

## Book and media reviews

# Important scholarship on the right to education and universality

Fredman, S., Campbell, M., and Taylor, H. (Eds) (2016). Human rights and equality: Comparative perspectives on the right to education for minorities and disadvantaged groups. Bristol (UK) and Chicago, IL (North America): Policy Press. 177pp., US\$63.25 (hardcover) ISBN: 978-1-4473-3763-8. Also available as ePub ISBN: 978-1-4473-3765-2; Mobi ISBN: 978-1-4473-3766-9; epdf ISBN: 978-1-4473-3764-5.

### Reviewed by

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This edited book offers ten contributions concerned with the interesting and imperative issue of concretising human rights and equality in education. The contributions involve analyses of specific challenges in jurisdictions such as Ireland, Kenya, South Africa, the United States (New York) and India, and include pedagogical explanations of the contexts of each case. The ten contributions are divided into four parts. Part I is concerned with the role of public and private actors in education. Part II is about balancing the right to freedom of religion and culture and the right to education. Part III covers gender equality in education. Part IV focuses on litigation for educational quality and equality.

The book is accessible throughout and easy to read, while maintaining an emphasis on key challenges for theory and practice in each of the different chapters. As a result of this design the chapters' conclusions have a wide relevance that goes beyond the cases that are discussed. Indeed, the comparative dimension is one of the book's strengths, as the ten delimited contributions connect to broader issues relevant to education and equality in both

the global South and the global North. It is aimed at readers committed to education and its role in sustainable development and the future of human rights.

The key questions raised in Part 1 relate to the state's responsibility to guarantee the welfare of children and the quality of delivery when education is provided via private actors. The authors point out the state's remaining accountability for rights violations in educational settings (Conor O'Mahony) and the need for effective state regulation vis-à-vis private actors' operations (Gilbert Mitullah Omware), but they also show how private initiatives can contribute to enhanced quality and the overcoming of legacies of oppression (Melanie Smuts). Part II develops some of these issues, as the interconnections between different and sometimes contrasting rights are highlighted. One example is how private actors might attempt to use minority rights deceptively in order to create leeway in relation to norms and standards guaranteed by law (Jayna Kothari). We also have the example of the complexity of language rights in law and practice when a minority language holds a relatively privileged position (Michael Bishop). Part III underscores the importance of gender equality for human rights in education by shifting to substantive equality rather than using quantitative measurements of access as the focus (Sandra Fredman), and we also read about the positive obligation under the Convention on the Elimination of Discrimination Against Women (CEDAW) for states to provide good-quality sex education for girls and women, even when conservative and religious norms are working against equality and girls' human rights (Meghan Campbell). Part IV brings forward the question of litigation as a procedural struggle for equality in education, by focusing on the relationship between quality and equality and illustrating how litigation can bring constitutional questions and uneven public investment in education into the light (Helen Taylor). This theme is also developed when discussing constitutional guarantees for quality and various stakeholders' responsibilities in education, where court process can be an important route for furthering engagement (Jason Brickhill and Yana van Leeve). Part IV ends with a concluding chapter in which the editors recap some of the contributors' analytical findings.

Many of the topics brought up in this edited book could be seen as dealing with human rights challenges in different types of capitalist welfare states – of course with different formats and fiscal dimensions. Marketisation is undermining equality, universality and thereby human rights within (welfare) states. The concept of the welfare state is, however, not expanded on in this book. Such an approach is by no means mandatory (and the welfare state literature is certainly wide and diverse) but some analysis could have helped to bridge equality and human rights by further acknowledging the system that creates inequality and oppression, i.e., capitalism. Seen from my own jurisdiction (Sweden), I can identify points of connection between education and equality that, to some extent, relate to every chapter: for example, issues concerning 'integration', multilingualism and public responsibility for private schools.

Conversely, however, in the Swedish context educational issues are primarily treated as welfare state matters (the delivery of public services) rather than human rights dilemmas. This is one example of how the book's insights about human rights and equality could contribute to further scholarly discussion. Moreover, with regard to teaching, master's courses could benefit from using the whole book or a selection of chapters as points of departure for discussions. Another possible audience could (or should) be policymakers and activists, not least because education is a key political and legal area for the realisation of human rights and equality. Consequently, I hope that this book receives the positive attention and wide use that it so much deserves.