

INCORPORATING HUMAN RIGHTS INTO THE TEACHING OF HISTORY: TEACHING MATERIALS

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Abstract

The Institute for Justice and Reconciliation has commissioned the publication of a series of books intended for FET teachers under the title *Turning Points in Human Rights* (forthcoming 2008). They are individually, *The Struggle for Constitutional Rights*, *The Struggled for Land Rights*, *The Struggle for Workers' Rights*, *The Struggle for Gender Rights* and *The Struggle for Youth Rights in South Africa*. I was asked to write the *Teacher's Guide* to the series. Although the series and guide were not written exclusively for history teachers, History is the subject that pays, arguably, the most attention to human rights. This article, which has its origins in a workshop at the 2007 conference of the South African Society for History Teaching, discusses some of the issues raised in this work and the classroom materials and approaches used.

Human Rights in the curriculum

Human Rights are infused into the present South African curriculum as a whole. They are a “cross cutting” feature of it, in that they go across all subjects, and should be included in all. The National Curriculum Statement (NCS) (Department of Education 2003) states that it is based on the following principles:

- social transformation;
- outcomes-based education;
- high knowledge and high skills;
- progression;
- articulation and portability;
- *human rights*, inclusivity, environmental and social justice;

These principles find expression in the statement, “The National Curriculum Statement Grades 10 – 12 (General) seeks to promote human rights, inclusivity, environmental and social justice. All newly-

developed Subject Statements are infused with the principles and practices of social and environmental justice and human rights as defined in the Constitution of the Republic of South Africa” (Department of Education 2003:4)

The NCS makes it clear that the curriculum is based on the Constitution of the Republic of South Africa, and quotes its Preamble that includes among the aims of the Constitution, to, “heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights”.

The Content Framework for the NCS Grade 10-12 History is built upon two important questions: “How do we understand our world today?” And, “What legacies of the past shape the present?” It continues, “In understanding our world today and the legacies that shaped our present, the broad themes of power alignments, human rights, issues of civil society and globalisation were used in suggesting areas of content” (2003:28). It is, thus, the intention of the NCS that human rights should be a theme that runs through all of the history studied. Human rights issues and debates ought to inform the teaching and assessing of history in all three grades.

Defining “Human Rights”

The *Turning Points* series begins with the following explanation:

We know that human rights are very much part of human nature. They represent the way in which people throughout history and in all cultures have regulated relations between themselves. Human rights are used by society to regulate itself, to organise relationships among the various parts of society, to protect the weak and vulnerable, to restrain the powerful, and to ensure a fair distribution of and access to resources. This is how societies are sustained. It distinguishes human beings from the animal kingdom where the law of the jungle prevails. Primitive societies operated with a sense of justice, fairness and human dignity. Communities, cultures and religions have a body of moral laws and values by which they live. (N. Barney Pityana, forthcoming 2008)

In the Teachers’ Guide they are defined simply as, “Human rights are rights that belong to every person, or group of people. They are basic rights that everyone should be able to enjoy, such as the right to life and

liberty, freedom of thought and expression, equality before the law, and many others.”

The starting point is of crucial significance to history teachers and the two descriptions above lead to two different classroom possibilities. The first is that teaching about human rights in history begins with a blank slate. Through discussion and interaction and acquaintance with events of the past the teacher and class is able to build up an understanding of what they consider human rights to be. The second is that one begins with existing statements of human rights and works with them as a documentary base. This rapidly enables the class to become familiar with the range of what other have considered human rights and to understand the implications of codifying such rights (the kinds of language used, the key concepts, such as freedom of, freedom from, justice, respect, equality, equity, the ranking and broad and narrow descriptions). It is the approach that was adopted in the *Teachers' Guide*.

The question next raised is which of the statements of rights to use. Many history teachers grew up with the French Revolution's *Declaration of the Rights of Man and the Citizen* (in reply to which Olympe de Gouges wrote the *Declaration of the Rights of Woman and the Female Citizen* in 1791) as the only list with which they were familiar. The choice is now a very wide one, however, and learners ought to be familiar with more than one statement. The *Teachers' Guide* includes the *Universal Declaration of Human Rights* (1948), the *African Charter on Human and Peoples' Rights* (1986) and the *South African Bill of Rights* (Constitution of the Republic of South Africa, Act 108, 1996). Other notable South African documents are the *Atlantic Charter from the African's Point of View (Africans' claims)* (1943), the *Women's Charter* (1954), and *Freedom Charter* (1955).

Content knowledge

I suggest that the major contribution that history can make to the teaching of human rights is to provide actual contexts within which to explore and discuss these rights. It is relatively easy to create exercises that introduce learners to aspects of human rights and sensitise them to them, but the impact of such exercises is often limited because they have no context and are not seem to be real. The fact that one is working with

the past also makes it easier to be critical without disturbing any present sensibilities. One can help learners, for example, to see themselves differently in terms of their gender roles and interactions by making them aware of the actions and debates of people in the past. A “Surely they didn’t believe that!” comment from a learner, easily becomes a “But that’s not so different from what you say you believe about...” reply from a teacher. The activities presented as examples that follow have been chosen because the content lends itself to these forms of personal discovery and awakening.

Activities involving human rights in history teaching

Three kinds of activities were developed: talking, writing and source activities. Spoken/discussion activities have a specially important role to play as talking human rights is an essential way of coming to grips with what they involve. Through talking, the meaning and implications of a right become clearer, the extent to which it is universal to everyone at all times can be explored, and the consequences of people ignoring, abusing or violating the right can be better understood. A key human right is freedom of thought and conscience, belief and opinion (Article 18 of the Universal Declaration of Human Rights, Article 9 of the African Charter on Human and Peoples’ Rights and Section 15 of the South African Bill of Rights). If it is not observed in the classroom itself when human rights are being taught, the learner’s human rights are being violated.

Two examples each of the activities developed for talking, writing and sources are presented below:

Example 1: Talking: Workers’ rights – migrant labour

Read the following passages

In the chapters of this book, we can see how the demand for workers’ rights developed as a result of years of struggles around working conditions and the right to a living wage. However, these struggles always took place in the greater context of society as a whole, as this book will show.

When men and women left their homesteads to find work in the towns they lost many rights.

These included:

- the right to a home;
- the right to live with one's family;
- the right to dignity;
- the right to earn a living wage; and most importantly;
- the right to be in command of one's own labour (meaning that one has freedom to accept and leave work as one wishes).

In Chapter One, Luli Callinicos sets the scene by exploring the closely interlinked nature of work and family life in the homestead economy before colonial and industrial times. This focus is important because we need to understand how very much the nature of work changed from a land-based society to an industrial society, and how much was lost in the process

Task

Work in pairs. *Imagine* that you have to give a spoken presentation to a committee of parliament that is making new laws about the rights of workers. From the list above, decide in what order to place the workers rights, and why.

Think about the following when you are discussing this between the two of you: Which will be easiest and hardest to achieve? Which is the most "human" right? Which will be the most important to workers? Which will be most important to employers? Which will be most important to the government?

Deliver your speech to the class.

Example 2: Talking: Gender Rights - 16 Days of activism against gender violence

In South Africa, human rights are listed in the *Bill of Rights* of our constitution, adopted in 1996. It begins, "This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of

all people in our country and affirms the democratic values of human dignity, equality and freedom”.

It includes the following rights:

- The state may not unfairly discriminate directly or indirectly against anyone because of gender, sex, pregnancy, marital status, disability and so on.
- Everyone has the right to have their dignity respected and protected.
- Everyone has the right to freedom, which includes the right to be free from all forms of violence from either public or private sources.
- Everyone has the right to bodily integrity and psychological integrity, which includes the right to make decisions concerning whether or not to have children. They also have the right to control over their body.

Have you heard about the 16 Days of Activism against Gender Violence? The 16-Day campaign is a world initiative to raise awareness, to address policy and legal issues, to campaign for the protection of survivors of violence, and to call for the elimination of all forms of gender violence.

November 25 is the start of the campaign each year. This day has been declared International Day Against Violence Against Women. It was officially recognised by the United Nations in 1999.

Task

Read the information above.

Divide the class into groups of boys only and girls only (2 to 4 in each group).

The instruction to the boys’ groups is to think of the best possible way of raising awareness of gender rights among girls during the 16 days, and the instruction for the girls’ groups is to do the same for boys.

Each group should put forward one idea. All the boys and all the girls then meet in two big groups to hear the ideas suggested and choose one.

Two debates in class can follow:

- Half of the girls support the idea that the boys have proposed for raising awareness amongst girls, and half oppose it.
- Likewise, half the boys support the idea that the girls have proposed for raising awareness amongst boys, and half oppose it.

- Or, choose one idea and have mixed halves of the class debate it.

Example 3: Writing: Land and Worker's Rights - Mining and the South African labour system

This is a card sorting activity. "Cards" are small pieces of paper with information written on them. The idea is that learners arrange the cards in different ways in order to help them to decide how to do extended writing (long paragraphs and essays). Card sorting works best with groups of two to four learners, where the learners move the cards around and discuss the best way of ordering them. The order of the information on the cards is then provides the structure for the writing.

Read the following extract from *Turning Points in the Struggle for Worker's Rights in South Africa*:

How did mining contribute to foundations of South Africa's labour system?

The needs of the mines created a pattern that the entire country would use in future years.

- Town councils insisted that residential areas and shops should be racially divided. The landscape of the city included hostels and black locations, which were poorer areas because black people earned low wages
- The pattern also included a lack of training for black workers, and reserving skilled and better-paid jobs for whites.
- The pass laws, with their tight control over the free movement of workers, became a national policy.
- The rural areas became poorer. Economically active men left to work on the mines and in industry. The result was that the women left behind bore the burden. Their unpaid labour subsidised the migrant labour system.
- Above all, both colonisation and industrialisation led to a massive loss of human rights for workers, especially black workers.

Racism was used as a means for further exploitation. Black workers in particular were subjected to fundamental abuses of labour rights. The laws were either actively oppressive, such as the job reservation laws, or they failed to provide protection to black workers. Negative effects for workers included:

- Black workers were not protected from instant dismissal.

- Under the contract system, they were not entitled to paid leave or sick leave.
 - They were not protected from violence in the workplace.
 - In the early years, there was little concern about protecting the health and safety of either black or white miners.
 - Black workers were denied the right to organise into unions in order to bargain for better working conditions or higher wages.
 - The law did not give black workers the right to a living wage.
 - The law specifically denied black people the right to vote, so they had no political power.
 - Neither black nor white workers had the right to share in the proceeds of their productive work.
 - The burden of women's unpaid labour increased.
- job reservation – a system in which certain jobs were kept only for white workers and others only for black workers. The white workers got the better jobs; most supervision was done by white workers.*

Task

Write a piece of extended writing (an essay) containing three or more paragraphs on the topic, “Why South Africa’s labour system was racist before 1994”.

- Choose three or more big points from the passage and write them on cards (see diagram).
- Write down all the other points you can find in the passage on cards. (Such as: job reservation laws were oppressive; black workers were not entitled to paid sick leave, etc.)
- Arrange all the cards under the big points they belong with.
- Write a paragraph about each big point. Include the little points that go with it.

A. An African sugar miller tells his story

The Umvoti sugar mill was placed here in 1861. I was a young man then. The mill was delivered by Queen Victoria to assist the natives who grow at Groutville through the Rev. Mr Grout’s petition. And the mill was set here by Mr Shepstone [the Secretary for Native Affairs].

The regulation was that if we failed to plant for the mill, we should be responsible for it. From 1861 to 1882 I never failed to plant nor to deliver cane to the mill. Then, when the government saw that the mill

Source: Robert F. Osborne, Valiant Harvest: The Founding of the South African Sugar Industry 1848-1926. Durban, South African Sugar Association, 1964, page 137.

B. Mr Makabani, a mill owner, described the difficulties of running the Umvoti sugar mill

When we entered the mill we bought a boiler, each of us paying £85, a total of £340. By and by Mlau died, and three remained. After a time, Mhlonono and Philip failed. The engine now wants to be repaired, also the cooling vats for the sugar, the loading house and stable, whilst batteries want to be replaced, and the wetzels pans. The other two could not do the above, so I myself removed them and replaced all the things. Then the rinderpest came. ... I have not yet paid the repairs of the mill, and where shall I get the money? The mill is right enough to crush the cane today, if there is cane. But there are no oxen, no ploughing. Rinderpest has ruined us.

Source: Robert F. Osborne, Valiant Harvest: The Founding of the South African Sugar Industry 1848-1926. Durban, South African Sugar Association, 1964, page 137. rinderpest - an infectious disease of cattle, caused by a virus. The cattle got a fever and diarrhoea, and often died.

C. Ghandi's view

"Having observed the system for nearly eighteen years, I have come to hold very strong views on the question of indentured emigration from India. Even if it were possible to secure fair treatment from the masters (which it is not) the system is inherently bad. As a solution of the problem of poverty such emigration has in no way proved helpful. As a nation we lose in prestige by sending our poorest brethren as practically slaves. No nation of free men will tolerate such a system for a moment" (Mohandas Gandhi, 1911).

Source: Collected Works of Mahatma Gandhi, Vol. XI. New Delhi, Government of India, page 96.

D. Employment in sugar mills

On any sugar estate one could find indentured Indians, free Indians, local African labour, foreign African labour and some white skilled labour. In 1885 the Natal Central Sugar Company, one of the larger employers, had the following numbers:

Indentured Indians: 467 men, 9 boys, 151 women and girls

Free Indians: 143 men, 26 boys, 27 women
 Africans (including watchmen): 40
 In 1901 there were 8 747 Indians employed in the sugar mills compared to 552 Africans and 161 whites. Because it involved some skill, mill work paid much higher wages than field work.

Task

Compare the evidence in the sources about the situation of the African millers (Sources A and B) to the Indian indentured labourers (Sources C and D) in terms of human rights. Use the table below or make a mind map of your own:

	African millers	Indentured labourers
	Rights that they had	
Evidence you are sure of:		
Evidence you are uncertain of:		
	Rights they <i>should</i> have had	
Evidence you are sure of:		
Evidence you are uncertain of:		

List of possible rights:

- The right to a home;
- The right to live with one's family;
- The right to dignity;
- The right to earn a living wage; and most importantly;
- The right to be in command of one's own labour (meaning that one has freedom to accept and leave work as one wishes);
- The right not to be held in slavery or servitude; slavery;
- The right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment;
- The right to equal pay for equal work.

Example 4: Sources: Youth Rights – Education as a human right

Read the following extract from the book *Soweto: Black Revolt, White Reaction*, written by John Kane-Berman in 1978. pages 24-25, paying particular attention to the highlighted parts.

Khotso Seatholo, president of the Soweto Students Representative Council [said] in a press statement in October 1976:

We shall reject the whole system of Bantu Education whose aim is to reduce us, mentally and physically into 'hewers of wood and drawers of water' for the white racist masters. Our whole 'being' rebels against the whole South African system of existence, the system of apartheid that is killing us psychologically and physically. The type of education that we are receiving is like poison that is destroying our minds. It is reducing us to intellectual cripples that cannot take a seat within the world community of academics... Twenty years ago when Bantu Education was introduced, our fathers said, 'Half a loaf is better than no loaf.' But we say, 'Half a gram of poison is just as killing as the whole gram.' Thus we strongly refuse to swallow this type of education that is designed to make us slaves in the country of our birth...

One Soweto schoolteacher said that among some pupils alienation went so deep that it involved a total rejection of the white-controlled political economy. Some of the more radical pupils did not want any kind of job in the white man's economy, which they saw as racist and exploitative. Education was not seen as a means of furthering themselves within the economy, but as a way of acquiring the knowledge to change or overthrow it. Another teacher said that teachers were jeered at when they asked pupils to study, and that many were now coming to school not for the formal instruction but to discuss among themselves the

‘political situation’ and the ‘liberation struggle’ It was also reported that many children in Soweto were saying that the only way they would get equality in education was to go to the same schools as whites.

Relentless everyday experience is as important a factor in the education of black youth as formal classroom curricula. ‘Every black home,’ observed the Re. Barney Ngakane, ‘is a political school. The husband comes home every day and tells his wife how he has been kicked around and arrested for things like pass offences. The children are listening and they take all this in. This is why African schoolchildren have become politically aware so easily.’

The principal of a school in the Free State [said] that ‘students are becoming far more aware of History and politics than they were several years ago, and thus far more conscious of themselves and things happening around them. They learn of colonialism, imperialism, decolonisation and the independence movement on the African continent. Then it comes down to themselves.... They have told me, “We are so fed up with apartheid we would rather have communism.”

Task

Article 26 of the Universal Declaration of Human Rights says:

- everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit;
- education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace;
- parents have a prior right to choose the kind of education that shall be given to their children.

In Soweto in 1976, students were not protesting because they did not have schools, but about the kind of education they were receiving.

Find examples from the extract that show that their education in 1976 was not in accordance with the Universal Declaration of Human

Rights:

The Universal Declaration of Human Rights:	Education in township schools in 1976
Education shall be directed to the full development of the human personality	
the strengthening of respect for human rights and fundamental freedoms	
It shall promote understanding, tolerance and friendship	
Parents have a prior right to choose the kind of education that shall be given to their children	

Discussion

Two principles inform the talking activities. The first is that structured personal discussions that engage all members of a class are required. Pair work (Example 1) is a crucial element in this. Finding ways to facilitate meaningfully dialogue in pairs is vital to successful teaching on human rights. Secondly, classroom debate (Example 2) where two halves of the class are against each other is a very powerful tool for helping learners to understand what it means to have to take positions and defend them. The cut and thrust of debate on a well-chosen motion will always expose learners to a much wider range of opinion than would otherwise be possible. The task of the history teacher is then to help them to consolidate their newly found ideas.

The writing activities have been chosen, similarly, because they create a structure for understanding about human rights to be put down in

writing. As there are so seldom issues that are completely clear cut in human rights, it is important that learners be given structures which allow them to categorise and organise their views and opinions. Example 3 does this by means of card sorting. In Example 4 the device of a writing frame to provide the initial structure for an answer fulfils a similar purpose.

The source-based activities were chosen to show that significant learning about human rights can take place with a few carefully selected documents and to demonstrate that source work does not simply involve answering lists of short questions. The use of tables in Examples 5 and 6 is designed to help learners to move away from looking for specific short answers to being able to engage with the sources as a whole.

The overriding approach in all of the examples is that the activities depend on learners coming to grips with the historical content while at the same time getting to know and working with statements of human rights.

References

Department of Education (2003) National Curriculum Statement Grades 10-12 (General) History. Pretoria: Department of Education.

Institute for Justice and Reconciliation (forthcoming 2008) Turning Point in Human Rights series of five book and teacher's guide. Johannesburg: STE publishers.