



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

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## 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 20<sup>th</sup> 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



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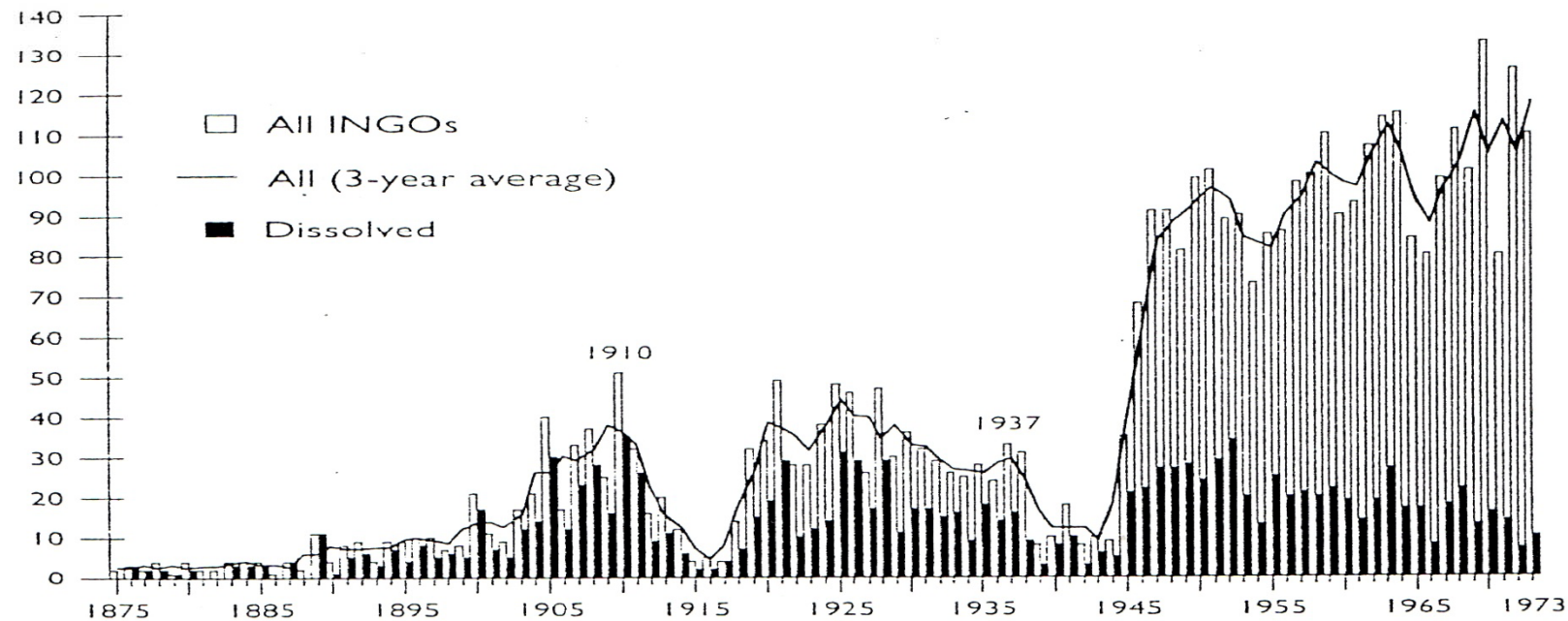


FIGURE 1.1. International nongovernmental organizations: Foundings of all and dissolved bodies, 1875–1973. SOURCE: *Yearbook of International Organizations* (UIA 1985, 1988).

# 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**



<b>Child Welfare</b>	<b>Juvenile Delinquency</b>	<b>Welfare</b>
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)

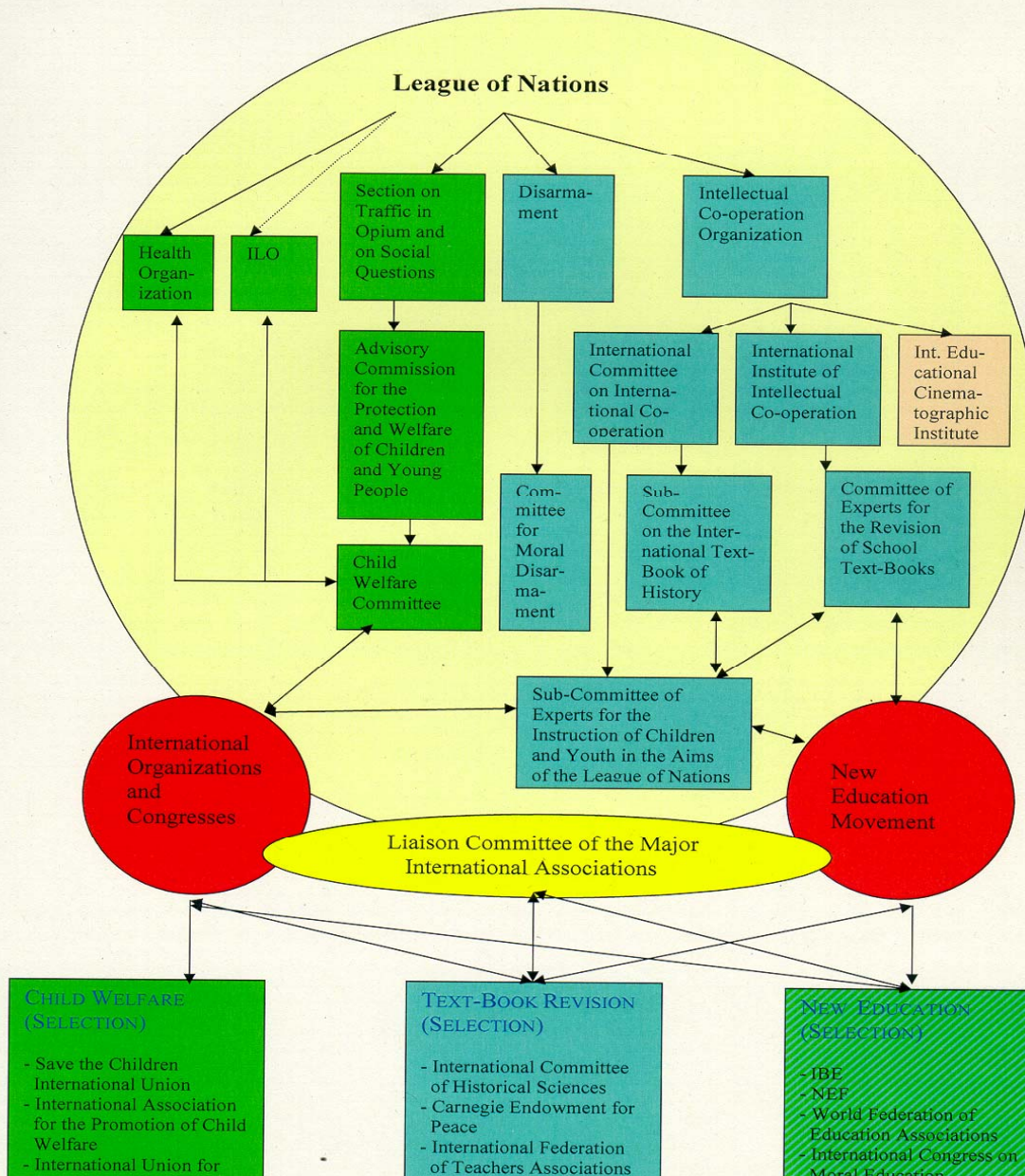
### 3. History of Children's Rights



#### 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



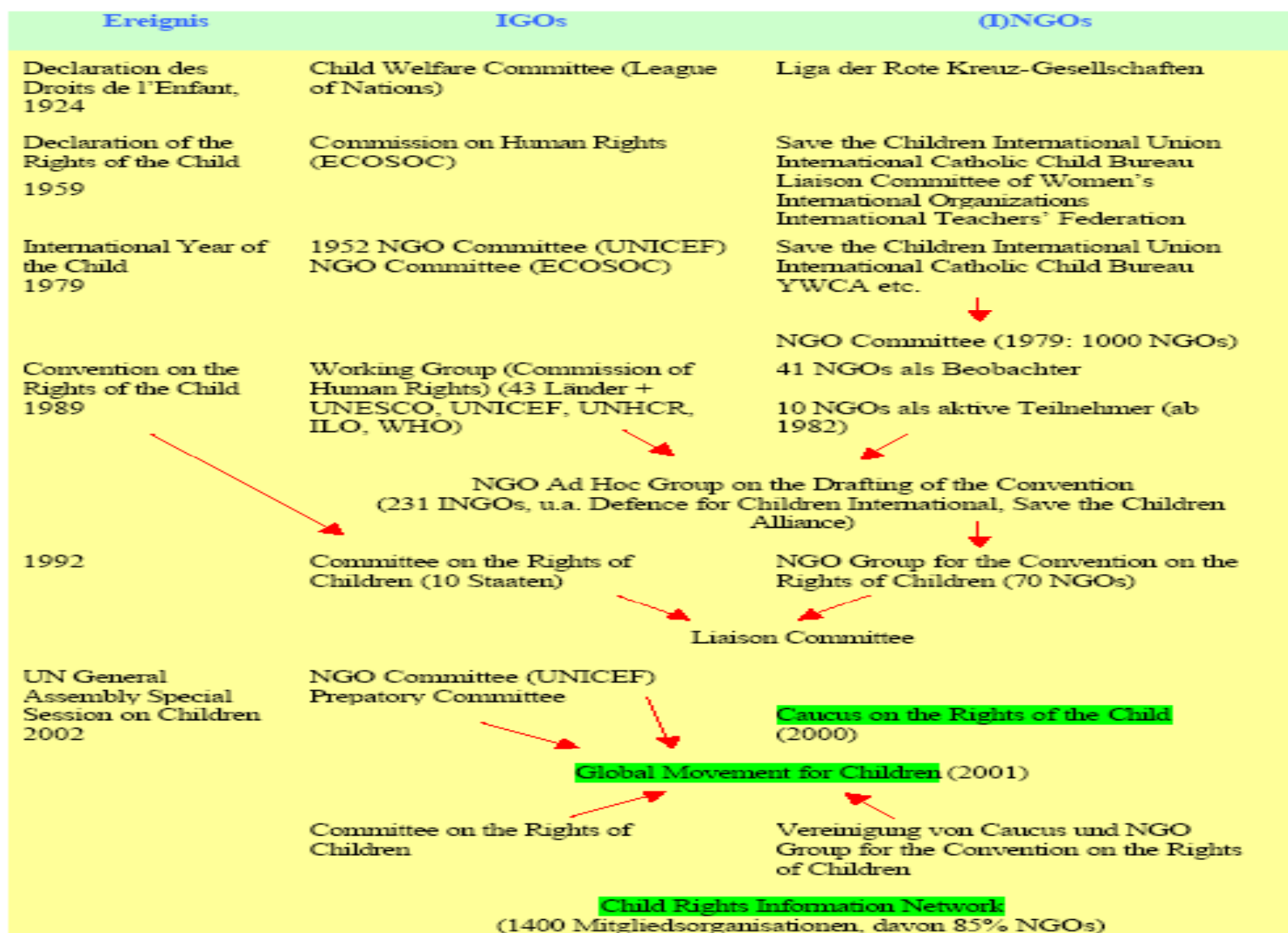
- Binding rules for implementation and control (Art. 4, 42-45)
  - Committee of the Rights of the Child (CRC)
    - Founded in 1992
    - 18 official experts
  - Country reports two years after ratification and periodic reports every five years
- Transnational actors
  - NGO Group for the Convention 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	<b>Norm Emergence</b> <b>Individuals/NGOs</b> Child welfare and protection become part of public discourse
1919 to 1945	Formation of educational	<b>Norm Emergence/ „Tipping Point“</b> <b>NGOs, INGOs, LN</b> Children's rights as primarily as material rights
1945 to 1960s	Liberal educational multilateralism of the West Rise of Eastern educational multilateralism	<b>Norm Cascade</b> <b>IGOs, NGOs, INGOs</b> Children's rights as material and social rights
1970s to 1980s	Crisis of liberal educational multilateralism of the West Collapse of Eastern educational multilateralism	<b>Norm Cascade</b> <b>IGOs, NGOs, INGOs, Governments</b> Children's rights as material, social, cultural, and individual rights
1990s to pre-sent	Neoliberal educational multilateralism Transnational advocacy networks	<b>Norm Internalization</b> <b>Global Networks, IGOs, NGOs, INGOs, Govern.</b> Right to Education