



Transnational Civil Society vs. Global Educational Culture: Children's Rights in Historical Perspective

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1. Concepts



1. **Neoinstitutionalism** (J. Meyer, F. Ramirez, J. Boli, etc.)
 - macro-sociological, long-term empirical studies on educational expansion, curricula, international women's movement, human rights education, etc.
 - Result: international isomorphism in educational development in the 20th century → global pressure for adaptation and therefore standardization
 - Explanation: World (Educational) Culture; founded upon a global "grammar of education" – an interplay of national and international models which is reproduced and changed by the ongoing dynamics between both levels

1. Concepts



2. Concept of educational multilateralism (K.Mundy, P.Jones)

- Beyond traditional state-centered approach to international regime research
 - Inter- and transnational organizations as independent and influential actors in international relations in education (especially within the UN system)
 - System of educational multilateralism confined to post-1945 era
- Main Focus: Transnational Civil Society
 - describes cross-boundary networks and relations of private actors and their interests;
 - They form an alliance comprising the public sector (state and international organizations), civil society, and private industry
 - Their activities are especially bound to areas where governmental control no longer exists.

1. Concepts



- They aim at
 - international agenda-setting,
 - the facilitation of negotiations on global standards and values,
 - the diffusion and transfer of knowledge,
 - and the creation of mechanisms to control and enforce the international law.
- Existence of transnational organizations since the mid-19th century:
 - Private transregional organizations
 - International societies and associations
 - NGOs and INGOs since the 1920s
 - IGOs since 1945 (but: LN 1919)
 - Global Interest Coalitions/Global Civil Society since the 1990s



INGOs and the Organization of World Culture 23

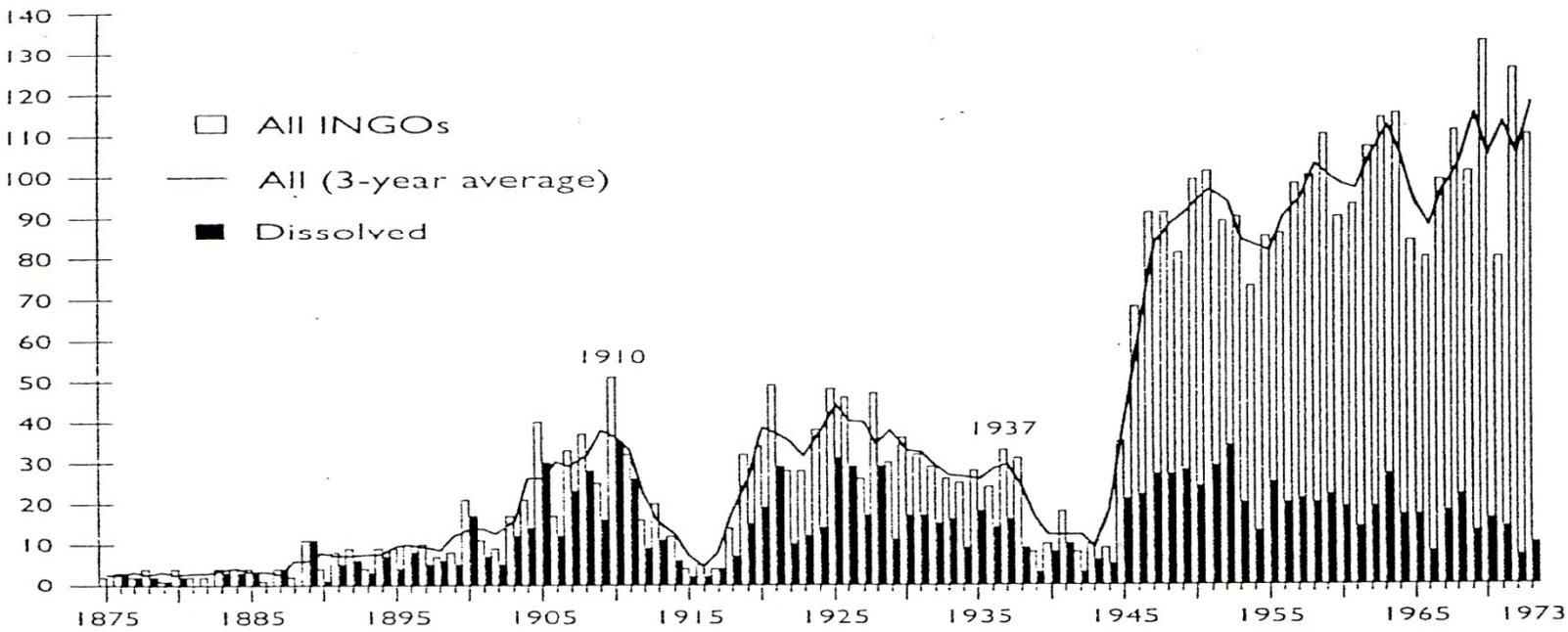


FIGURE 1.1. International nongovernmental organizations: Foundings of all and dissolved bodies, 1875–1973. SOURCE: *Yearbook of International Organizations* (UIA 1985, 1988).

1. Concepts



- My main arguments:
 - Children’s rights as a specific segment of global educational developments
 - Beginning of the system of educational multilateralism already at the end of the 19th century
 - The rise of transnational civil society leads to new forms of educational politics („global governance“)
Interrelationship of organizational structure and semantics/norms
 - The development, diffusion, and standardization of norms depends to a large extent on the existence, stability, and the influence of transnational organizations



Educational multilateralism ↔ transnational civil society ↔ world educational culture

2. Norm Cycle Analysis



- Children's rights/human rights → norms
- Concept by Finnemore/Sikking (1996):
 - Norm Emergence
 - Emergence of ideas („cognitive commitments“)
 - Norm Entrepreneurs
 - Norm Cascade
 - „tipping point“ (30% of governments)
 - Norm leaders – norm followers
 - Norm modell
 - Norm Internalization
 - Internalization as global norm
 - Legal codification
 - Evaluation

3. History of Children's Rights



First Phase: Founding of transnational organizations related to children after 1850s

- Focus:
 - Social work as one of the central spheres of political reform
 - Shift from punishment to the creation of such better social conditions for children
- Semantics:
 - Social discipline of children as central aim of private agencies and state parties
 - Education and child welfare move from the private to the public sphere
- Actors:
 - Governments (esp. France and Belgium)
 - National and transnational groups
- Results:
 - Founding of international child welfare organizations (1904: International Association for Child Welfare)
 - Most important effects: “white slavery” treaties (1904 and 1910), guardianship, and juvenile courts



Norm Emergence



Child Welfare	Juvenile Delinquency	Welfare
Intl. Congresses of the Care and Protection of the Child (7 Congr. 1890 – 1911)	Intl. Penitentiary Congress (8 Congr. 1846 – 1910)	Intl. Congress on Welfare (3 Congr. 1856 – 1862)
Intl. Congress for the Welfare and the Protection of the Child (3 Congr. 1896 – 1902)	Intl. Congress of the International Association of Criminal Law (12 Congr. 1889 – 1913)	Intl. Congress for Charities and Welfare (5 Congr. 1889 – 1910)
Intl. Congress for Child Welfare (1913)	Intl. Congress for Juvenile Courts (1911)	Intl. Congress of Charities and Correction (1893)
		Various intl. congresses for the Protection of Women (45 Congr. 1877 – 1914)
Declaration of Geneva (1924)	Intl. Adoption of juvenile courts	White Slave Agreements (1904/1910/1921)

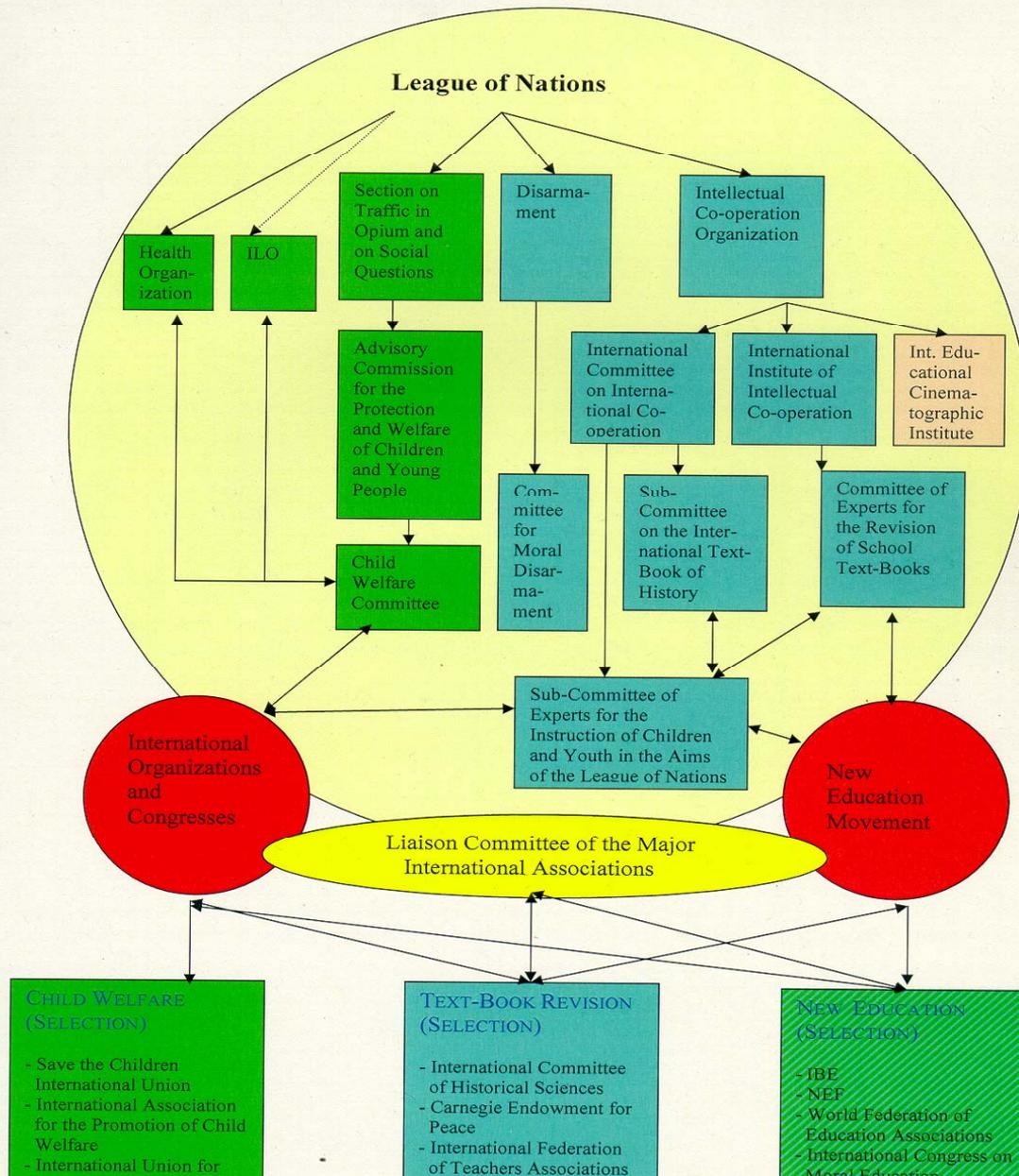
3. History of Children's Rights



Second Phase:

- Re-establishment of most prewar period projects, international organizations, and congresses
- League of Nations (1919) as new and main agent for the establishment of new educational networks
- Covenant: Exclusion of education
 - Reason: Resistance by the British delegates and representatives of the new countries in Eastern and Southeastern Europe
- “National education lies outside and will always lie outside the competence of any official committee of the League”
- Nevertheless, child welfare and education found their way into the work of the League
- Five main areas were covered: child labor, child health, child welfare, university relations, and curriculum issues

INTERNATIONAL EDUCATIONAL NETWORKS IN CHILD WELFARE AND TEXT-BOOK REVISION IN THE 1920S



3. History of Children's Rights



- The Rights of the Child as international norm
 - 1923: Declaration of Geneva
 - Initiative of the Save the Children International Union (1923)
 - Supported by other transnational organizations
 - 1924: adopted by the General Assembly of the League of Nations
 - Contents:
 - Providing of material and spiritual means of normal development of the child
 - General aid for child in emergency
 - Child is first to receive relief
 - Child must be put into position to earn a livelihood
 - Devotion to social service
 - 1925: International conference on children's rights in Geneva
 - 800 participants from 58 countries, delegates from 38 countries
 - Focus: child welfare and peace education

3. History of Children's Rights



- LN as first IGO with agenda in education
- Rising number of INGOs as pressure groups
- Networks between LN and INGOs
- Organizational Structure of educational multilateralism established
- Child and children's rights become part of global semantics



"Tipping Point" (Declaration of Geneva)

3. History of Children's Rights



Third Phase:

- Founding of UNESCO and UNICEF (exclusion of children's rights)
- Initiative to revive and revise Declaration of Geneva by NGOs
 - International Union of Child Welfare, International Catholic Child Bureau, Liaison Committee of Women's International Organizations, International Teachers' Federation
- Commission on Human Rights within the Economic and Social Council of the UN (ECOSOC)
 - Human rights essential to new UN system: Universal Declaration on Human Rights (1948)
- 11 years of debate within various committees of ECOSOC and lobbying by NGOs
- 20 November 1959 „Declaration of the Rights of the Child“

3. History of Children's Rights



- 10 articles
 - Special protection for children
 - Entitled to name and nationality
 - Social security and protection
 - Special protection for handicapped children
 - Legal protection
 - Physical protection
 - Right to education
 - Family care
- 1959: limited influence of transnational agencies
- Non-binding declaration



Norm Cascade



3. History of Children's Rights

Fourth Phase:

- 1970s new phase:
 - International Year of the Child (1979)
 - Committee of more than 1000 organizations and 148 National Committees
 - Initiative for legally binding convention on children's rights (Polen 1978)
 - UNICEF has expanded its scope to education (development from humanitarian to development organization)
- UN established Working Group within Commission of Human Rights for this convention in 1980
 - 43 countries and various UN Organizations (i.g. UNESCO, UNICEF, ILO, WHO, UNHCR)
 - 41 NGOs as observers, since 1982 10 NGOs as participants in the drafting process
 - Founding of a NGO Ad Hoc Group on the Drafting of the Convention (231 INGOs, among them Defence for Children International, Save the Children Alliance)

3. History of Children's Rights



- UN Convention on the Rights of the Child (20 November 1989, 54 articles)
 - Responsibility of parents
 - Responsibility of state parties
 - Right to live
 - Problem of migration
 - Right to child's opinion, freedom of expression, thought, and religion
 - Right to education
 - Adoption, leisure, juvenile justice, etc.
- Extension of the scope of rights (individual and cultural rights)

3. History of Children's Rights



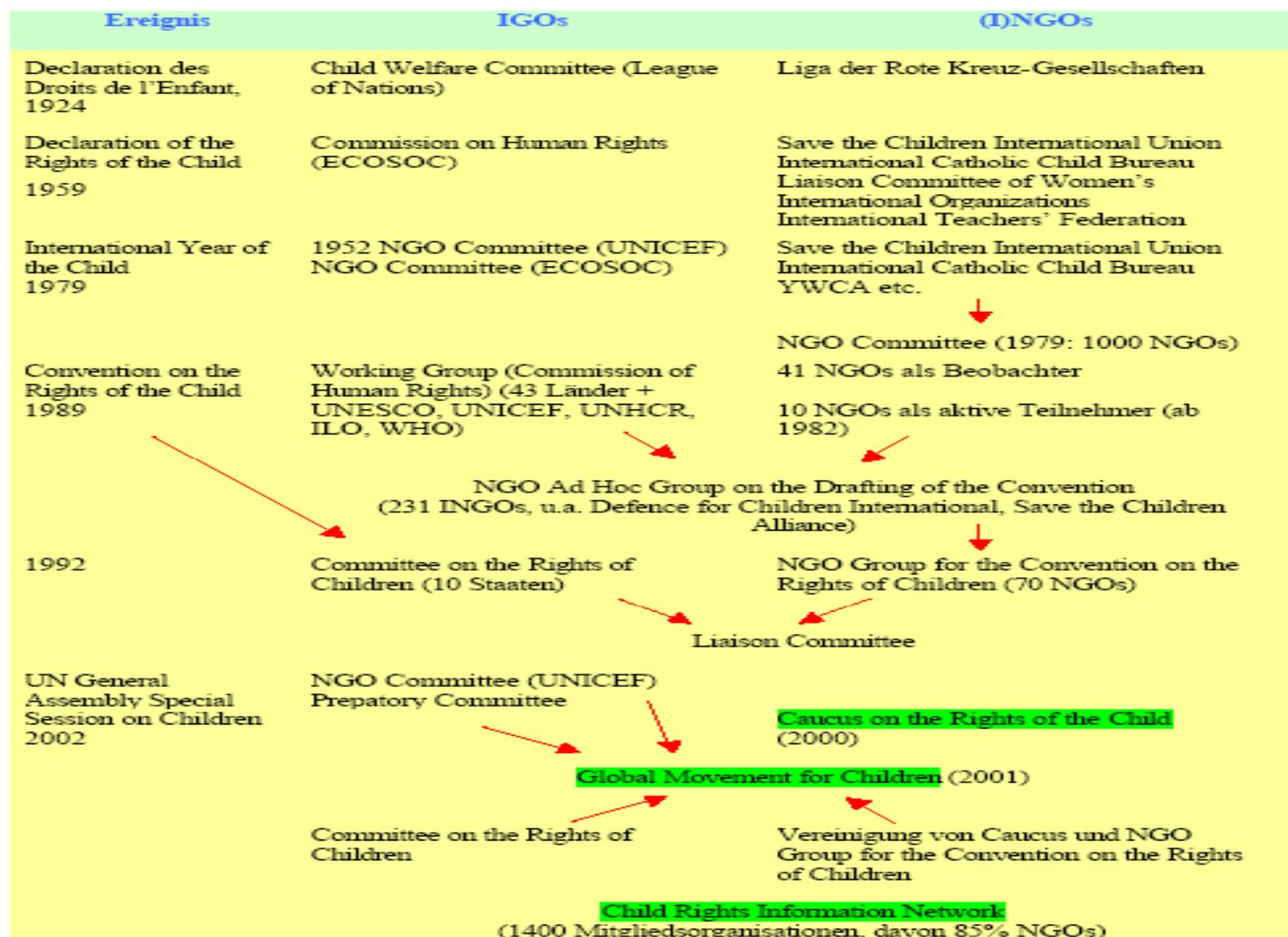
- Binding rules for implementation and control (Art. 4, 42-45)
 - Committee of the Rights of the Child (CRC)
 - Founded in 1992
 - 18 official experts
 - Country reports two years after ratification and periodic reports every five years
- Transnational actors
 - NGO Group for the Convention on the Rights of Children (70 NGOs, Geneva) – successor of the NGO Ad Hoc Group on the Drafting of the Convention
 - Liaison Committee with CRC

2002: two optional protocols on the sale of children, child prostitution, and child pornography as well as on the involvement of children in armed conflicts



Norm Internalization

Internationale Organisationsbildung im Bereich des Kinderrechts



4. Summary



- Genesis of the system of educational multilateralism at the end of the 19th century
 - Growing fragmentation of the global organizational structure since interwar period
 - Extension of children's rights: material – social - cultural – individual
 - Close interrelationship of international organizational structure and norm cycle
 - Mechanics: Norm – Legalization – Implementation – Control
- Combination of neoinstitutionalist approach and concept of educational multilateralism

4. Summary



1830s to 1914	Philanthropic transnationalism Institutionalization of transnational educational relations	Norm Emergence Individuals/NGOs Child welfare and protection become part of public discourse
1919 to 1945	Formation of educational	Norm Emergence/ „Tipping Point“ NGOs, INGOs, LN Children’s rights as primarily as material rights
1945 to 1960s	Liberal educational multilateralism of the West Rise of Eastern educational multilateralism	Norm Cascade IGOs, NGOs, INGOs Children’s rights as material and social rights
1970s to 1980s	Crisis of liberal educational multilateralism of the West Collapse of Eastern educational multilateralism	Norm Cascade IGOs, NGOs, INGOs, Governments Children’s rights as material, social, cultural, and individual rights
1990s to pre-sent	Neoliberal educational multilateralism Transnational advocacy networks	Norm Internalization Global Networks, IGOs, NGOs, INGOs, Govern. Right to Education