

**Toward a *Declaration of Education Rights***  
Education rights in the context of  
American democracy

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**Abstract**

*In the spirit of the Universal Declaration of Human Rights, a **Declaration of Education Rights** would serve as a common ethical standard, or moral compass, for education in a democracy by which we can guide our practice, develop programs and policies, and continuously evaluate our efforts. In this essay, readers are invited to review proposed articles for such a declaration and suggest possible revisions and/or additions. The ultimate goal will be to produce a collaborative document that can be submitted to other groups for consideration, input, and eventual adoption.*

Ever since December 10, 1948, when it was adopted by the General Assembly of the United Nations, the Universal Declaration of Human Rights has stood as an international moral beacon of human dignity and freedom. The Universal Declaration was never meant to be the final word on human rights, nor was it intended to impose a single model of right conduct on all nations. The Universal Declaration was written to be a living document, reinterpreted and reinvented by each succeeding generation, a common standard that can be brought to life in different settings in a variety of legitimate ways.

American education today is in dire need of just such a common ethical standard. Not a legally binding prescription, but a moral compass by which we can guide our practice, develop our programs and policies, and evaluate our results. In our ongoing efforts to provide the education our children deserve and our world so desperately needs, we need a mutual commitment to values that will inspire us and keep us from drifting off course. In education, as in all areas of life, if we do not decide where we are going, someone will be happy to decide for us.

The following ***Declaration of Education Rights (DER)*** is an attempt to define those values and principles needed to serve this purpose for education in America. Its 13 articles were inspired from a variety of sources, including the Universal Declaration of Human Rights, the Alternative Education Resource Organization ([www.educationrevolution.org](http://www.educationrevolution.org)), the Institute for Democratic Education in America ([www.democraticeducation.org](http://www.democraticeducation.org)), and the Institute for Educational Inquiry's *Agenda for Education in a Democracy* ([www.iैसेattle.org](http://www.iैसेattle.org)). While they expand on the *Agenda for Education in a Democracy*, it is hoped that these extensions remain true to the spirit of the AED. Each article is followed by comments which note the source and/or clarify the article's intent or implications.

In order to be effective, a **Declaration of Education Rights** must balance several competing requirements. A **DER** must:

1. Establish the conditions necessary to promote and preserve basic human and civil rights.
2. Address the values and requirements of **democracy**. For our purposes, we are using a broad definition of *democracy* as a value system – a way of living and working together based on freedom, justice, equality, and mutual respect. [*“Democracy first and foremost, is a shared way of life. It begins with who we are as individuals and the relationships we have with those around us, and it radiates outward from that center to encompass all of humanity... it is, in essence, about human relationships.”* (Goodlad, et al, *Education for Everyone*, p. 82)]
3. Ensure the conditions necessary for the continuous growth, self-development, and creative participation of the learner.
4. Differentiate between **education** – a community responsibility – and **schooling** – one component of this larger context.

For example, Charles Silberman wrote in 1970:

If our concern is with *education*, we cannot restrict our attention to the schools and colleges, for education is not synonymous with schooling. Children and adults learn outside as well as – perhaps more than – in school. To say this is not to denigrate the public schools... It is simply to give proper weight to all the other educating institutions in American society: television, films, and the mass media; churches and synagogues; the law, medicine, and social work; museums and libraries; the armed forces, corporate training programs, boy scout troops... Almost everybody who wrote about education took it for granted that it is the community and culture – what the ancient Greeks called *paideia* – that educates. (p. 5)

Silberman goes on to point out the importance of not only acknowledging the ways our political, social, and economic cultures educate, but also the need to become more intentional regarding the nature of this contextual education, as well as that provided in our schools.

In order to make this document as sound and powerful as it needs to be, we are asking for your feedback. Input will be used to refine the **Declaration of Education Rights** for future use in public forums across the nation. Imagine the long-term impact of its official adoption, not only by schools, school districts, and educational organizations, but by state and federal departments of education as well. You can send comments and suggestions directly to the author at [livedemocracy@hotmail.com](mailto:livedemocracy@hotmail.com).

## ***Declaration of Education Rights***

### **Preamble**

Whereas a healthy, sustainable democracy requires the thoughtful and effective participation of its citizenry...

Whereas optimum political, social, and economic participation requires certain fundamental capacities and conditions...

Whereas it is the responsibility of democratic society to intentionally foster the development of these capacities and conditions essential to its continued vitality and to that of its citizens...

Now, therefore, this Declaration of Education Rights is proclaimed as a common standard of achievement for the continuous growth and self-realization of all people in the context of democratic community.

### **Article 1**

Everyone has the right to participate meaningfully in his/her own education and the educational decisions that affect him/her.

These decisions include those establishing the purposes, content, and assessment of learning activities.

COMMENTS: The right to participate in the decisions that affect us is a basic principle of democracy. The Institute for Democratic Education in America ([www.democraticeducation.org](http://www.democraticeducation.org)) applies this concept to education in its stated mission “*to ensure that all young people can participate meaningfully in their education and gain the tools to build a just, democratic, and sustainable world.*” John Dewey also emphasized the importance of participation – “*There is, I think, no point in the philosophy of progressive education which is sounder than its emphasis upon the importance of the participation of the learner in the formation of the purposes which direct his activities in the learning process, just as there is no defect in traditional education greater than its failure to secure the active co-operation of the pupil in construction of the purposes involved in his studying.*” (Dewey, *Experience and Education*, p. 67) This article implies access to self-directed learning opportunities whenever possible, as well as restoring agency to the learner and his/her particular learning community.

## **Article 2**

Everyone has the right to an education directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.

COMMENTS: Universal Declaration of Human Rights, Article 26. This right guards against overly narrow definitions of education as primarily a means to the economic and political ends of the powers that be.

## **Article 3**

Everyone has the right to an education that acknowledges and respects his/her cultural, religious, and/or ethnic heritage.

COMMENTS: Every educational system is based on a particular set of beliefs, assumptions, and cultural perspectives. Without overt acknowledgement and respect for the cultural, religious, and/or ethnic heritage of the student, there is real danger that these important sources of personal and cultural identity will be undermined. This article also aims to preserve the diversity necessary to sustain a vibrant, resilient, and growth-producing democracy.

#### **Article 4**

Everyone has the right to an education that acknowledges multiple ways of knowing and assists in the exploration and understanding of various world views.

COMMENTS: A cornerstone of democracy is the realization that other people may see and experience the world differently from us. Engaging in thoughtful dialogue that leads to a deeper understanding of one another is critical in our work for peaceful coexistence in a diverse world, as well as a critical evaluation of our own perspective.

#### **Article 5**

Everyone has the right to an education that fosters the capacities necessary for effective participation in a social and political democracy.

COMMENTS: From the Institute for Educational Inquiry's *Agenda for Education in a Democracy* ([www.ieiseattle.org](http://www.ieiseattle.org)). Democracy by definition depends on the thoughtful and effective participation of its citizens.

#### **Article 6**

Everyone has the right to an education that fosters the capacities necessary to lead responsible and satisfying lives.

COMMENTS: From the Institute for Educational Inquiry's *Agenda for Education in a Democracy* ([www.ieiseattle.org](http://www.ieiseattle.org)). This

emphasizes the second part of the dual role of education noted by John Goodlad in *Democracy, Education, and the Schools* – “*The mission of schooling comes down to two related kinds of enculturation; no other institution is so charged. The first is for political and social responsibility as a citizen. The second is for maximum individual development, for full participation in the human conversation (with the concept of conversation expanded into a metaphor for the whole of daily living).*” (John Goodlad in Soder, Roger (Ed.), *Democracy, Education, and the Schools*, p. 112)

### **Article 7**

All educational institutions shall unambiguously reflect the values of democracy in their policies, practices, curriculum, organizational structures, and outcomes.

COMMENTS: As Marshall McLuhan noted, the medium *is* the message. Dewey also emphasized the critical importance of the lessons we learn indirectly by way of the educational environment – “*Perhaps the greatest of all pedagogical fallacies is the notion that a person learns only the particular thing he is studying at the time. Collateral learning in the way of formation of enduring attitudes, of likes and dislikes, may be and often is more important than the spelling lesson or lesson in geography or history that is learned. For these attitudes are fundamentally what count in the future.*” (Dewey, *Experience and Education*, p. 48) Democracy can only really be learned by a process of immersion. To be effective and sustainable, the means used must be aligned with the ends desired.

### **Article 8**

P-12 education shall be publicly funded. Funding shall be equitable and sufficient to provide the education indicated by these rights. Technical, professional, and higher education shall be equally accessible to all on the basis of capacity.

COMMENTS: Adapted from the Universal Declaration of Human Rights, Article 26. The emphasis on higher education being equally accessible to all *on the basis of capacity* implies (but does not explicitly guarantee) the removal of economic barriers to such participation when appropriate.

### **Article 9**

Parents have a prior right to choose the kind of education in which their children participate.

COMMENTS: From the Universal Declaration of Human Rights, Article 26. The UDHR version reads, “*Parents have a prior right to choose the kind of education that shall be given to their children.*” The wording was changed to reflect an understanding of education not as something that can be given or imposed, but as something that requires the free participation of the learner. This article was originally included in the UDHR in the aftermath of WWII as a way to prevent oppressive regimes from using state mandated educational programs to indoctrinate its citizens. It is important to note that while this article protects the use of educational alternatives, it does not obligate the State to pay for them.

### **Article 10**

Everyone has the right to an education that acknowledges our place within the natural world, respects the interconnectedness of all life, and promotes the building of a just and sustainable world.

COMMENTS: *Ecological literacy* (see Orr, *Ecological Literacy*, 1992) is increasingly being recognized as essential not only to our quality of life, but to our very survival as a species and to the long-term health of our planet. The latter portion is taken in part from IDEA’s mission statement (see comments on Article 1).

## Article 11

Education shall be compulsory through age 14 and freely available thereafter through at least grade 12. No child shall be denied access to a free and appropriate educational program for any reason. Furthermore, no person shall be compelled to participate in any educational program that does not protect the full range of these rights.

COMMENTS: The UDHR states that elementary education shall be compulsory, presumably to ensure the basic educational foundation required for optimum self-development and for effective political, social, and economic participation. After age 14, the emphasis shifts from *compulsory participation* on the part of the individual to *compulsory service* on the part of society, with participation being optional at the discretion of the learner. This acknowledges the fact that coercive educational practices are inherently counterproductive to “*the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms,*” as well as to the health and viability of democracy itself, while also prohibiting the State from excluding anyone who may be disabled, low performing, or who otherwise has special learning needs.

## Article 12

Given that education is an ongoing process that extends far beyond the bounds of formal schooling, everyone has the right to live in an educative community that purposely contributes to the continuous growth and well-being of all its members.

COMMENTS: This highlights the difference between *schooling* and *education*, and promotes a vision of education as a community responsibility. Implied is the need to continuously advocate and work for the creation of truly *educative* communities. For our

purposes, an *educative community* can be understood as one which depends on the real work and creative participation of each of its members, as well as actively promoting and protecting human and civil rights.

### Article 13

No one shall be denied access to employment or postsecondary education, or be discriminated against in any way solely on the basis of P-12 academic credentials.

COMMENTS: It is unethical to use any criteria for employment that are not clearly necessary for the successful performance of the particular job being sought. Given the broad and varied nature of high school graduation requirements, for example, this cannot be said to apply to the high school diploma. This article also makes more feasible the development of and participation in alternative approaches to learning that do not result in standard academic credentials.

Another implication of this article is that schools will have to attract learners on the basis of the skills and experiences they have to offer rather than because they are the sole gatekeepers to economic participation. It safeguards against the accumulation of too much power in the education establishment to determine and/or limit the future opportunities of citizens. It does, however, leave open the possibility of using P-12 academic credentials and measures as *one of several* sources of information used together to assess a person's aptitude for particular postsecondary jobs and programs.

### Conclusion

The time has come for us to take a stand on what we believe to be the purpose and proper nature of education in American democracy. This *Declaration of Education Rights* is a first attempt to do just that – an articulation of values and principles intended to serve as a moral and functional compass for education in America.

Thomas Jefferson sparked a political revolution when he wrote that “*we hold these truths to be self-evident.*” But the moral and philosophical revolution that produced these truths had been steadily growing in our hearts and minds for hundreds of years. Jefferson merely affirmed them and recognized their revolutionary implications.

Like its inspiration, the *Universal Declaration of Human Rights*, the ***Declaration of Education Rights*** contains some ideas that are intuitive and others that are more daring, but all of them reflect a revolution in thinking that is already under way. The implications are profound and far reaching.

Without a clear vision, it is inevitable that education will continue to drift in the winds of various political, economic, and special interest agendas. And as we drift, our children, our democracy, and our planet will suffer. This ***Declaration of Education Rights*** charts the course for a redefinition of education that celebrates individuality while simultaneously promoting a vibrant and healthy democracy – one that nurtures creativity, cultivates greatness, and helps to build a just and sustainable world.

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