised by pedagogically responsible

disruptions which transcend comfort zones in order to prepare learners for ever-changing situations (Cook and Young, 2004; Levinas, 2006). Infusing the classroom with a culture of human rights is an evolving process towards a learning environment, epistemological base and methodology where transformation can be accommodated. This would also have the capacity to enhance the moral infusion of a culture of human rights, while simultaneously evading stagnation on an epistemological level. Dealing with disruptions supposes that both teachers and learners who engage in dialogue and strive toward infusing a culture of human rights should adopt an infinitising disposition (Cook and Young, 2004; Levinas, 2006). This disposition will enable interlocutors to transcend their comfort zones and, in a caring manner, embrace the constant process of approaching the inaccessible otherness of co-interlocutors and their beliefs about, for example, human rights and its related ethical dilemmas. In attempting to understand others and the meanings they attach to human rights, a collaborative effort is made to create a culture of human rights. The idea of dialogue as an affective, deconstructive teaching-learning methodology relates to what Du Preez (2008, p.76) describes as intuitive argumentation: ". . .a situation where interlocutors draw on their life worlds and related experiences to confront (dis)similar situations. The value of intuitive argumentation . . . lies in its nature that necessitates the use of familiar situations to respond to dissimilar situations in order to explore a different topic."

Research process

The data presented here emanate from two separate case studies focusing on human rights in education. Although these studies were different in terms of their general aims, design and methodology, some of the findings intersect and concur. The studies focused on comparing, contrasting and aggregating the teachers' and learners' perspectives regarding human rights. The context and methodologies of each of these cases are presented (Table 2) to provide a context for the data gathered and analysed. The findings will be problematised and suggestions to deal with the challenges will be proposed.

Table 2:   A representation of the context, methodologies and analysis found in each case study

	Case Study One	Case Study Two
Data collection date	September 2006 to March 2007	April to May 2009
Site selection	Mafikeng/Mmabatho region, North West Province, South Africa	**Potchefstroom region, North West Province, South Africa**
Participant selection	Nine teachers in grades 4 to 7 (learners aged 10-13)	Ninety-two learners in grade 7 (aged 12–13)
Sample	Purposeful	Purposeful
Type of schools	Rural socio-economically diverse, multicultural and multi religious schools	Metropolitan socio-economically diverse, multicultural and multi religious schools
Amount of schools used	3	2
Research design	Participatory intervention research	Exploratory research
Research methods	Open-ended questionnaires and semi-structured focus group interviews	Narrative writing
Data analysis	Discourse analysis	Discourse analysis

Main findings and synthesised interpretation

The data was analysed to determine how teachers interpret and learners understand human rights in the curriculum and how these two notions translate into the teaching-learning practices. Specific consideration was given to the relevance of these findings for human rights in teaching-learning and for curriculum development. Four clusters were derived from the data, these include:

- the superficial understanding of human rights;
- who is responsible for human rights education;
- how human rights is dealt with as a moral construct; and
- the ethical dilemmas that emerged when addressing human rights.

There was a clear indication in both studies that teachers and learners had a superficial understanding of human rights. Such a limited understanding could inhibit the realisation of human rights and human rights values – leading to a shallow understanding of the complexity of the issues underpinning these principles. This superficiality might be ascribed to the trend towards dealing with human rights in an epistemological way and the frequent overemphasis on a fixed view of knowledge about morality which undermines complexity. Fixed knowledge undermines moral knowledge and how ethical dilemmas could be addressed (Brown, 1999; Josephides, 2003).

The teachers' superficial understanding also stems from their inability to deal with ethical contradictions that might arise during their teaching of explicit curriculum content. The difficulty does not arise from the teachers' ability to deal with the surface features of the curriculum. Rather the difficulty arises when teachers are faced with situations that require in-depth knowledge and this challenges their 'communicative action' (Habermas, 1984). One teacher participant made the following comment:

> It is easy to read contents and teach them, but some things crop up which shows violation of other people's rights. How exactly do we do the practical part of addressing human rights?
>
> (T: Comment 1)

This issue is related to the critical argument posited earlier relating to the technical approach taken up by teachers which could lead to the instrumentalisation of human rights matters. This respondent's comment reinforces the fact that teachers are often unable to deal with the complex ethical dilemmas in the context of human rights. This complexity is what Kibble (1998, p.54) refers to as "morally clouded" situations.

The teacher participants revealed that human rights are addressed only during prescribed and pre-determined teaching-learning situations. This is an example of maximum infusion (see the first quote below). By limiting human rights to particular milieus, the teacher could promote the idea that human rights are being negligent towards the values and morals underpinning human rights (Du Preez, 2005). An unwillingness to reflect and experiment with teaching-learning strategies could lead to a reliance on a chalk-and-talk approach as opposed to an integrated approach to human rights in the curriculum. Some of the teachers stated that:

> When and how human rights are addressed is determined by the outcome and theme [of the particular learning area].
>
> (T: Comment 2)

> Economic and Managerial Sciences was a very abstract learning area for learners . . . adding 'funny' strategies such as dialogue and contents such as human rights might just confuse learners more.
>
> (T: Comment 3)

Comment two is an example of how the standardisation of education in South Africa dictates an epistemological approach to human rights, relying solely on the rational, intellectual mind of teachers and learners. Teaching-learning of human rights has been conditioned to use 'strategic action' because of the ambition to share predominantly human rights knowledge (Habermas, 1984). It could be argued that 'strategic action' also limits the teaching-learning options since it might eliminate teaching-learning methodologies that rely not only on the rational dimension, but also on the affective dimension. Comment three is an example of a teacher's attempts to justify her failure to infuse human rights in the curriculum and teaching-learning practices in a balanced manner (see Table 1).

Many of the learners also contextualised their understanding of human rights only in terms of the learning area Life Orientation. This was illustrated in the learners' narrow decontextualised perceptions of human rights with remarks as follows:

> Children learn about human rights at school and you can only learn about it in LO.
>
> (L: Comment 1)

A mindset which is solely epistemologically orientated could be the reason that some learners hold a 'power related' perception, seeing human rights as about them alone (cf. Simmonds, 2010). Such a stance is also linked to the liberal natural rights notion of human rights, which centres on narcissism, and contrasts with a perspective of education that values a community of interlocutors who engage in dialogue (Du Preez, 2008). One learner participant illustrates this point by reasoning that:

> I have the right to swim because it is fun. . . .I have the right to money because I want to buy things.
>
> (L: Comment 2)

The above-comment provides a good example in which human rights are commoditised and in the process reduced to a mere instrument to attain a particular purpose.

This superficial understanding expressed by the teachers and learners gave rise to some pertinent questions. These questions include identifying who is

responsible for human rights education; are they directly related to the implicit understanding teachers have of human rights; and what is the concomitant effect on teaching-learning and curriculum development. These are reflected in the following comments of teachers:

> It has become clear that in practice schools in particularly have taken the human rights culture lightly.
>
> (T: Comment 4)

> I saw the Manifesto for the first time – although have heard about it.
>
> (T: Comment 5)

> Learners should know that 'everything is not only about *me* and my RIGHTS'.
>
> (T: Comment 6)

In line with this discussion a learner participant stated the following on children and parents' rights:

> Kids have the right to education, safety, be disciplined, to obey and a family. Parents are not allowed to drink in public, abuse kids, whip kids very hard and harass children.
>
> (L: Comment 3)

These comments reveal that human rights education is not always prioritised by teachers and they do not attempt to acquire the necessary skills needed to engage meaningfully with human rights contents or documents and to develop professionally. These comments also reveal a lack of professionalism and being 'uninformed' that could affect negatively on teaching-learning as well as curriculum development.

One reason for the teachers' attitude could stem from the standardised nature of OBE, which could suggest that teachers do not need to conduct research beyond what is prescribed (Simmonds, 2010). Another facet of these remarks relates to the value that teachers place on human rights education. The extent to which teachers are willing to reflect and explore with teaching-learning strategies as well as their ability to infuse human rights across the curriculum will determine the degree to which they are prepared to promote human rights in their teaching-learning. If teachers value human rights education and if they put human rights as a focal point in their teaching-learning practices, learners will not develop skewed perceptions of human rights (Simmonds, 2010).

Teachers could become dismayed by the manner in which they think learners understand human rights. On the other hand if teachers consider that learners understand human rights only as a power device they could become apathetic towards promoting human rights because it could undermine their teaching-

learning strategies. Learners' remarks that 'everything is about them' can reinforce a narrow, egotistical way of interpreting human rights. This is further illustrated by the response given by the learner participant above (comment 3). This argument suggests that learners' rights are prioritised over those of adults' and might impose negative connotations while learners' rights should have positive connotations.

These comments open the discussion on the moral underpinning of human rights in education and the dilemmas associated with addressing human rights.

From the data of these studies and the comments given it became clear that teachers are at times aware of human rights content that needs to form part of their teaching-learning strategies. However, they lack confidence (cf. Du Preez, 2008; Simmonds, 2010) dealing with content on moral and ethical aspects of human rights. One teacher participant stated: "*I still feel unsure as to how it will be applied in the class*." (T: Comment 7). This signifies that the challenge is not situated in the content of human rights; it originates from a lack of insight to apply informed moral elements underpinning human rights.

In the study, when learners were given the chance to present their understanding of human rights, many of them simply listed them one below the other. These included their rights to education, shelter, food and love. It was clear that learners did not recognise the complex moral implications and legalities of human rights. Learners were aware of the facts comprising their rights however they were unable to acknowledge the multifarious implications thereof. This could be related to the one-dimensional perspective often held by people when dealing with moral issues (Kibble, 1998). Dealing with moral issues requires one to rely on a multiplicity of perspectives before judgment of validity claims are made (cf. Ruiz, 2004). Moreover, the curriculum and teaching-learning often portray moral issues in 'clean and simple' contexts, which do not necessarily represent the complexity embedded in moral issues in real life situations (Kibble, 1998). This could limit learners' ability to deal with moral issues when confronted with them in real life.

Ethical dilemmas are also a challenge for human rights teaching-learning and curriculum development. Teachers referred to ethical dilemmas when dealing with diversity in the classroom and the ethical position they choose to adopt. One of the teacher participants disclosed that cultural differences amongst learners in that school create challenges for equality because some cultural groups feel inferior to the other cultural groups. She expressed the 'fear' that this situation might hamper human rights teaching-learning strategies. She

explained that some cultural groups are more boisterous in their way of interaction while others are more placid (T: Comment 8). She indicated that this might cause one culture to dominate during a dialogue session and could lead to disruption in the classroom. This remark can indicate that diversity is seen as a pedagogical challenge with inherent ethical dilemmas in human rights teaching-learning. This is further illustrated by another teacher's remark that *". . .maintaining a culture of human rights means to agree to disagree – but in silence."* (T: Comment 9) One could argue that teachers' inability to view moral issues from more than one perspective means they feel vulnerable and are cautious to deal with diversity that inevitably leads to multiple perspectives of a moral issue. The 'silence' used in order for teachers to escape the complexity embedded in dealing with moral situations, is obvious and sometimes a way to deal with diversity. However, one should pose the question: How far should a teacher employ her/his facilitation when ethical dilemmas arise? Another important question is: To what extent is it possible to explore a moral issue from a variety of perspectives to which one is not an insider? We argue that silence is not the best option when these topics are under discussion. It may not be possible to answer these questions satisfactorily, but it is important that teachers should embrace these challenges. The reasoning of the following two teachers outlined in the comments signifies the arguments discussed.

> It is easy to read contents and teach them, but some things crop up which shows violation of other people's rights. How exactly do we do the practical part of addressing human rights?
>
> (T: Comment 10)

> Many years of teaching different cultures and religious groups bring along wisdom, knowledge and the insight of how to deal with it.
>
> (T: Comment 11)

What is evident of these comments is that while one of the teachers uses experience to inform their practices, the other relies on educational knowledge. We argue that educational knowledge can only assist the teacher to a point and thereafter intuitive argumentation is also needed. Returning to the comment made by the teacher participant referring (T: Comment 9) to 'silence' when ethical dilemmas surface, this teacher might not have sufficient experience or have developed the insight of how to deal with ethical issues.

The learner participants used more concrete examples to explain how they understood ethical dilemmas. Their attention was drawn to human rights values and the associated ethical implications.

Human rights are good because we are all equal. . . .I know that sometimes people don't receive the right treatment in connection with human rights the reason being their circumstances. For example, if a person is a hobo (homeless) and they get a donation of money and they enter a shop trying to buy food they are immediately mistreated and I think that it's good that all the different colours (including albinos) all have the same rights. . . .It's a pity that some of the people from different colours actually think that they are better than other people from other colours.

(L: Comment 4)

I think that a women or a girl has the right to wear anything she want to wear. There was a woman who walked at the taxis rank with a short dress and the taxi drivers raped her, spit on her and swear at her. So some people need to be learned human rights

(L: Comment 5)

These responses might be derived from the learner participants' experiences or intuitive arguments regarding matters pertaining to human rights values. In their explanations, these learners do acknowledge morals and values underpinning human rights when their explanations refer to equity, dignity, respect, *ubuntu* and reconciliation in regard to concrete situations. This might be seen as similar to the situation in which teacher participants (T: Comment 10 and 11) are aware of human rights content but experience perplexity in applying this knowledge.

Challenges and Proposals

We draw attention to five prominent challenges regarding creating a human rights culture in teaching-learning and curriculum development and the implication thereof on both teachers and learners. Although the challenges discussed below emanate from the two case studies, the exploration might have wider application. It could assist teachers to:

i)   not only integrate human rights epistemology as explicit curriculum, but also to infuse it with a moral perspective in all teaching-learning situations so as to broaden learners' perspectives of human rights;

ii)   reassess the philosophy attached to human rights in South Africa in terms of a more cosmopolitan and communitarian stance so as to avoid excessive individualism among learners and even teachers;

iii)   create space for them and their learners to deal with the complex moral issues from a variety of perspectives using intuitive argumentation and not only a one-dimensional and/or rational perspective;

iv)   create a dialogical teaching-learning disposition that is in line with Habermas's (1984) notion of communicative action that embrace processes of meaning-making and understanding;

v)   establish a disposition in which they take responsibility for their own professional development.

Our proposals of ways to meet these challenges are three-fold. Firstly, we propose that an ethicist of care disposition be infused in teachers praxis. This might give human rights the moral underpinning, based on an affective acknowledgement. Ruiz (2004, p.283), a care theorist, stresses that the "origin of this morality is not reason, as in idealist morality, but feeling, 'pathos', solidarity with other human beings who deserve happiness and recognition. It is not the faculty of reason which moves us to act without duty, but neither is it a mere irrational feeling. Rather, it is an *affection . . .*". On such a foundation, an ethical community could develop and thrive (cf. Du Preez, 2008).

Secondly, we propose that dialogue be encouraged as a teaching-learning methodology that creates a space for individuals to respond to their caring and affective selves and prioritise the other in the context of an ethical community. Dialogue that necessitates adopting a heedfulness of values and virtues, rather than solely focusing on knowledge and experience, also suggests intuitive argumentation at times. Simultaneously, intuitive argumentation about doing the right thing underpins an anti-foundational understanding of a culture of human rights. In this sense dialogue is sufficiently supple to include various modes of reasoning such as intuitive argumentation. Dialogue thus creates a space for people to explore complex, shambolic moral issues from a variety of perspectives. In this regard, Kibble (1998, p.54) argues that teachers and learners should get their "hands dirty when looking at moral issues". He suggests further that when teachers work with younger learners they should not be 'silent' regarding complex moral dilemmas, but work with less complex scenarios at first and then steadily increase the complexity (Kibble, 1998).

Lastly, we argue that the prescriptive undertone of OBE might mean that teachers do not take responsibility for their own professional development. We propose that the professionalism of teachers be questioned in terms of Evans's (2002) notions of restricted and extended professionals. A restricted professional is a teacher who responds only intuitively to education practice, whereas an extended professional will rely on rationality just as much as on

their intuition (Evans, 2002) when dealing with curriculum development and teaching-learning. In the context of this article, we propose that teachers become extended professionals who take ownership of their own development to emancipate themselves (Du Preez and Roux, 2008) and their learners in a rationally and intuitively balanced manner.

Conclusion

Teaching-learning and curriculum development for human rights education is a complex matter. This research aimed at exploring this complexity in the light of teachers' and learners' perspectives. Several challenges were identified and proposals were put forward to address these. The research highlights the importance of not viewing teaching-learning and curriculum development for human rights education from the perspectives of teachers only: taking into account learners' understanding of human rights is essential. For this reason, we refer to this phenomenon as two sides of the same coin.

Adopting an ethicist of care disposition and fostering an environment conducive to deep dialogue about ethical dilemmas underpinning human rights might make it possible to overcome some of the difficulties identified in this article. This would mean that teachers would have to take ownership of the human rights education process in an educated and responsible manner (cf. Roux, 2010). In conclusion, we agree with Booth (1999, p.65) that "[t]he development of a human rights culture is crucial, because it is one of the ways by which physical humans can try and invent social humans in ways appropriate for our dislocated, statist, industrialised and globalising age. . . .The truly emancipatory moment will be when the universal 'I' totally embraces the universal 'an other'."

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