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HUDSON  
RIVER  
VALLEY  
REVIEW

*A Journal of Regional Studies*

**MARIST**

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## From the Editors

As we began assembling this issue, another colleague mentioned that Eleanor had once visited his grandparents, where his grandfather had been stationed in Japan. Eleanor mentioned them by name in her June 19, 1953 “My Day” column. “FUKOAKA, Japan...went to the Consul General, Mr. Zurhellen’s house. Mr. and Mrs. Zurhellen very kindly invited us to spend the night and it was a joy to see such a happy American family, four boys and a baby girl, all learning to be good Americans but at the same time all learning to speak Japanese in the most painless way. ...On the way up we had a glimpse of Fuji again, just the top floating in the clouds, and now we are catching up on mail which was awaiting us in Tokyo.”



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*The Hudson River Valley Review* is anxious to consider essays on all aspects of the Hudson Valley—its intellectual, political, economic, social, and cultural history, its prehistory, architecture, literature, art, and music—as well as essays on the ideas and ideologies of regionalism itself. All articles in *The Hudson River Valley Review* undergo peer analysis.

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President and Chair of the Commission on Human Rights, Eleanor Roosevelt, looking at the Universal Declaration of Human Rights.

# The Universal Declaration of Human Rights and Education

Examining the Issues and Vital Voices for Women and Girls through Comparative Educational Biography

*Thalia M. Mulvihill*

*“Where do human rights begin? In small places, close to home, so close and so small that they cannot be seen on any maps of the world.”*

—Eleanor Roosevelt

*“It is in these small places—homes, schools, health clinics, markets—that women are lifting up their lives and the lives of their families...perhaps it all begins in the smallest of places—in our hearts and our minds, who we are as women, as human beings, our relationships, our connections with one another.”<sup>1</sup>*

—Hillary Rodham Clinton

The Universal Declaration of Human Rights (UDHR) is arguably *the* international project of the twentieth century.<sup>2</sup> It spawned many significant forums, conferences, and policy directives that continue to guide the international community’s conscience and actions with regard to women and the girl-child. For example, in the 1990s alone, the UDHR served as the cornerstone document for the World Conference on Education for All, held in Jomtien, Thailand (1990); the World Summit for Children (1990); the United Nations Conference on Environment and Development (Rio, 1992); the World Conference on Human Rights (1993); the International Conference on Population and Development [ICPD] (Cairo, 1994); the World Summit for Social Development (Copenhagen, 1995); the Fourth World Conference on Women (Beijing, 1995); and the formation of the Committee on the Elimination of Discrimination Against Women (CEDAW).

This paper is designed to look, in particular, at Article 26 of the UDHR—which focuses on the right to education—by tracing its origins and uses via biographical methodologies.

Article 26 reads:

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.<sup>3</sup>

What do educators need to know about Article 26 and the central issues it raises? Who have been the vital voices for women and girls in the effort to secure education as a human right? And why are historical biographers well-equipped to bring these issues into the public debates? Educators and the public in general need to be acquainted with the history of the UDHR; the subsequent documents, policies, and actions generated by the guardians of the UDHR; and the current state of affairs related to the effort to secure education as a human right. This paper addresses these questions through a comparative biography of Eleanor Roosevelt and Hillary Clinton focusing on their educational and political work.

## Historical Background of the UDHR and Eleanor Roosevelt's Role as Educator

As Chairman of the Human Rights Commission, Eleanor Roosevelt led the passage of the Universal Declaration of Human Rights in 1948.<sup>4</sup> The Economic and Social Council established the U.N. Commission on Human Rights in 1946, and Eleanor Roosevelt was named the United States representative. She was appointed to Committee III, the Assembly's Economic and Social Committee, because most of the men on the delegation, including John Foster Dulles and Senator Arthur Vandenberg (both Republicans), considered that committee an area where she couldn't stir up too much trouble. She worked tirelessly from 1946 to 1948, chairing eighty-five meetings of Committee III. At three a.m. on December 3, 1948, the call came that "the nations of the world had agreed to create this new common standard for human dignity."<sup>5</sup> Forty-eight nations voted yes; there were eight abstentions (Byelorussian SSR, Czechoslovakia, Poland, Saudi Arabia, Ukrainian SSR, Union of South Africa, USSR, and Yugoslavia) and no dissenting votes. Mary Beard, the historian famous for her work in the 1940s such as the well-

known *Women as Force in History*, described Eleanor Roosevelt as reaching “to the borderlands of political, social and cultural change.”<sup>6</sup> President Truman called Eleanor Roosevelt the “First Lady of the World” because of her unprecedented work at the United Nations.

It is my contention that Eleanor Roosevelt’s (unspoken) identity as a political and social educator allowed her to build a successful consensus-building strategy as a woman in a leadership position, speaking to the hearts and minds of other women. Fortuitously, she was offering a new model for teacher-activists concerned with women and girl-children. She was not unlike other nineteenth- and twentieth-century reformers when she balked at being identified as a feminist. However, the gender question would be directly and indirectly responded to by Eleanor Roosevelt. In the heat of discussions over passage of the UDHR, the delegate from India, who was a woman, protested the draft’s phrase “all men are created equal” because it might be interpreted to leave out women. Joseph Lash reported that Eleanor Roosevelt responded with her assessment that “American women had never felt cut out because the Declaration of Independence said “all men,”... but [she] yielded when [the delegate from India] told her, “if it says ‘all men’ when we get home it will be all men.”<sup>7</sup> The final 1948 version of the Declaration read, “All human beings are born free and equal in dignity and rights.” Furthermore, it addressed the needs of children specifically with text such as, “All children, whether born in or out of wedlock, shall enjoy the same social protection.”

Roosevelt was also not unlike other female educators who were warriors for social change. Many women educators believe in the social reconstructionist possibilities of education and view educational institutions as the most important catalysts for reforming not only local communities, but the world. Some argue that this tradition of education for social reconstruction involves a spiritual dimension that, mixed with democratic values, charges women with the task of “Sweeping the world clean.” This was the metaphor Emily Dickinson used in a poem she wrote in 1861 to describe the inherent nature of women to accept the responsibility to be the caretakers for the universe. Amanda Porterfield analyzed this Dickinson poem by claiming that domestic beauty is a metaphor for spiritual transformation. Porterfield wrote, “The receptivity to change and the capacities to see one’s environment as a home and oneself as a maker of a home characterize a tradition of spirituality that has played a powerful role in the history of American culture.”<sup>8</sup> Envisioning the world as a home and herself as having responsibilities to be the maker of that home, Eleanor Roosevelt used her abilities as an educator to negotiate one of the most complicated and challenging international agreements to date.

In 1933, Eleanor Roosevelt became the first First Lady to hold press conferences; only female reporters were admitted. This decision is another example of her determination to use her voice as an educator. So was her insistence to write directly to the people in her syndicated column called “My Day,” which she wrote from 1935 to 1962, and her willingness to answer direct questions (mostly from women) through her monthly column that appeared in the *Ladies Home Journal* (1941–49) and later *McCalls* (1949–62).

Val-Kill, first a non-profit furniture factory in Hyde Park, New York, that Eleanor helped to found, became a retreat for her during her life. Today known as the Eleanor Roosevelt Center at Val-Kill, the organization maintains a strong and vital educational agenda to continue the legacy of Eleanor Roosevelt by emphasizing the need for education to move people to social action. Eleanor Roosevelt’s leadership in promoting human rights, democracy, inter-racial understanding, international peace, and the enduring need for the United Nations are some of the driving themes that Val-Kill is committed to advancing.

In recent history, First Lady Hillary Clinton has been a high-profile champion for rights for women and children, both in the U.S. and abroad. For example, fifty years after the creation of the UDHR, Clinton reminded her audience that “Human rights are not given to us by a parent or the government; they do not miraculously appear when we turn eighteen; no piece of paper can give them or take them away.”<sup>9</sup> Clinton provided a special focus on the relationship between education and the state of affairs of women and children throughout the world when she reported in 1997 that 140 million primary school age children are not in school; sixty percent of that number are girls; seven million children die every year from malnutrition; 585,000 women die of childbirth complications; 250,000 children in Haiti are enslaved as domestic servants; 100 million children are living on the streets in the developing world; women make up seventy percent of the world’s poor; two-thirds of the 96 million people worldwide who can neither read nor write are women.” She concluded with the assertion that “Rights on paper that are not protected and implemented are not really rights at all.”<sup>10</sup> While the relationship between education and well-being is being constructed by many scholars, activists, educators, and others, how people define “education” remains crucial to the debates.

## The Education Question

It cannot be assumed that each official document calling for action to secure the right to education defines education in the same way. Joel Spring, working to clarify the difference between “the right to education” and “the right to a democratic education,” claims that “Placing the right to an education in the hands of the individual negates the right of a government to impose an education. The imposition of an education by the state results in an education that serves the interests of the state. In contrast, the right to an education places the citizen in the position of demanding an education that serves their interests.”<sup>11</sup> This recognition of the relationship between education and government raises moral questions that educators must be engaged in.

The organization for Economic Cooperation and Development (OECD) and the World Bank understand education as a “form of economic investment, and consequently, the value of education is measured [only] by its contribution to economic growth.”<sup>12</sup> This limitation makes it very difficult for some of the issues essential to women and girls to be adequately addressed. Women’s contributions to the economy are often rendered invisible and their experiences with the economy are rife with human rights violations of every nature. The use of the term education (presumed to be a nonpolitical term in economic rhetoric) often serves as a camouflage for harmful social, political, and economic policies for women and girls. For example, the World Bank, created in 1946, provides loans to developing nations and “recently has made education loans a top priority.”<sup>13</sup> “Beginning with its first \$5 million loan to Tunisia in 1962 for school construction, the World Bank, by 1995, had loaned \$20 billion for 500 education projects in over 100 countries.”<sup>14</sup> Armeane M. Choksi, the World Bank’s vice president of Human Capital Development, reconfirms the economic-only connotation of the term education with the following: “The World Bank finances education because it is a sound economic investment with high returns and many external benefits to society.”<sup>15</sup> In the language of the World Bank, education becomes reduced to an economic article of trade.

Beyond the competing descriptions of the purposes of “education,” there are related questions of access, curriculum, qualifications for educators, and equity that need to be addressed. For example, Spring raises the following questions: “what subjects should be included in an elementary education? . . . Is there a conflict between teaching human rights and parental choice? . . . Could a parent choose an education that did not promote human rights, freedom and peace?”<sup>16</sup> We know of the numerous human rights violations that are supported by cultural and political systems, such as female genital mutilation, denial of freedom of speech, and the

torture of political dissenters. The complex questions of what material ought to be included within the curriculum in order to be in compliance with Article 26 are perhaps the most difficult to work through. Who ought to be responsible for selecting, preparing, and evaluating the educators charged with creating the educational environments necessary for bringing the “right to education” to fruition? What constitutes an equitable education? Is it possible to arrive at a universal notion of what constitutes an education that is “directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms [in an effort to] promote understanding, tolerance and friendship among all nations, racial and religious groups and shall further the activities of the United Nations for the maintenance of peace.”<sup>17</sup> These are some of the central, and enduring, questions put before the organizations and bodies responsible for urging and/or demanding compliance with the UDHR.

## Compliance and Continuation of the UDHR’s Commitment to Education

In 1960, at the Convention against Discrimination in Education, the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted nineteen Articles in an effort to secure education as a basic human right and to prevent and eliminate discrimination in education. “Discrimination” in this document was defined as including “any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education.”<sup>18</sup> In particular, the document was concerned with issues of access to education, of quality of education, of establishing or maintaining separate educational institutions, and with issues of dignity.

In 1993, the United Nations Conference on Human Rights, held in Vienna, created the position of High Commissioner on Human Rights. Mary Robinson was the first to hold the post. The Vienna Declaration and Programme of Action reaffirmed the principle of the universality and indivisibility of all human rights. Lilian Careon Mercado and others claim that human rights conventions need to be criticized for their “generic rather than gender specific approach to human rights and for contributing little to the articulation of specific rights... affecting women.”<sup>19</sup> Mercado also claims the language of international human rights law is too narrow to speak to women’s issues.

In her book *Women Reshaping Human Rights* (1996), Marquerite Guzman Bouvard explains some of the inherent difficulties in reconciling human rights



and women's rights: "... the very language and concept of rights derives from the liberal political tradition focused on the political activities of male citizens."<sup>20</sup> She was referring to John Locke's natural rights theory, which held that the state is responsible for guaranteeing political and civil freedoms and rests upon a clear distinction between public and private. For women, Bouvard argues there cannot be such a stark separation between the public and the private because it only serves to negate the abuses of freedoms in their lives. She also claims that one of the strengths of the UDHR was that it included economic, social, and cultural rights as well as political and civil rights. These rights are further incorporated in the International Covenant of Economic, Social and Cultural Rights and in the European Social Charter. Bouvard believes there exists a reluctance in most human rights organizations associated with the U.N. to address the structural problems that generate social and economic problems. Furthermore, she claims that the moving of the Commission on the Status of Women and the Committee on the Elimination of Discrimination Against Women from Vienna to New York City (in 1993) has alienated the Geneva-based U.N. bodies from the information they need to respond to women's human rights issues.

Hilary Charlesworth and others have created some groundbreaking research focused on the relationship between the theoretical constructs of "women's rights" and "human rights," especially through the application of feminist theories.<sup>21</sup> Charlesworth moves the theoretical into the practical through her position as a Hearing Commissioner for the Human Rights and Equal Opportunity Commission. Another complication lies in the fact that very few women hold positions that make human rights policy or monitor for compliance to current policy. Marsha A. Freeman reports that "six of the thirty-two Special Rapporteurs/Special Representatives/Working Group Chairs appointed by the CHR [Commission on Human Rights] to investigate particular human rights situations are women."<sup>22</sup> One of those six is Radhika Coomaraswamy, the U.N. Special Rapporteur on Violence against Women. She believes that the discourses of international law work against securing human rights for women. Freeman explains this problem by reminding us that "human rights is a legal construct, but its enforcement mechanisms are almost entirely political, even those that appear legal."<sup>23</sup> Special Rapporteurs like Coomaraswamy are "Independent in that they are chosen for their expertise and are bound only by their mandate from the commission. They are not required to take instruction from their own or any other government. Usually they are recognized academic experts, and many have strong ties to human rights NGOs."<sup>24</sup> Freeman claims that "until recently, human rights theory and practice have concentrated primarily on identifying government

violations of the Universal Declaration of Human Rights and other sources of International law. This approach is effective in addressing civil and political rights but is more difficult to... deliver on rights such as education and healthcare.”<sup>25</sup>

Recognizing these problems, as well as problems associated with compliance and enforcement in 1999, the Commission on Human Rights, put forward a resolution focused on integrating the human rights of women throughout the United Nations system.<sup>26</sup> Simultaneously, the United Nations Children’s Fund published its report, *The State of the World’s Children 1999*, and placed special emphasis on the right to education.

## Guardians of the Right to Education

The creation and evolution of the UDHR has been undergirded by developing notions of what it means to be human, what it means to be female, and what ought to constitute a human right. During its tenth World Congress of Comparative Education (Cape Town, 1998), the International Council on Education for Teaching heard a paper entitled “Globalization of Education and Teacher Education.” In it, Brazilian Professor Jacira da Silva Camara claimed that “Education has been considered, worldly, not only by educators but also by professionals of different fields, as fundamental to comply with the challenges of the next millennium. Social issues are related and will be solved through education.”<sup>27</sup> Paulo Freire, a fellow Brazilian and father of critical education theory, is invoked in order to further clarify the connection between education and the social order:

To Freire (1997), [the] knowledge necessary to [use a] educative-critical practice [which is] based on a pedagogical ethic and [on] a vision of the world, involves a variety of values, [competencies] and abilities that derive [from] the [human] capacity [for] critical reflection on practice, common sense, curiosity, esthetic and ethic, methodical strictness, respect [for] the educating person’s knowledge, dialogue availability, corporeity of words through examples, [the] conviction that change is possible, acceptance of the new, apprehension of reality, security, decision-making, happiness and hope, humbleness, tolerance and even the fight to defend [human] rights.<sup>28</sup>

Social scientists, especially feminists, have aided these conversations through their emphasis on interdisciplinary knowledge construction. Advocates of feminist pedagogies such as Bell Hooks, with her notions of “engaged pedagogy” and education as a “practice of freedom,” and Kathleen Weiler, with her emphasis on ideas about the forms and functions of “resistance” within public school settings,

all are predicated on the basic belief in the right to education for all, and give special attention to securing and enhancing that right for women and the girl-children of the world. Many women human rights activists have been teachers. For example, Gertrude Mongella, the assistant secretary-general of the U.N. and the director of the U.N. Fourth World Conference on Women, was a teacher and an inspector of secondary and teacher-training colleges.<sup>29</sup>

Some substantial debates have arisen within the group of people struggling as guardians of the right to education. For example, along with competing understandings of the purposes of education, there are issues of colonialism that create tensions. First Lady Hillary Clinton responded to the criticisms that the construction of human rights, and its accompanying rhetoric, are further manifestations of colonialism with these words:

There are others who say that human rights are a Western invention, and that they come from a Judeo-Christian base, and that they do not have universal application. But we know differently. We can go back and trace the roots of the beliefs that are set for in the [Universal] Declaration [of Human Rights]. They were not invented fifty years ago. They are not the work of a single culture, whether it is Confucius who articulated such rights in ancient China, or Sophocles who wrote about 2,500 years ago about such rights when he had Antigone declare that there were ethical laws higher than the laws of kings. But whether it is the Golden Rule, which appears in every possible religion in one form or another, we know that at root we understand, whether we admit it or not, that we as human beings are bound to each other in a mutual web of respect that we should nurture for our own sake, as well as for others.<sup>30</sup>

Clinton reported that she received more reaction to her Beijing pronouncement that “women’s rights are human rights and human rights are women’s rights” than she ever expected:

I have been overwhelmed by the response that speech received, and also bewildered that the proposition would be open to question. Yet we know that even in advanced democracies such as ours, where these conditions [where families and communities flourish] are present for the vast majority of women, women’s roles and rights are still being debated. They are being debated among women as well as between men and women, with implications for whether our democracies will meet the challenges of the future.<sup>31</sup>

Clinton has made it a tradition to refer to Eleanor Roosevelt and her work in many of her public addresses. It is clear that she holds Eleanor Roosevelt in the highest esteem. On one such occasion she said:

Wherever I go as First Lady, I am always reminded of one thing: that usually Eleanor Roosevelt has been there before. I have been to farms in Iowa, factories in Michigan, and welfare offices in New York where Mrs. Roosevelt paid a visit more than a half-century ago. When I went to Pakistan and India I discovered that Eleanor Roosevelt had been there in 1952, and had written a book about her experiences.<sup>32</sup>

Hillary Clinton is fond of telling audiences one of her favorite Eleanor Roosevelt stories:

It was a day in the 1950s, and [Eleanor Roosevelt] had a speech to give in New York. She was so sick that her throat was literally bleeding. Everyone wanted her to cancel, but she refused. She drove from Hyde Park to 125th Street in Harlem, and when she got out of her car, a young girl with her face beaming handed her a bouquet of flowers. Eleanor Roosevelt turned to the person with her and said, "You see, I had to come. She was expecting me." Well, they were always expecting her and she always came.<sup>33</sup>

The rights of women and girls have been aided by the UDHR and the United Nations' leadership in bringing women together in international forums to forge alliances. Speaking to an audience brought together to celebrate International Women's Day in March 1999, Hillary Clinton celebrated the new advances that were being made for women, such as the decision by the government of Yemen to waive the "tuition fees for elementary school girls in order to encourage families to send them to school," and the fact that "Turkey passed the Family Protection Law making spousal abuse a crime," and that the women of Nigeria, "who have struggled thirty-nine years for this moment, are celebrating the overturning of a traditional practice that denied widows inheritance rights."<sup>34</sup>

The United Nations Fourth World Conference on Women (Beijing, 1995) clearly announced that "women's rights are human rights, and human rights are women's rights." Amnesty International played a critical role in establishing the human rights parts of the Beijing Declaration and Platform for Action. In paragraph 8, the participating governments reaffirmed their commitment to the U.N. Charter and the UDHR, as well as to the following documents: the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, the Declaration on the Elimination

of Violence Against Women, and the Declaration on the Right to Development.

The crowning assertion that “women’s rights are human rights” was placed in paragraph 14 of the Beijing Declaration. And in paragraphs 9 and 23, the pronouncement that “the full implementation of the human rights of women and the girl-child as an inalienable, integral and indivisible part of all human rights and fundamental freedoms, . . . [necessitates] that effective action against violations of these rights and freedoms [must be taken].”<sup>35</sup> Many have interpreted this assertion to have direct implications for the right to education.

## Current State of Female Education

In 1990, at the World Conference on Education for All, President Hossain Muhammad Ershad of Bangladesh proclaimed that “when you educate a woman, you educate a nation.”<sup>36</sup> According to the University of Iowa Center for Human Rights, “over 125 million children, most of them young girls, never see the inside of a classroom. Another 150 million children receive schooling of such low quality and such high cost that they drop out of school soon after they start.”<sup>37</sup>

In June 2000, the United Nations General Assembly held a special session (referred to as Beijing Plus Five) to review and appraise the implementation of the Beijing Platform for Action. One of the results was a new document that more than 180 countries agreed to; it reaffirmed the need to eliminate the gender gap in education, setting a target date of 2005. The rhetoric of this special session mirrored that presented by Clinton in 1998.

While addressing an audience gathered at a conference sponsored by the United States Agency for International Development on Girls’ Education, held in Washington, D.C., in 1998, Hillary Clinton strongly announced that

Education is no longer viewed as a luxury for some, but as a necessity for all. The World Bank has said repeatedly that education provides the highest rate of return of any investment in developing nations. And that is especially true of girls’ education. Because we know that when we educate a girl, we improve health of women and families. We know that a woman who has a single year of education has children that have a better chance of living . . . When we educate a girl, we decrease poverty by helping women support themselves and their families. A single year of education usually correlates with an increased income of ten to twenty percent for women later in life.<sup>38</sup>

Three years earlier, the U.N. Commission on the Status of Women issued this statement about its priority themes of education, literacy, and training:

The right to education is universally recognized. Female education is considered a powerful instrument of public action and a catalyst for economic and social change. Investing in educational opportunities for girls yields perhaps the best returns of all investments in developing countries. Recently, the focus has been shifting from mere access to education to the quality, type and appropriateness of education and training for women throughout their lives. The elimination of gender bias from curricula, textbooks and teacher attitudes and the introduction of supportive measures are ways to improve female education. Improved access to training in science and technology is also considered important, in order to prepare women for the twenty-first century.<sup>39</sup>

Another important dimension of the struggle to secure education as a human right is the continuous participation of women in the political process. Clinton recognized the importance of women's involvement in the political process today, especially around issues impacting human rights. She often advocated in her public addresses for women to become active in their community and national organizations, to participate in local and national elections, and to support the campaigns that will send more women into public office. She recognized that women are under-represented in legislatures around the world, yet noted progress that is being made. For example, in 1998 women filled thirty-three percent of the Senate seats in the Bahamas, while in Argentina women held twenty-eight percent in their lower congressional House.<sup>40</sup> All types of engagement in the political process will help secure education as a human right, in turn establishing the interdependent relationship between all of the human rights delineated in the UDHR.

Hillary Clinton signaled the need for continued vigilance toward human rights when she was invited to speak at the Eleanor Roosevelt Lectures in 1998: "There are still too many excluded from the Declaration, too many whose suffering we fail to see, to hear, to feel, or to stop."<sup>41</sup> And the largest part of the "too many" she refers to are women and girl-children. The agenda for the articulation and protection of human rights is large, and one significant component must continue to be the educational needs of the women and girl-children of the world. Educators of all types must recognize their responsibility in joining these efforts.

## Endnotes

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