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# Human Rights and the Construction of Identities in South African Education

## Abstract

This thesis is based on an exploration of human rights (in) South African education. In order to do so, however, it has been necessary to explore the origins of the notion of human rights in both its philosophical and legal senses. It covers the ways in which the claim of an equality of all human beings has developed historically and the ways in which they are articulated in the Universal Declaration of human rights and in the "new" South African Constitution. However, the argument in this thesis is that human rights tend to be generalised and universalised, and as such do not adequately address the ways in which human rights are experienced in specific social formations and in the contexts of particular people's lives. In order to make human rights more specific and personal, I apply a sociology of human rights using Stuart Hall's "theory of articulation" and demonstrate what this sociological analysis means in the context of South Africa under apartheid. In addition, to prevent reifying social categories and privileging particular types of human identity, I explore human rights under apartheid in relation to 'race', gender and sexual orientation. Throughout, I point to ways in which these identities and social categories interconnect with each and balance micro and macro approaches to an analysis of apartheid.

Methodologically this thesis uses Sarah Lawrence-Lightfoot's approach of "portraiture" in order to capture personal lives within a macro context and I provide accounts in this respect of Nelson Mandela and Simon Nkoli. I have also used a combination of quantitative and qualitative approaches in my investigation of experiences of human rights in South African education. Teachers' and learners' questionnaires were conducted

in schools in the Western Cape, KwaZulu-Natal and Gauteng in South Africa between 1996 and 1998. In addition, individual interviews with Grade 9 teachers were conducted and group interviews with Grade 9 learners in these schools were also done. Classroom observations in three schools, one in each of the provinces, were also conducted, and individual interviews with two gay learners also form part of the empirical data of this study. A national survey of what human rights programmes were used by educational institutions and organisations was also conducted. The thesis also contextualises the sampled schools experiences within the post-apartheid dispensation in South Africa, providing an account of how human rights are framed in South Africa generally and in the South African educational system in particular. Approaches to human rights (in) education are also covered, as are the principles of a human rights education. The conclusions that I arrive at in this thesis are that there are interventions in regard to human rights in South African education which tend to be located within legalistic and integrated approaches. In addition, experiences of racism in the sampled schools are prevalent within an assimilationist mode. In regard to sexual orientation, sex, gender and sexuality are conflated but the provision of human rights in terms of sexual orientation has had a positive impact on the sampled gay learners in this study. Finally, I argue that the sociological approach to human rights is useful and generative and has enabled this study to access an understanding of human rights in generalised macro terms and in specific contexts of people's experiences.

**Key words: Human rights, human rights education, human rights in education, human rights under apartheid, human rights in South African education, 'race', gender, sexual orientation, a theory of articulation and portraiture.**