UNIVERSITY OF CAPE COAST

HUMAN RIGHTS AND FREEDOMS IN THE ADMINISTRATION OF

THE UNIVERSITY OF CAPE COAST: EXPERIENCES OF STUDENTS

AND ADMINISTRATORS

FRANCIS KWAKU KYEREMEH

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THE UNIVERSITY OF CAPE COAST: EXPERIENCES OF
ADMINISTRATORS AND STUDENTS

BY

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DECLARATION

Candidate's Declaration

I hereby declare that this thesis is the result of my own original research and that no part of it has been presented for another degree in this University or elsewhere.

Candidate's Signature: …………………….……………Date: …………....…

Name: Francis Kwaku Kyeremeh

Supervisors' Declaration

We hereby declare that the preparation and presentation of this thesis were supervised in accordance with the guidelines on supervision of thesis laid down by the University of Cape Coast.

Principal Supervisor's Signature: ………...…………………..Date: …………..….

Name: Dr A. L. Dare

Co-Supervisor's Signature: …………….………………Date: …………...

Name: Dr Cosmas Cobbold

ABSTRACT

The study investigated perceptions and experiences of administrators and students on human rights and freedoms in the University of Cape Coast (UCC). The research questions provided a framework for this study while the *Cultural Reproduction and Structural Violence* theory offered useful theoretical frames for understanding social justice and human rights in higher education in Ghana.

The study adopted a qualitative research design, using the case study approach to examine, understand, explore and interpret the human rights and freedoms situation in the UCC. Thirty students and 10 administrators from the University were purposively selected for interview. The data collected consisted of personal notes on observation, interviews, and institutional documents. Inductive analysis process was used to make explicit specific statements and themes.

The study showed that the administration of the University has shown great commitment to the application of the principles of human rights and freedoms but some traces of structural violence have been transferred from society into the University. It recommends the establishment of human rights centre to handle human rights complaints and promote respect for human rights in the University of Cape Coast as well as in the larger community.

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DEDICATION

To Kofi and Afia Kyeremeh and in memory of my late father.

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ABBREVIATIONS AND ACRONYMS

C.D.D	Centre for Democracy and Development
HND	Higher National Diploma
HRE	Human Rights Education
NHRI	National Human Rights Institutions
IBHR	International Bill of Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
NGO	Non - Governmental Organisations
ILO	International Labour Organisation
UCC	University of Cape Coast
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCHR	United Nations Commission on Human Rights
UNESCO	United Nations Education Scientific and Cultural Organisation
UNICEF	United Nations Children Education Fund
WiLDAf	Women in Law and Development in Africa
WWII	Second World War
WWI	First World War

CHAPTER ONE

INTRODUCTION

Background to the study

Human rights and freedoms education has been seen as a global concern. It has been the cherished agenda for the United Nations (UN) that all nations irrespective of their status should adopt and pursue human rights and freedom issues very diligently. This has come as a result of an era in which constitutional bills of rights and freedoms are being constantly violated. The most vulnerable victims include children, women, people under colonial rule and those under dictatorial rule. In Africa, we observe even more frequent, serious and unabashed violations of fundamental rights, administrative powers, constitutional pledges and guarantees. Some nations in Africa such as Libya, Guinea Bissau, Republic of the Congo, Niger and Madagascar live under a military rule or one party dictatorship, even though their new constitutions adopted in the wake of their liberation from colonial rule, contained liberal bills of rights or made the United Nations Declaration of Human Rights an integral part of their text.

While the goal of social justice-oriented educational leadership programmes is to develop administrators who are sensitive to the lives and well-being of all children, these approaches may well mean that social justice-minded administrators are essentially conflicted in their daily practices. Public school administrators' daily professional lives are guided by a host of statutes,

regulations and court decisions – all of which might be hostile to the well-being of many children (Karpinski and Lugg, 2006).

Moreover, over the past decade, university administrative preparatory programmes have increasingly focused on issues of social justice. Part of this growth has been fuelled by concern for the growing number of public school students who have been considered at-risk for a host of dismal academic and life outcomes (Karpinski and Lugg, 2006).

The references to human rights in the Charter of the UN, have provided the bases for elaboration of the content of standards and the machinery for implementing protection of human rights. On the 10th of December, 1948, the General Assembly of the UN adopted the Universal Declaration of Human Rights.

In the quest for peace and development, all modern constitutions recognize the importance of free expression. Their bills of rights guarantee freedom of speech, of the press, and freedom of the citizens peaceably to assemble. To improve the situation further, governments tend to prioritize education. Every modern constitution provides for free compulsory primary/basic and secondary education. "Education protects against injustice and exploitation by increasing the individual's knowledge and skills to articulate demands…" (Brownlie, 1971 p.145). Brownlie's view has been held by authorities as more viable reason why educational policies should be vigorously pursued. Education is seen as the first step towards creating human rights awareness and empowerment.

According to Brown (2004), the goal of education is to develop the whole personality. This means, through education one should be versatile and function well in society. There should be improvement and change in the person's social life, spiritual up-liftment, and intellectual development. The more modern concept of education is essentially the familiar territory, often described as the 'eye opener', 'key to development', 'liberator', 'vision for tomorrow', 'our future', to mention but few.

It is no wonder then that there has been constant reviews and reforms in our education policies to commensurate with the cultural and social changes and aspirations of the people. Since the 1970s, Ghana has been going through rapid educational reforms especially in the basic, the second cycle and tertiary institutions.

The goals of education can only be achieved when the rights and freedoms of students and pupils are protected and pursued vigorously, since there can be no meaningful learning or education under hostile and stringent conditions. It, therefore, behoves on researchers, educational stakeholders and the state to combine efforts to eliminate all negative tendencies or attitudes towards human rights and seek to create the enabling and conducive conditions for learning. This is because, according to Chaffee (1966), living in families and neighbourhoods where there is violence, neglect or substance abuse poses obstacle to school success. In this case, it becomes a big problem for children living in homes where one or more parents abuse alcohol, drugs or where there is fear for ones safety, to

stay in school. Similarly, the rippling effect of social injustice and child abuse taking place in institutions is equally disastrous.

The 1948 Universal Declaration of Human Rights (UDHR) is the starting point for any definition of education in which human rights are incorporated. From that point onwards, human rights enunciations have supported the UDHR's interpretation of the role which education should play in achieving respect for and protection of human rights. The preamble of the UDHR sets out the importance of human rights and fundamental freedoms for the achievement of justice in the world, and the role of education in securing this as follows:

> ...The General Assembly proclaims this Universal Declaration of Human Rights... to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms... (U. N. General Assembly, (1948) Resolution 217 A(111) on the 10th of December,.)

Statement of the Problem

Contemporary educational administration seems almost rife with concern for issues of human rights and social justice. In the hope of ensuring better academic and social outcomes for all students, today's administrators, superintendents, and especially researchers are exploring the historically neglected issues of race, ethnicity, religion, sex, gender, sexual orientation, ability or disability, and class as they relate to the welfare of children and their public

school experiences (Cambron-McCabe and McCarthy, 2005; Larson and Murtadha, 2002; Marshall, 2004; also Furman and Gruenewld, 2004, cited in Karpinski and Lugg, 2006).

Higher education environments are expected to be a safe haven where respectable intellectuals interact to promote a peaceful atmosphere conducive for effective teaching, learning and research. Unfortunately, the situation is not most of the time so, and sometimes can be described as being volatile. Over the years universities have often been considered as fertile grounds for violent clashes and violation of people's rights and freedoms through demonstrations, vandalism, hooliganism and riots. In such situations, no matter how justifiable it might seem, human rights and freedoms issues are always at stake.

In recent times, there have been cases of fundamental human rights abuses and the violation of liberties and freedoms of all categories of people across the social strata. Day in day out, there have been reports in both electronic and the print media about riots, disturbances, violence, lawlessness and inhuman treatment to people of all level and category even in places of higher learning. Examples in recent memory include the Legon students - Police clash that took place in April 2006, Accra; the violent clash between the students of Casley Hayford Hall and Atlantic Hall and the subsequent circumstances that led to the closure of Casley Hayford Hall in the University of Cape Coast (UCC) in April 2008. Yet no study has been done to assess the incidence of human rights abuse in Ghanaian universities. In view of this, there is the need to examine the extent to which human rights and freedoms are pursued and protected by administrators,

the causes of violations or abuses of rights and freedoms and how human rights and freedoms are integrated in the running of the university.

Purpose of the Study

The purpose of the study was to find out the extent to which human rights and freedoms are promoted, protected and practised in the University of Cape Coast and provide evidence that will inform and guide the stakeholders in the pursuance and practice of human rights and freedoms in the University.

Objectives of the Study

The broad aim of the study was to examine the extent to which human rights issues are practised in Higher Institutions in Ghana. Central to the research was an examination of strategies used by schools to perpetuate gender discrimination and consequently the denial of human rights. The study among others sought to:

i)   Examine the perception of administrators and students on human rights and how the rights are promoted and protected in the University of Cape (UCC).

ii)   Find out the human rights awareness level of administrators, staff and students in the UCC.

iii)   Examine the extent to which human rights and freedoms are pursued in the administration of the University of Cape Coast.

iv)   Provide evidence that would inform and guide stakeholders towards effective sensitization and practice of human rights and freedoms.

Research Questions

The study was guided by the following questions:

1. What are the perceptions of administrators and students on human rights and freedoms issues in the university?

2. What is the level of human rights awareness among administrators and students in the UCC?

3. What are the causes of abuse or violation of human rights and freedoms within and among the constituents of the university?

4. To what extent does the administrator in the university promote, respect and protect human rights and freedoms?

5. What are the challenges of promoting human rights and freedoms in the UCC?

Significance of the Study

The outcome of the study will be of significance to administrators, educators, policy-makers, non governmental organizations, governmental agencies and students. The study has provided information and insight on human rights and social justice issues and has identified the basis for improving teaching and learning of human rights education in higher institutions in Ghana. This information may serve as inputs for initial orientation and education for

administrators and educators on human rights and social justice in higher education.

Moreover, the findings may inform policy-makers on policy direction on how to improve human rights practices in higher education environments. The findings may throw light on the structures in Ghana that perpetuate the denial of human rights in schools. Finally, the findings are a contribution to the body of knowledge regarding issues of human rights in Higher Institutions in Ghana.

Delimitation

The study is situated in the University of Cape Coast in the Cape Coast Metropolitan area of the Central Region. Conceptually, the study is limited to the basic concept of human rights and freedoms as enshrined in the Fundamental Human Rights and the Constitution of the Republic of Ghana (Chapter Five, Article 12 – 33). The study dwells on the basic rights, freedoms and liberties of people. It does not, however, seek to discuss the details of economic and political rights.

Limitations

The study is limited to views, opinions and perceptions of the research participants. The implication is that vital information for the study may be withheld or misrepresented by respondents due to the sensitive nature of the topic under study. Moreover, some opinions may be misleading due to misinformed research participants on the issues of human rights and freedoms. Another

limitation is the fact that student leadership have a short time; they come and go - changing hands each year.

The small size of respondents not withstanding the care that went into the selection of respondents to represent the different categories of students and administrators should yield study findings that can be used as pointers for future research and also give hints for possible direction for educational policy direction concerning human rights.

Organization of the Thesis

The study is reported in five main chapters. Chapter One is devoted to the introductory part of the study. This includes the background information of the research work, problem statement, objectives, and significance of the study among others.

The second chapter discusses the review of the related literature. It is concerned with searching the relevant and related literature on Human Rights Issues in Higher Education and the role of the Administrators. The theoretical and conceptual framework is taken care of in this chapter. The research methodology and other issues related to data collection methods and data analyses procedures are discussed in Chapter Three. Chapter Three also looks at the population, sample as well as the sampling techniques. Also included is the analysis of the data collected from the field and the secondary sources as well. Then the findings and the discussion of the findings are in Chapter Four. Chapter Five contains the summary, recommendations and conclusions of the findings of the study.

Definition of Terms

Higher Education

Higher Education is a period of advanced study. The term "higher education" here denotes academic level of education that succeeds secondary education, which is also known as tertiary education. Higher education consists of all courses beyond final school examinations (Advanced or 'A' Levels, or the baccalaureate). Most of these courses are at undergraduate (Bachelor's degree) and postgraduate level (Master's and Doctoral degrees). Thus, Higher Education denotes the system of institutions that provide such courses and also engage in research. These are principally universities. However, many national systems also include other institutions including higher technical and professional qualifications, such as the Higher National Diploma (HND).

Tertiary Education

Tertiary education in Ghana can be described as one offered after secondary level at a university, polytechnic, and specialised institutions offering training leading to the award of a diploma and degree qualifications (Anamuah-Mensah, 2002). These institutions like the universities, polytechnics, and other specialised institutions such as Ghana Institute of Journalism, Institute of Professional Studies, and Ghana Institute of Languages produce researchers, philosophers, competency-based scholars, middle level manpower, power managers, engineers and high calibre of technicians and professionals.

Administrator

A person appointed to manage, organise, direct and control the operations of an institution or a unit. The role of an administrator may include initiating, interpreting and implementing the university's policies (Burns, 1962). In the University the administrators include: the Vice Chancellor, the Registrar, Deputy Registrars, Assistant Registrars, Deans, Heads of Departments and all the Administrative Assistants.

CHAPTER TWO

REVIEW OF THE RELATED LITERATURE

Introduction

The study of Human Rights or Civic Rights and education is very crucial to every society. Creating awareness of Human Rights is inevitably, a universal need which has also attracted the attention and concern of individuals, organizations, governments and international bodies. Improved education and meaningful development are dependant, to a large extent, on the respect for human rights and fundamental freedoms. It is, therefore, in the light of the indispensable nature of the knowledge about Human Rights in the life of every society that we find a plethora of literature on the topic. Moreover, a study of this kind cannot be carried out effectively and appropriately unless what some authorities have written or said about the subject are examined. Theories and principles underlying the study of rights should be examined and understood in order to make conclusions on what pertains in the university.

It was therefore appropriate to cite what authorities have done about issues related to human rights, which include: Universal Declaration of Human Rights (UDHR); Magna Carta; Meaning and Short History of Human Rights; Precursors of 20th Century Human Rights Documents; The Birth of the United Nations; Human Rights Covenants; Subsequent Human Rights Documents; The Role of Non Governmental Organizations and Government Officials; The Constitution of

Ghana and Fundamental Human Rights; The convention on the Rights of the Child; The Children's Act, 1998; Human Rights Issues in Higher Education; The Responsibilities of the Administrator; Education for Citizenship; Benefits of pursuing Human Rights in Higher Institutions; Anticipated Problems of promoting Human Rights in Higher Institutions; Ways of promoting Human Rights awareness in higher Institutions.

Theoretical Framework

The theoretical perspective upon which the present research is based is *Cultural Reproduction and Structural Violence* (Galtung 1973), which provides useful frames for an analysis of social justice and human rights in higher education in Ghana.

According to the *Reproduction and Structural Violence Theory,* teachers and administrators as members of society carry societal perceptions of human rights and gender role socialisation in their interactions with workers and students. Social justice and human rights issues are hegemonic and power holders in society would maintain the *status quo* in order to cling to power. Therefore, introducing equity and human rights in schools means an annihilation of oppressive structures that limit the life chances of students, which in effect reduces the amount of power held by oppressive groups. This gives rise to conflict between two opposing groups; the conservative and the progressive in society. As observed by Odora (1998), in every society there is always a group having strong interest in maintaining an existing system and another group with a strong interest

in changing it. The progressive group questions the *status quo* while the conservative works to maintain it, thereby reproducing such things as socio-economic structures and decision making processes created by society to limit the life chances of a group.

A study of human rights and gender equity in educational institutions in Ghana is an indirect study of the Ghanaian society on their perceptions of human rights and gender equity. Thus, rights and social justice in an institution are greatly influenced by the structure of the community. Writing on *The Culture of Education,* Nick and Branka (1996) observed that learning and thinking are always situated in a cultural setting.

Structural violence can be said to be in operation when force is not exerted wilfully by one person to another but through a *structure created* and perpetuated by a custom or law. The point then is that any form of oppression, exploitation, and marginalisation inbuilt into structures that do not give people equal life chances and therefore an infringement on human rights can be described as structural violence. Equality is withheld from citizens through the manipulation of structures in society by the creation of structures (barriers) to limit the life chances of a group of people in order to maintain their subordinate positions in society. Structural violence can manifest itself in various forms at the school level. The way teachers and pupils think and act on gender and equity issues are, to a large extent, culturally determined. Schools are therefore compelled to reproduce existing culture since stakeholders comprising parents; government, employers etc. have a major influence in education.

Cultural reproduction by schools can equally be the cause of low level of practice of human rights and gender equity in Ghanaian schools. Cultural reproduction is defined as the ways in which schools in conjunction with other social institutions help to perpetuate social and economic inequalities across generations (Ankumah, 1996). The educational system plays a major role in cultural reproduction. Instruments of control have been built into structural violence that are used to perpetuate the status quo. The school through its socialisation process, like other social institutions, has structural violence built in it to limit the chances of children, especially the girl child and other minority groups.

Universal Declaration of Human Rights (UDHR)

The Universal Human Rights are fundamental and unalienable rights for every human being. In his documents on Human Rights, Brownlie, (1971) wrote that, the references to human rights in the charter of the United Nations have provided the basis for elaboration of the content of standards and the machinery for implementing the protection of human rights.

The Universal Declaration of Human Rights was adopted and proclaimed by the General Assembly Resolution 217A (iii) of 10 December 1948. Following this historic act, the Assembly called upon all member countries to publicize the text of the declaration and to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories (UN General

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Assembly Resolution, 1948). The Preamble of the UDHR shows its importance as can be noted from the following excerpt:

> The General Assembly recognised that 'the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, and that human rights should be protected by the rule of law, friendly relations between nations', must be fostered, 'the people of the UN have affirmed their faith in human rights, the dignity and the worth of the human person, the equal rights of men and women and are determined to promote social progress, better standards of life and larger freedoms' and have promised to promote human rights and a common understanding of these rights. (Excerpt from the simplified version of the Universal Declaration of Human Rights, 1948, p. 5 see Appendix C for the full text of the simplified version of the UNDHR).

Writing on the UDHR, Costain (1997) explained that the 30 articles of the Declaration together with a comprehensive statement covering economic, social, cultural, political and civil rights. The document is both universal (it applies to all people everywhere) and indivisible (all rights are equally important) to the full realization of one's humidity. A declaration, however, is not a treaty and lacks any enforcement provisions. Rather, it is a statement of intent, a set of principles to which United Nations member states commit themselves in an effort to provide all people a life of human dignity. Costain added that over the past 50 years that

the UDHR has acquired the status of 'customary international law' because most states treat it as though it were law.

From the foregoing discussion, Universal Declaration of Human Rights (UDHR) contains insightful analysis of human existence in a dynamic human society and procures for all that is needed to ensure respect, dignity, peace and development. Moreover, it could be said that human rights are the universal moral rights that are correlative to obligation. The United Nations pledges to support these rights with a common understanding.

It is the cherished hope of the General Assembly that all persons and nations should recognise, observe, teach and promote respect for these rights and freedoms.

"Now, therefore, *The General Assembly* proclaims this *Universal Declaration of Human Rights* as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this declaration constantly in mind, shall strive by …" (UN General Assembly, 1948, Resolution 217 A (iii).

By the Charter of the UN, all member nations reaffirmed their faith in fundamental human rights, in equal rights and freedoms and in the dignity and worth of the human person. By the words of Eleanor Roosevelt, the Declaration is said to be "set up a common standard of achievement for all peoples and all Nations", and "might well become an international Magna Carta of all mankind" (UN, 1959; p. 318).

Magna Carta

The Magna Carta, (Latin word meaning "Great Charter"), was an agreement granted by King John (1215) which fixed the king's relationship with his barons and limited his powers, but which also granted rights to a fair trial and freedom from arbitrary arrest to English free men. The rights established under Magna Carta underpin democratic government in Britain and are still upheld today (Microsoft Encarta Encyclopaedia, 2008). The "Great Charter" document was sealed by King John of England on June 15, 1215, in which he made a series of promises to his subjects that he would govern England and deal with his vassals according to the customs of feudal law (see Feudalism). It has since been considered the basis of English constitutional liberties (as well as those of countries influenced by English tradition) and a key event in the history of medieval Britain (Microsoft Encarta Encyclopaedia, 2008).

The Magna Carta of 1215 contains 63 clauses. The first restates the charter that John issued in 1214, which had granted liberties to the Church. In many clauses John promises to be less harsh in enforcing his feudal rights on the barons, and another clause states that the barons must grant to their tenants all the feudal concessions that the king has made to them. Many clauses concern the legal system; in these John promises to provide good and fair justice in various ways. While the last few clauses concern enforcement of the document.

The two most important clauses of the Magna Carta are among the legal clauses. Clause 40 promises: "To no one will we sell, to no one will we deny or delay right or justice." This clause establishes the principle of equal access to the

courts for all citizens without exorbitant fees. In clause 39, the king promises: "No free man shall be taken or imprisoned or outlawed or exiled or in any way destroyed, nor will we go or send against him, except by the lawful judgment of his peers or by the law of the land." This clause establishes that the king would follow legal procedure before he punished someone. Historians have debated at length the meaning in 1215 of "by lawful judgment of his peers or by the law of the land", and who exactly was covered by the term "free man". By the later 14th century, however, statutes interpreting the Magna Carta equated "judgment of his peers" with trial by jury (which did not exist in criminal cases in 1215). Other statutes rephrased "by the law of the land" as "by due process of law". These later statutes also substituted "no one" or "no man of any sort or condition" for "no free man", which extended the protections of the clause to all the king's subjects. These protections were later cited in many founding documents of the American colonies, and were also incorporated into the Constitution of the United States (Tabuteau, 2008).

Meaning of Human Rights

Human rights are the rights a person has simply because he or she is a human being (Costain, 1997). They are the basic claims in life for all. Human rights are held by all persons equally, universally, and forever. Thus, human rights are said to possess some distinctive characteristics. Human rights are inalienable; you can not lose these rights any more than you can cease being a human being. Human rights are indivisible: you cannot be denied a right because it is "less

important" or "non-essential". Human rights are interdependent: all human rights are part of a complementary framework. For example, your ability to participate in your government is directly affected by your right to express yourself, to get an education, and even to obtain the necessities of life.

Another definition for human rights is those basic standards without which people cannot live in dignity. To violate someone's human rights is to treat that person as though she or he were not a human being. To advocate human rights is to demand that the human dignity of all people be respected. In claiming these human rights, everyone also accepts the responsibility not to infringe on the rights of others and to support those whose rights are abused or denied (Costain, 1997).

According to Dowrick (1978), 'Rights' has been broadly defined as claims which are supported by some objective standards or general theories. As 'legal rights' are those claims recognised in a system of law, so 'human rights' - to give full value to the affective should, strictly speaking, be defined as those claims made by men, for themselves or on behalf of other men, supported by some theory which concentrates on humanity, which would be in essence an ethical theory. He then narrows down the definition to comment on 'Rights'.

The starting point for the understanding of this key term is still the wider concept of 'claims' that is wants, desires, aspirations people have and express. The claims which people make, it may be on behalf of others, or for themselves, are indefinitely various. These claims which are also supported by or in accord with some objectives standards (or some general theory), whether those of a code of morality or ethical theory, or those of a political system or political theory, or

those of a legal system, are usually and aptly called rights'. Hence we have moral rights, political rights, legal rights and natural rights.

In his work: *Rights and Liberties in the World Today: Constitutional Promise and Reality*, Duchacek, (1973), states that the modern concept of human rights is essentially the familiar territory, often described as "Rule of Law", "Constitutionalism", "Civil Liberties", "Constitutional Rights", and "Fundamental Rights". He then provides a long list of examples of Fundamental Rights in National Legal system: 'UK: Bill of Rights, 1688', 'France: Declaration of the Rights of Man and the Citizen, 1789', 'United States: Bill of Rights, 1791', 'German Federal Republic: Basic Law, 1949', and 'Nigeria: Constitution, 1963'.

According to Duchacek (1973), modern constitutional rights and liberties may be conveniently examined in six segments, bearing in mind their interlocked relationship and mutual dependence:

1.   Guarantees of personal liberty, Rights to privacy, Freedom of thought, Right to equality, and minority and women's right

2.   Right of social progress and happiness

3.   Right of imperial justice

4.   Freedom of expression and the right to be informed

5.   Right of access of decision-making through the intermediary of political parties and universal suffrage

6.   Right of formulate specific groups demands from interest groups for this purpose (p.68).

However, according to United Nations High Commissioner for Human Rights (2003), most human rights thinkers now see three related sets of obligations in relation to rights: *Respecting rights* is the obligation not to do something that would interfere with the enjoyment of rights (no arbitrary arrest or eviction from homes); *protecting rights* is the obligation to ensure that other bodies, such as individuals, businesses or foreign governments, do not prevent enjoyment of rights (no-one held in servitude; equal pay for comparable work); and *fulfilling rights* is the obligation to take steps to make all necessary provisions for the enjoyment of rights (establishing an independent judicial system; providing affordable housing). It could be said with all certainty that, it is the United Nations that has since its foundation, taken as one of its prime tasks the implementation of global human rights for global peace.

Short History of Human Rights

The belief that everyone, by virtue of his or her humanity, is entitled to certain human rights is fairly not new. Its roots, however, lie in earlier fairly tradition and documents of many cultures; it took the catalyst of World War II to propel human rights onto the global stage and into the global conscience.

Throughout much of history, people acquired rights and responsibilities through their membership in a group - a family, indigenous nation, religion, class, community, or state. Most societies have had traditions similar to the "golden rule". The Hindu Vedas, the Babylonian Code of Hammurabi, the Bible, the Qur'an (Koran), and the Analects of Confucius are five of the oldest written

sources which addressed questions of people's duties, rights and responsibilities. In addition, the Inca and Aztec codes of conduct and justice and an Iroquois Constitution were Native American sources that existed well before the 18th century. In fact, all societies, whether in oral or written tradition, have had systems of propriety and justice as well as ways of tending to the health and welfare of their members (Shiman, 1993).

Precursors of 20th Century Human Rights Documents

Documents asserting individual rights, such as the Magna Carta (1215), the English Bill of Rights (1689), the French Declaration of the Rights of Man and Citizen (1789), and the US Constitution and Bill of Rights (1791) are the written precursors to many of today's human rights documents.

Contemporary international human rights law and the establishment of the United Nations (UN) have important historical antecedents. Efforts in the 19th Century to prohibit the slave trade and to limit the horrors of war are prime examples. In 1919, countries established the International Labour Organisation (ILO) to oversee treaties protecting workers with respect to their rights, including their health and safety (Shiman, 1993). The League of Nations which was formed as an organisation for international peace and cooperation, never achieved its goals. The League floundered because it failed to prevent Japan's invasion of China and Manchuria (1931) and Italy's attack on Ethiopia (1935). It finally died with the onset of the Second World War (1939).

The Birth of the United Nations

The idea of human rights emerged stronger after World War II. The extermination by Nazi Germany of over six million Jews, Sinti and Romani (gypsies), homosexuals, and persons with disabilities horrified the Word. After the World War II, officials from the defeated countries were punished for committing war crimes, "crimes against peace" and "crimes against humanity" (Shiman, 1993).

Governments then committed themselves to establish the United Nations with the primary goal of bolstering international peace and preventing conflict. People wanted to ensure that never again would anyone be unjustly denied life, freedom, food, shelter and nationality. The essence of these emerging human rights principles was captured in President Franklin Delano Roosevelt's 1941 state of the Union address when he spoke of a world founded on four essential freedoms; freedom of speech and religion and freedom from wants and fear. There were calls from across the globe for human rights standards to protect citizens from abuse from governments. These voices played critical role in the San Francisco meeting that drafted the United Nations Charter in 1945 (United Nations, (UN) 1968).

Member states of the United Nations pledged to promote respect for human of all. The commission on human rights was established and charged with drafting a document spelling out the meaning of the fundamental rights and freedom proclaimed in the charter. This led to the Universal Declaration of

Human Rights (UDHR) on 10 December 1948, as discussed earlier in this chapter.

The Human Rights Covenants

With the goal of establishing mechanisms for enforcing the UDHR, the UN Commission on human rights proceeded to draft two treaties; the International Covenant on Civil and Political Rights (ICCPR) and optional protocol and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Together, with the Universal Declaration, they are commonly referred to as the International Bill of Human Rights. The ICCPR focuses on such issues as the right of life, freedom of speech, religion and voting. The ICESCR focuses on such issues as food, education, health and shelter. Both covenants trumpet the extension of the rights to all persons and prohibit discrimination. These covenants are meant to expatiate on given particular and detailed explanation and meaning to the Universal Human Rights (Dowrick, 1978).

Subsequent Human Rights Documents

In addition to covenants in the International Bill of Human Rights (IBHR), the United Nations has adopted more than 20 principal treaties further elaborating human rights. These include conventions to prevent and prohibit specific abuses like torture and genocide, and protect especially vulnerable populations, such as refugees (Convention relating to the status of refugees, 1950), women (Convention on the Elimination of All Forms of Discrimination Against Women, 1979), and children (Convention on the Rights of the Child, 1989). As of 1997 the

United States has ratified only these conventions: The Convention on the Elimination of forms of Racial Discrimination, The Convention on the Prevention and Punishment of the Crime of Genocide, The Convention on the Political Rights of Women, The Slavery Convention of 1926, The Convention Against Torture and other Cruel Inhuman or Degrading Treatment or Punishment.

In Europe, the Americas and Africa, regional documents for the protection and promotion of human rights extend the International Bill of Human Rights. The dramatic changes in Eastern Europe, Africa and Latin America since 1989 have powerfully demonstrated a surge in demand for respect of human rights. Popular movements in China, Korea and other Asian nations reveal a similar commitment to these principles (Shiman, 1993).

Contemporary International Human Rights Documents

Strong perceptions about human rights and freedoms, and the vigour to expand its frontiers and deepen its observance, emerged after the world witnessed the atrocities of the Nazi regime during the World War II. Before that however, the International Labour Organization (ILO) had been established in 1919, to ensure compliance with treaties made to protect workers' rights; including the right to health and safety. The League of Nations had also been formed at the end of the World War I to protect minority rights and to secure international peace and co-operation (UN, 1968).

Another document touching on human rights worth noting in this study is the Geneva Convention (1864-1949) brokered by the International Red Cross.

This document resulted in the making of the first law to regulate the conduct of war by nations.

The United Nations

The League of Nations had failed because the United States refused to join it; also because it could not prevent the invasion of China and Manchuria by Japan in 1931, and the attack of Italy on Ethiopia in 1935. The horrors of the World War II prompted world governments to form the United Nations with the aim of promoting international peace and preventing conflict. A cardinal aim of the United Nations as gleaned from the Charter signed in San Francisco on 26th June, 1945, and which came into force on 24th October, 1945 is the protection of human rights and the promotion of freedoms. This spirit is captured in the preamble of the United Nations Charter, which is reproduced below:

We the peoples of the United Nations determined

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of internationals law can be maintained, and to promote social progress and better standards of life in large freedom.

And for these ends to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain

international peace and security and to ensure, by the acceptance of principles and the institution of methods that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, *have resolved to combine efforts to accomplish these aims*. Accordingly, our respective governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations." (U.N. General Assembly Resolution 217 A(111) on the 10th of December, 1948. "Emphasis in the original").

The United Nations Charter contains clear and concise provisions on human rights and freedoms as follows:

1. Article 1(2) – the purpose of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples…

2. Article 1(3) – to achieve international co-operation in solving international problems of an economic character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.

3. Article 13 1(b) – promoting international co-operation in the economic, social, cultural, educational and health fields and assisting in the

realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

4. Article 55 – with a view to the creation of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote: (a) higher standards of living, full employment and conditions of economic and social progress and development. (b) Solutions of international economic, social, health and related problems; and international cultural and educational co-operation. (c) Universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

5. Article 62(2) The Social and Economic Council of the UN may make recommendations for the purpose of promoting respect for, and observance of human rights and fundamental freedoms.

It can be seen from the above that the United Nations has a firm belief in human rights and freedoms and that the enhancement of human rights and freedoms remains one of the main reasons for its existence and success so far as a universal body. The civil and political rights provided and envisioned by the United Nations Charter were elaborated and proclaimed by the Universal Declaration of Human Rights, which was adopted and proclaimed by the United Nations General Assembly by Resolution 217 A (111) on the 10th of December, 1948.

The Social, Economic and Cultural rights envisioned by the United Nations were also elaborated and codified by the International Covenant on Economic, Social and Cultural Rights, which was adopted by the United Nations General Assembly by Resolution 2200 A(XX1) on 16 December, 1966 and came into force on January 3, 1976.

The United Nations Charter, together with the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights are referred to as the International Bill of Rights. The three documents, together with their protocols have had tremendous impact on the recognition and respect for human rights and freedoms across the world; to the extent that any national constitution worth its sort tries to show traces and influences of these documents.

The Role of Non-Governmental Organizations

The Second World War (WWII) brought in its wake a myriad of problems across the globe–economic recession, health, devastated environment, emotional and psychological turmoil etc. The support that people got from their fellows evaporated in the mist of need and mistrust. People looked up to their governments for solution to their problems. The state (especially in the developed world) had to institute various forms of social welfare packages to cater for the needs of its people. In the mist of these emerged the oil crises in the early 1970's which undermined the ability of governments to meet the needs of their people. Unemployment became rampant. The worsening economic and social problems provided the grounds for the widespread emergence of Non-governmental

organisations (NGOs) as partners of governments in development (Willets, (Ed) 2001).

There is no generally accepted definition of the term NGO. One attempt defines an NGO as "an independent voluntary association of people acting together on a continuous basis, for some common purpose, other than achieving government office, making money or illegal activities" (Willets (Ed), 2001; p.5) NGO's come in diverse shapes, structures, visions, strategies and size. In spite of all that, for any organization to be called an NGO, it must share some basic characteristics.

The spread of NGO's was boosted by the loss of confidence of the people in their governments' ability to meet their basic necessities of life. In 1945, the UN needed to differentiate in its Charter between participation rights for intergovernmental organizations (IGO's) and private organizations and hence the coinage of the term "non-governmental organization" (NGO) to define private partners in the development agenda (Willets (Ed.), 2001).

The role played by NGO's at the local and global front in respect of human rights is phenomenal. But this is to be expected, because as stated by Flowers (1990) "globally, the champions of human rights have most often been citizens, not governments". NGO's have focused world attention on human rights issues, and the unprecedented role played by them around the U.N. Fourth World Conference on Women in Beijing, China (Beijing Conference) in 1995 (Flowers (Ed), 1990; P.4.) deserves mention. International NGO's which have immensely contributed to the advancement of human rights include: the Amnesty

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International, Antislavery Society, the International Commission of Jurists, the International Working Group on Indigenous Affairs, Human Rights Watch, Minnesota Advocates for Human Rights and Survivors International. These organizations monitor the activities of governments and exert pressure on them to act in advancement of human rights principles (Flowers (Ed), 1990; p.4).

Some Local Human Rights NGO's that have worked frantically to educate, protect and promote human rights issues in Ghana include the following: Commonwealth Human Rights Initiative; Gender Studies & Human Rights Documentation Centre; Women in Law and Development in Africa (WiLDAf) Ghana; Centre for Democracy and Development (CDD); Centre for Public Interest Law; Legal Resources Centre; The ARK Foundation.

Government Officials

Today, many democratic nations around the world have bills of rights that protect the basic freedoms and privileges of their citizens. Throughout history, there have been great and influential personalities who, relentlessly with passion promoted the respect of human rights. Thanks to such selfless pioneers, human rights have become internationally acceptable. According to Shiman, (1993), there have been many prominent personalities who have been very instrumental in safe-guarding human rights. Government officials who understand the human rights framework can also effect far reaching change for freedom. Many United States presidents such as Abraham Lincoln, Franklin Roosevelt, Lyndon B. Johnson and Jimmy Carter have taken strong stance for human rights. In other

countries leaders like Nelson Mandela and Vaclev Havel have brought about great changes under the banner of human rights.

The Constitution of Ghana and Fundamental Human Rights

The 1992 Constitution of Ghana provides the basic principles or laws by which every Ghanaian lives. It teaches the fundamental human rights, the tenets of good citizenship and the necessary punishments that that will be meted out to those who violate it. Fundamental Human Rights and Freedoms as enshrined in the 1992 Constitution of Ghana occupy the chapter five, article 12 to 33 of the constitution (the ultimate laws of the land).

The constitution really specifies clearly the various aspects of fundamental human rights under sub-topics. These topics of rights and freedoms cover all pertinent aspects of human life: beginning with the 'Protection of fundamental human rights and freedoms', 'Protection of rights to life', 'Protection of Personal liberty', 'respect for human dignity', 'Protection from slavery and forced labour', 'Equality and freedom from discrimination', Protection of privacy of home and other property', 'Protection from deprivation of property', 'General fundamental freedoms', 'Economic rights', Educational rights', 'Cultural rights and practices', 'Rights of women', 'Children's rights', 'Rights of Disabled persons', 'Rights of the sick', 'Emergency powers', 'Persons detained under emergency law', and the 'Protection of rights by the courts'. This, however, forms the outline or the summary of the fundamental human rights as enshrined in the constitution of Ghana and consistent with the Universal Declaration of Human Rights (UDHR).

Enforcing human rights provisions of the 1992 Constitution

The 1992 Constitution of the Republic of Ghana endorsed the courts as the main venue where complaints of breaches of fundamental human rights may be made and redressed. The High Court is the judicial venue of first instance for the redress of human rights issues. Appeals from decisions of the High Court lie to the Court of Appeal and from there to the Supreme Court. Sometimes however, actions for breaches of human rights may be made directly to the Supreme Court. Where the applicant to the Supreme Court is dissatisfied with its decision, he has the option to apply for review by the same court under Article 133 of the Constitution.

The 1992 Constitution entrusted the burden of protection of rights on the High Court. As stated in Article 33 (1) below:

> Where a person alleges that a provision of (the) Constitution on the fundamental human rights and freedoms has been or is being or is likely to be contravened in relation to him, then without prejudice to any other action that is lawfully available, that person may apply to the High Court for redress.

The High Court may, under clause (1) of this article, issue such directions or orders or writs including orders in the nature of habeas corpus, certiorari, mandamus, prohibition and quo warranto as it may consider appropriate for the purpose of enforcing or securing the enforcement of any of the provisions on the fundamental human rights and freedoms to the protection of which the person is entitled.

The Convention on the Rights of the Child

As we have just seen, the constitution of the Republic of Ghana entrenches the rights of the child in Article 28, clause 1-5. It identified a "child" to be a person below the age of eighteen (18) years. The United Nations General Assembly adopted the Declaration of the Rights of the Child unanimously on 20th November, 1959. The rights of the child are also the subject of article 24 of the Covenant on Civil and Political Rights.

Excerpts from the text are produced here:

> … Whereas the United Nations has, in the Universal Declaration of Human Rights, proclaimed that every one is entitled to all the rights and freedoms set for them without distinction of any kind…, … has been stated in the general declaration of the Rights of the Child of 1924, and recognised in the Universal Declaration of Human Rights and in the statutes of specialized agencies and international organisations concerned with the welfare of children (United Nations [UN], 1959, p.198; UN, 1963, pp. 317-319).

The aim of the convention is to set standards for the defence of children against the neglect and abuse they face to varying degrees in all countries every day. It is careful to allow for the different cultural, political and material realities among states. The most important consideration is the best interest of the child.

The rights set out in the convention can be broadly grouped into three sections: Provision, Protection and Participation. ….A) Provision: the right to possess, receive or have access to certain things or services (e.g. A name, a

nationality, health care, education, rest, play and care for disabled and orphans). B) Protection: a right to shielded from harmful acts and practices e.g. separation from parents, engagement in warfare, commercial and sexual exploitation and physical and mental abuse. C) Participation: the child's rights to be heard on decisions affecting his or her life. As abilities progress, the child should have increasing opportunities to take part in the activities of society, as preparation for adult life (e.g. freedom of speech and opinion, culture, religion and language).

The preamble sets the tone in which 54 articles of the convention would be interpreted. The major UN texts which precede it and which have direct bearing on the children are mentioned, as it is the importance of the family for the harmonious and development of the child, the importance of special safeguards and care, including appropriate legal protection, before as well as after birth, and the importance of tradition and cultural values of each people for the child's development.

The Children's Act, 1998

The constitution of Ghana, Article 28 clause (1) on the rights of children, stipulates that: "Parliament shall enact such laws as are necessary to ensure that – a) every child has the right to …" (see Article 28, clause 1-4). It is in the light of the above, that The Five Hundred and Sixtieth Act of Parliament of the Republic of Ghana was enacted entitled: *The Children's Act 1998*. An Act to reform and consolidate the laws relating to children, to provide for the right of the child, maintenance and adoption, regular child labour and apprenticeship, for ancillary

matters concerning children and provide for related matters. This Act seeks to protect the child against all forms of exploitation, degrading treatment, neglect and insecurity so as to ensuring the total development of the child's personality. In all dealings with the child or consideration of any issue concerning the child, the best interest of the child should be paramount (Alston, 1992).

Article 2 of the rights of the child states among other things "that state parties shall take appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of status, activities, expressed opinions or believes of the child's parents, legal guardians or family members" (Article 2, 1b).

In spite of this, day in day out, children face various forms of abuse in this country that either leaves them maimed or traumatised for life.

Tenets of Human Rights

Nick and Branka (1996) outlined the tenets of human rights as follows:

1. Human rights do not have to be bought, earned or inherited, they belong to people simply because they are human- human rights are inherent to each individual.

2. Human rights are the same for all human beings regardless of race, sex, religion, and political or other opinion, national or social origin. We are all born free, and equal in dignity and rights-human rights are universal.

3. Human rights cannot be taken away, no one has the right to deprive another person of them for any reason. People still have human rights even

when the laws of their countries do not recognize them, or when they violate them – for example, when slavery is practised, slaves have rights even though these rights are being violated. Human rights are inalienable.

4. To live in dignity, all human beings are entitled to freedom, security and decent standards of living concurrently. Human rights are indivisible.

Human rights have been classified into three main categories, namely; civil and political rights, economic and social rights as well as environmental, cultural and developmental rights.

Human Rights Education

According to Nick and Branka (1996), human rights education "is education about, but also for human rights". It is that education which helps people to develop to the extent of understanding, respecting, protecting and defending human rights. Human rights education provides knowledge on human rights to enable people to identify and claim the type of rights they have. It also provides skills for protecting and defending their rights. Human rights education also enables people to develop attitudes for respecting the rights of other people and to ensure peaceful coexistence. The methodology suitable for human rights education is the participative and interactive methods. These methods make learners become active and explore the world around in contrast to teacher centred method, which make learners passive recipients of knowledge from teachers (Nick and Branka, 1996).

Human rights education involves all learning that advances the knowledge, skills and values about human rights (Short, 1997, p.25). The United Nations declared year 1995-2004 as the 'Decade for Human Rights Education'; with the purpose of "encouraging and stimulating the activities of governments, the United Nations and its organs–professional associations, non-governmental organizations and the media towards the goal of achieving universal education in human rights" (Short, 1997; p.25).

For the purpose of the Human Rights Education Decade, the United Nations defined human rights education as:

> Training, and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes which are directed to: (a) The strengthening of respect for human rights and fundamental freedoms; (b)The full development of the human personality and the sense of its dignity; (c)The enabling of all persons to participate effectively in a free society; (d)The furtherance of the activities of the United Nations for the maintenance of peace. (Short, 1997, p. 25)

Human rights education is in itself human rights that must be enjoyed by the people. The legal basis of human rights education as a human right is found in the preamble to the Universal Declaration of Human Rights and the 1992 Constitution.

The Preamble to the Universal Declaration of Human Rights provides that the Declaration is proclaimed "as a common standard of achievement for all

peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall thrive by teaching and education to promote respect for these rights and freedoms…"

As part of the functions of the Commission on Human Rights and Administrative Justice (CHRAJ), Article 218(f) of the Constitution mandates the Commission to "educate the public as to human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia."

A whole institution, the National Commission for Civic Education (NCCE) was established to educate and inform the people about the provisions of the Constitution. It is the duty of the Commission to educate; and the right of the people to be educated about their constitutional rights.

The functions of the Commission are as follows (Article 233):

(1) to create and sustain within the society the awareness of the principles and objectives of (the) Constitution as the fundamental law of the people of Ghana; (2) to educate and encourage the public to defend (the) Constitution at all times, against all forms of abuse and violation; (3) to formulate for the consideration of Government, from time to time, programmes at the national, regional and district levels aimed at realising the objectives of (the) Constitution; (4) to formulate, implement and oversee programmes intended to inculcate in the citizens of Ghana awareness of their civic responsibilities and an appreciation of their rights and obligations as free people.

At the World Conference on Human Rights in Vienna in 1993 states and institutions were called upon to "include in the curricula of all learning institutions; formal and informal, the study of human rights, humanitarian law, democracy and the rule of law" (Short, 1997; p.25).

The goal of human rights education is to:

> help people understand human rights, value human rights and take responsibility for respecting, defending, and promoting human rights. An important outcome of human rights education is empowerment, a process through which people and communities increase their control of their own lives and the decisions that affect them. The ultimate goal of human rights education is people working together to bring about human rights, justice and dignity for all" (Flowers (Ed), p.3).

Human Rights Education creates information about human rights, among which are:

(1) The inherent dignity of all people and their right to be treated with respect. (2) Human rights principles. (3) How human rights can promote peoples participation in decision making. (4) The history and development of human rights. (5) About international and national standards (laws/codes) on human rights that reinforces human rights (p.3).

According to Short, (1997) human rights education promotes awareness of the rights and ginger people to utilize the established mechanisms to protect and enforce the rights. Effective human rights education is essential for success of democracy which also enhances development. As former president Nelson

Mandela of South Africa quoting American Judge Hand at a workshop on human rights education in 1994 said:

Human rights belong to the people - not the government - and they are its best guardians… you have recognized that the human rights campaign in Africa, like everywhere else, must be prosecuted by the people themselves." It should be recognized that "liberty lies in the hearts of men and when it dies there, no Constitution, no law, no court can save it (Short, 1997, p.29).

The UN Office of the High Commissioner for Human Rights defines human rights education as "training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes directed to:

(a) the strengthening of respect for human rights and fundamental freedoms,

(b) the full development of the human personality and the sense of its dignity,

(c) the promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups,

(d) the enabling of all persons to participate effectively in a free society. (UN, 1968).

This definition is not specific to the schooling sector and in fact, the United Nations proposes human rights education for all sectors of society as part of a

"lifelong learning" process for individuals (UN, 1968). The "human rights" to which it refers are broadly defined and include those contained in the Universal Declaration of Human Rights, as well as related treaties and covenants, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, among others.

Aims of the University of Cape Coast

The Aims of the University of Cape Coast (UCC) as set out by the Act Parliament (1971) that established it are to:

1. provide higher education to persons suitably qualified and capable of benefiting from such education,
2. train students in methods of critical and independent thought; making them aware of their responsibility to use their education for the general good of Ghanaian society;
3. provide facilities for and engage in teaching and research for the purpose of promoting the advancement and dissemination of learning and knowledge with particular reference to the needs and aspirations of the people of Ghana and the furtherance of co-operation between African States (Act 390 of 1971).

The university has the social responsibility to impart, protect and promote human rights issues in order to ensure congenial academic atmosphere. This is done within the national higher education policy framework.

Thus UCC, as typical of higher education centres, performs the following functions; teaching, research, and service. The mission statements and goals of each higher education institution articulate this core mission. Each institution's programmes of study attempts to translate these core missions into achievable goals for its students. Again this is done through teaching, training, and research. The beneficiaries of the products of higher education are the citizenry and the larger human society. Higher education is necessary for the economic, political and social development of every nation state. In the modern world, no nation or economy can ignore the contributions of higher education to the human capital development of its workforce. Higher education centres are repositories of knowledge acquired after extensive research, training, and engagement.

Mission Statement of UCC

The formal document that states the objectives of UCC as institution/ organization is the mission statement. For the purpose of this study, the Mission Statement is reproduced here as quoted in the Academic Programmes, Policies and Regulations.

The University of Cape Coast is the University of choice in Ghana. It is uniquely placed to provide quality education through the provision of comprehensive and liberal and professional programmes that challenge learners to be creative and innovative.

Through distance learning, it extends expertise and facilities to train professional for education, industry and commerce by employing modern technologies in this enterprise. The university constantly seeks alternative ways to meet growing needs and programmes. The institution continues to expand existing highly qualified faculty and administrative staff, offering a conducive environment that motivates them to position the university to respond effectively to the developmental needs of the changing world (UCC, 2008a, p.1).

This mission statement gives UCC its identity, its sense of purpose and direction. In addition to this the University has its guiding philosophy which sets the needs and interests of students as a priority.

The Guiding Philosophy

The University of Cape Coast is guided by a student-centred philosophy of education. It focuses on serving the needs of students, nurturing and challenging them to grow socially, physically, morally, and intellectually. The major goal is to prepare productive citizens and future leaders who can serve the national and global community in diverse ways. To this end, education at UCC will stress:

1. Responsiveness to student needs without compromising academic standards;

2. Individual responsibilities among students, lecturers and staff;

3. The relationship between education and employment;

4. Inquiry and application of knowledge to real life situation;

5. Critical thinking and the value of life long learning;

6. The importance of co-curricular activities as a vital element of the total educational experience (UCC, 2008a).

The policy

The UCC is committed to a working and learning environment that is free of discrimination or intimidation. It abhors any form of activities that can be described in a 'hostile environment' and shall take steps to ensure that they do not occur. Any form of intimidation, abuse or harassment based on gender is centrally to the ideals of the university and jeopardises the integrity of the university community. All students, staff, visitors, contractors, and persons acting on behalf of the university shall respect the rights of others and shall refrain from any activity that corresponds with those described as hostile. The university takes a serious view of sexual harassment and such behaviour may result in disciplinary action.

Individuals shall be held personally accountable for their actions and behaviour in the event of complaints of sexual harassment against them.

The University shall follow the laid down procedure in dealing with complaint and appeals against decisions in connection with complains.

All Heads of sections, Deans, Directors, and Department Heads shall be responsible for eliminating sexual harassment, and they shall report complaints or any observations they may have made which they believe constitute sexual harassment to the Chair of the Sexual Harassment Committee for further action (UCC, 2008a section 3.1 - 4).

Students' Rights and Responsibilities

Students of UCC are guaranteed all of the rights, privileges and freedoms granted to a citizen of the Republic of Ghana. In addition, they are entitled to an environment that is conducive to learning and individual growth. To this end, students enrolling at the University of Cape Coast assume a responsibility to abide by the policies and regulations expressed in the students' hand book. By doing so, the student may fulfil their responsibilities and enjoy the exercise of their own rights, while also respecting the rights of others.

The exercise and enjoyment of rights and freedoms is inseparable from the performance of duties and obligations, and accordingly, it shall be the duty of every citizen as enshrined in the 1992 Constitution of the Republic of Ghana.

The University Administrator

The University administrator with his or her pivotal role in the management of the institution can promote human rights by interpreting and implementing good policies. Cooper (1982) observed that there are five actors in university administration. He referred to the first group of actors as the policy making group which normally constitutes the supreme authority within the university. In the Ghanaian context, the policy making group would refer to the membership of the council of the University which invariably, includes the government appointed persons, nominated persons representing sections and groups within the University.

Cooper's second group of actors refers to the career administrators comprising the registrar of the university and his assistants, while the third group embraces the professionals such as the accountants, engineers, doctors, lawyers and auditors. The fourth group is made up of academic staff who serves in such capacities as deans, heads of department of the institution as well as coordinators / research units. The final group is made up of academic staff who serves on boards, committees responsible for some decision-making in the University. Cooper's categorisation suggests that students and workers' representatives (Union leaders) participation in university administration even though this is not explicitly stated. This perhaps, must be the basis for that students and workers' associations are the other emerging forces in university administration.

Burns (1962) indicated that it would be a very difficult task to cover all fields of administration in higher education and especially so as college and universities take on broader responsibilities and larger enrolments (both being a necessity for more leadership and specialised management). In line with Burns' observation, perhaps and the validity of Cooper's categorisation of university administrators notwithstanding, a generally held view held by the real university administrators is one who does university administration on full time basis (Chief Executives of universities definitely fall within this group or class). Any person in university administration could, at best, be referred to as an Amateur University Administration.

With regard to role, Getzels, Liphan and Cambell, (1968) discuss three dimensions. They observe that, the higher educational administrator is expected to

reinforce the organisations expectations by interpreting norms of the organisation. The administrator actually helps to formulate the goals and purpose, first when she/he recommends to the controlling Board/ committee and community what the goals and purposes should be and again when he /she interprets them and attempts to implement them with other staff. Put more bluntly, Getzels, et al (1968) think that "the administrator influences discerns, clarifies and interprets the goals, policies and expectations of the organisation in which he works" (p.344). This makes the administrator an organisational spokesperson who is required to understand the cultural roles of the supporting community, to interpret the policy positions of the controlling or governing body of the organisation and to appraise the norms held by staff members.

The administrator is expected to empathize with members of the institution. To be able to achieve this, the administrator needs, first of all, conceive empathising as an aspect of his administrative role and secondly, to develop an understanding of the personality of the other person and his need dispositions. Finally, the administrator should demonstrate considerable stability of self-control as she/he works with members of the organisation (Burns, 1962). Indeed the administrator is a key member of the university system without whom the achievement of the primary objectives of the University would be difficult.

Higher Education and Human Rights

Institutions have a duty to act fairly towards students in cases of disciplinary action or appeal. This means that the student must, at the least, be

given adequate notice of the allegation against him or her, an adequate hearing (not necessarily oral) and that the appeal body must be unbiased. Human rights are based on principles of equality, dignity and respect. They require a balance to be struck between the rights of an individual and the rights of others or the wider community. Higher Education (HE) institutions are required by the Human Rights Act (HRA) to operate in a way that upholds and protects the human rights of those they deal with. All institutions must pay proper attention to individuals' rights when they are making decisions that affect them.

Article 6 of the Human Rights Act 1998 "In the determination of his civil rights everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal." (Annual Report, 2004). This article sets standards for the way decision making hearings should be run. Article 6 applies to both civil proceedings and criminal proceedings (when someone is prosecuted for an offence). An individual can challenge a decision taken by an institution whose procedures fail to satisfy Article 6. However, the whole process needs to be considered. If the original decision is taken by an institution whose procedures do not satisfy Article 6, the requirement may still be met if that decision can be reviewed (in the form of an appeal on both facts and law) by a court or tribunal that does satisfy Article 6.

Commission on Human Rights and Administrative Justice (CHRAJ)

The Commission on Human Rights and Administrative Justice (CHRAJ) was created by the 1992 Constitution and duly established under Act 456. It is the national institution for the protection and promotion of fundamental human rights

and freedoms as well as administrative Justice in Ghana. It combines the work of the ombudsman and that of a human rights commission. Article 216 of the Constitution provides that:

> There shall be established by Act of Parliament within six months after Parliament first meets after the coming into force of this Constitution, a Commission on Human Rights and Administrative Justice which shall consist of (a) A Commissioner for Human Rights and Administrative Justice; and (b) Two Deputy Commissioners for Human Rights and Administrative Justice (Constitution of Ghana, 1992).

Further provisions required to be included in the Act were provided by the Constitution (Articles 217 – 230). Pursuant to the above, Parliament in 1993 passed the Commission on Human Rights and Administrative Justice Act, 1993, Act 456. The Act established the Commission on Human Rights and Administrative Justice to investigate complaints of violations of fundamental human rights and freedoms, injustice and corruption; abuse of power and unfair treatment of persons by public officers in the exercise of their duties and to redress where necessary.

The functions of the Commission are as follows (Art 7 (1), (2)): 7 (1) (a) (1) To investigate complaints of violations of fundamental rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duties; (2) To investigate complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the offices of the Regional Co-ordination Council and the

District Assembly, the Armed Forces, the Police Service and the Prisons Service in so far as the complaints relate to the failure to achieve a balanced structuring of those services or equal access by all to the recruitment of those services or fair administration in relation to those services; (3) To investigate complaints concerning practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under the Constitution; (4) To take appropriate action to call for the remedying, correction and reversal of instances specified in paragraphs (a), (b) and (c) of this subsection through such means as are fair, proper and effective, including– (i) negotiation and compromise between the parties concerned; (ii) causing the complaint and its findings on it to be reported to the superior of an offending person; (iii) bringing proceedings in a competent court for a remedy to secure the termination of the offending action or conduct, or the abandonment or alteration of the offending procedures; and (5) Bringing proceedings to restrain the enforcement of such legislation or regulation by challenging its validity if the offending action or conduct is sought to be justified by subordinate legislation or regulation which is unreasonable or otherwise ultra vires; (6) To investigate allegations that a public officer has contravened or has not complied with a provision of Chapter Twenty-Four (Code of Conduct for Public Officers) of the Constitution of the Republic of Ghana (1992); (7) To investigate all instances of alleged or suspected corruption and the misappropriation of public monies by officials and to take appropriate steps, including reports to the Attorney-General and the Auditor-General, resulting from such investigation; (8) To educate the

public as to human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia; and (9) To report annually to Parliament on the performance of its functions.

The Commission shall for the purposes of performing its functions under this Act, have power – (a) to issue *subpoenas* requiring the attendance of any person before the Commission and production of any document or record relevant to any investigation by the Commission; (b) to cause any person contemptuous of any such subpoena to be prosecuted before a competent court; (c) to question any person in respect of any subject matter under investigation before the Commission; (d) to require any person to disclose truthfully and frankly any information within his knowledge relevant to any investigation by the Commissioner.

The Paris Principles

The Paris Principles are the principal source of normative standards for national human rights institutions. Adopted by National Human Rights Institutions (NHRIs) at an international workshop held in Paris in 1991, they marked the beginning of serious international co-operation and standardisation of NHRIs. Both the United Nations Commission on Human Rights (UNCHR, 2003) and the General Assembly later endorsed them. The Paris Principles are broad and general. They apply to all NHRIs, regardless of structure or type. They provide that a national institution should be established in the national Constitution or by a law that clearly sets out its role and powers and that its mandate should be as broad as possible. They state that national institutions should be pluralist and

should co-operate with a range of social and political groups and institutions, including non-governmental organisations (NGOs), judicial institutions, professional bodies and government departments.

The Paris Principles state that NHRIs should have an infrastructure that allows them to carry out their functions. Particular importance is attached to the need for adequate funding to allow the institution "to be independent of the government and not be subject to financial control which might affect this independence". The various functions of national institutions are described in the Principles as "responsibilities", suggesting that these are things that institutions are obliged to do. The Principles provide that NHRIs should make recommendations and proposals to governments on various matters relating to human rights, including existing and proposed laws, human rights violations, and the national human rights situation in general. They require national institutions to promote teaching and research on human rights and organise public awareness and education programmes.

The Paris Principles also address methods of operation and, by implication, the powers of national institutions. They are entitled to consider any issue falling within their competence without authorisation from any higher authority. They are entitled to hear any person or gather any evidence needed to consider matters falling within their competence. National institutions are called on to publicise their decisions and concerns, as well as meet regularly. The Principles do not require NHRIs to have a "quasi-jurisdictional" function – that is, to handle complaints or petitions from people whose human rights are alleged to

have been violated. However, where NHRIs do have this function, the Principles list particular obligations:

To seek an amicable settlement through conciliation, a binding decision or on the basis of confidentiality;

To inform petitioners of their rights, available remedies, and promote access to them;

To hear complaints and transmit them to competent authorities; and

To make recommendations to competent authorities (UNCHR, 2003).

The Concept of Perception

It is believed that perception influences people's behavior and attitude that play critical role in the interpretation and practice of human rights. In view of this, it has become necessary to examine perception as a concept. Perception is the brains process of organizing and interpreting sensory information to give it meaning (Santrock, 2000). It is the way an individual sees something or another person's behavior. Simply put, perception is the natural ability to understand or notice something quickly. It is the recognition of things by using the senses.

Shani and Lau (2000) defined perception as an active process by which individuals screen, select, organize and interpret stimuli. Shani and Lau said the way an individual perceives a situation based on what the individual is experiencing at a given moment, is based on several factors. These include data being received from five senses (sight, smell, taste, touch and hearing), data in the memory system, emissions, feelings needs, wants and goals. It is important to realize that what individuals experience at any given moment is based primarily

on what goes on inside them rather than what is happening outside them on the external world.

Neisser (1976), cited in Davidoff (1987), defines percept as the point where cognition and reality meets and perhaps, the most basic cognition activity out of which all others emerged. Thus information must be taken into the minds before we can do anything else with it. Perception is said to be a complex process that depends on both surrounding world and then the perceiver. It is the process of organizing and interpreting incoming sensory data to develop an awareness of self and surroundings.

Gestalt psychologists, Rosser and Nicholson (1984), said perception is subjective. They said people perceive environmental stimuli differently, while some people planning a picnic may see a cloudy sky as a threat, others may see the beauty of the clouds as indications of a change in the weather. Not only do different people perceive the same stimuli differently, but also the same people may perceive the same stimuli differently at different times. A person's perceptions of the environment depend or are related. Organizations then also influence perception.

According to Atkinson and Hilgard (1983), perception is a process by which people organized and interpreted the patterns of stimuli in their environment. It has a mental process emanating from the Gestalt theory of stimuli organization and interpretation. Perception can therefore be seen as an opinion that an individual has about someone or something. It is noticing or realizing things tat are not obvious about someone, something or a situation.

It could therefore be said that how a teacher or a staff perceives human rights and freedoms depends more on internal factors such as physiological past experience, motivation than on external factors such as physical objects, people and social interactions. Perception is the meaning that comes to the individual through the five senses.

Empirical Research

This study draws on the knowledge and the practical experience of a study, *Rights and Equity in the Classroom: A Case Study of Classroom Interactions in Basic Schools in Ghana,* conducted by the Research and Evaluation Unit of the Curriculum Research and Development Division (CRDD), Ghana Education Service (GES), and the Report Commissioned by the United Nations Children Education Fund (UNICEF), (November, 2001). This report forms the practical knowledge base for the current study. The main findings of the research confirm an important gap, the absence of a policy on rights and equity education for Basic Schools in Ghana despite several attempts at eliminating discrimination. Pupils were unable to recognize their right to access information and accepted with little questioning schools' language policy. The key findings of the study were as follows: 1. No comprehensive policy exists for the teaching, learning and practice of human rights and gender equity in Basic Schools. 2. Children in Basic Schools suffer various forms of human rights abuses and gender discrimination in Ghana. 3. Most teachers and administrators do not put into practice the human rights and gender equity as contained in children's rights

documents in the schools. 4. Pupils show knowledge gaps on rights and gender equity issues assessed in the study.

Conclusion

It could be said that, in all the related literature searched, the authors agreed that issues regarding human rights and social justice, should be given the due attention and respect they deserve, since any thing short of this results in chaos and catastrophe. There are structures and institutions put in place to promote and safeguard human rights and social justice - protecting the interest of children, women, and the marginalised groups. The UCC as an institution is committed to safeguarding the rights and freedoms of students and staff. The policy of the UCC impresses upon all students, staff and even visitors to respect the rights of others and refrain from any act or activity that is hostile to the congenial working and learning environment.

In spite of this provision, it was perceived that there exist some forms of discrimination, violation or abuse of rights and freedoms and other forms of infringement of people's rights. However, it was not certain whether these perceptions reflect the lived experiences of students and administrators. This assertion might have emanated from the work of Galtung (1973) *Cultural reproduction and structural violence theory* as discussed above (see page 12). It is based on this premise that, there was the need to undertake the study to gain insights into people's perceptions, level of awareness and the extent to which human rights issues are promoted and practised in higher education, for society to advise itself.

CHAPTER THREE

METHODOLOGY

Introduction

This chapter describes the various methods used in collecting the necessary data for the study. It also describes the research design, site selection, selection of participants, the target population, sample size and sampling procedure, sources of data, the data collection procedure, and problems encountered during the field work are discussed in this chapter.

Research Design

The study sought to examine the perceptions and experiences of students and administrators on human rights and freedoms issues in higher education. It adopted the qualitative research design using case study approach within the phenomenological interpretative paradigm to examine, understand, explore and interpret the human rights and freedoms situation in the University of Cape Coast. Qualitative research is concerned with developing explanations to social phenomena. Among others, it seeks to find answers to questions relating to how events, programmes and interventions affect people (Trochim, 1985). The qualitative approach provides a unique opportunity to explore and solicit unlimited perspectives and opinion from participants on a phenomenon under study. The study sought to explore the extent to which human rights and freedoms

are promoted to facilitate the achievement of goals and effectiveness, and to understand non-quantitative impacts which are not easily captured by quantitative approach.

A qualitative design was chosen for the study because it provides a depth of understanding which cannot be achieved from a structured questionnaire. The free-flowing format of the discussions provided an insight into participants' views and concerns, while seeking to identify not only what they know and think, but also why they do so. Qualitative research is an interactive process, and, therefore, it was possible to respond to the individual condition of each participant as well as being accommodating enough to bring new insights.

The research methods selected say much about the views on what qualifies as valuable knowledge and the perspective on the nature of reality. The choice of qualitative methods for this research was primarily to understand the "voice of interest from the participants' perspective," and not just from the researcher's. Patton (1985) defined qualitative research as:

> An effort to understand situations in their uniqueness as part of a particular context and the interactions there. This understanding is an end in itself, so that it is not attempting to predict what may happen in the future necessarily, but to understand the nature of that setting — what it means for participants to be in that setting, what their lives are like, what's going on for them, what their meanings are, what the world looks like in that particular settings (p.1).

This study adopted the phenomenological approach, which sought to elucidate the meaning of the lived experience of a phenomenon of a group of people. Patton (2002) noted that a phenomenological study is one that focuses on descriptions of what people experience and how it is that they experience what they experience. This research work seeks to make a contribution that challenges the silence and subordination to cultural norms of African society by revealing the experiences of students and administrators in an institution of higher education in Ghana. A dimension of phenomenological approach is the assumption that there is an essence to shared experience. Eichelbeger (1989) asserts that in a phenomenological study, there is the need to conduct an analysis of the experience so that the basic elements of the experience that are common to members of a specific society can be identified. In similar vein, Van Manen (1990) adds that phenomenology aims at gaining a deeper understanding of the everyday experiences of a group of people, students, faculty and administrators in this case.

A phenomenological study requires an investigator to derive research questions that explore the meaning of that experience for individuals and ask them to describe their everyday lived experiences (Creswell, 1998). This according to Creswell (1998) is done through interviews with individuals who have experienced the phenomenon. The aim in this research was to give a voice to the students and administrators who are the core of this research project. Thus, through in-depth interviews I was able to derive from selected participants their experiences of human rights and freedoms in the University of Cape Coast.

Site Selection

The University of Cape Coast (UCC) was selected as the research site. The UCC is the first university established in the Central Region and it is a leading university in teacher education in Ghana. It also offers courses in the Social Sciences, Arts and Physical Sciences. The rationale for selecting this public university was based on the steady but phenomenal growth in student population with its attendant difficulty in administration -with a possibility of using heavy-handedness to control students. This in effect can lead to possible human rights and freedoms violations as typified by the cases cited earlier in this thesis. As a result the study sought to obtain perspectives of human rights and freedoms situation from the experiences of administrators and students in the university. The present research took place at UCC for a period of one year. Having been educated at the University of Cape-Coast in the Central Region of Ghana, I have substantial networking capabilities with research participants working or studying at the university. This gave me easy access to a wide variety of students and administrators.

Selection of Participants

In this study, the main focus was to explore and understand the experiences of students and administrators on the issues of human rights and freedoms in the University of Cape Coast. In this case, some administrators and some students in the UCC constituted the appropriate participants for the study. As Patton mentions; "Information-rich cases are those from which one can learn a

great deal about issues of central importance to the purpose of inquiry" (Patton, 2002, p. 230). In view of this, 10 key informants comprising administrators who are in touch with students on day-to-day bases such as Assistant Registrars Faculty officers and administrative assistants were selected for the study. Students from various academic backgrounds and in any of the six main halls of residence – Adehye, Atlantic, Oguaa, Casely Hayford, Valco and Nkrumah; as well as the student leadership were selected for interview.

Sample Size and Sampling Procedure

Generally, the purposive sampling procedure was employed to select key informants thought to possess in-depth knowledge about the subject for interviews. Normally, qualitative studies employ a form of non-probability sampling such as accidental or purposive sampling (Sarantakos, 1998). The purposive sampling procedure enabled me to sample views from different categories of people who could provide the needed information. This sampling technique enabled me to target those perceived to have some important information about the topic raised. Thus, the participants of the study were selected through purposeful sampling, because it is a dominant strategy in qualitative research that produces rich information. Patton (2002) asserts that the logic and power of purposeful sampling lies in selecting information-rich cases for in-depth study.

In all 10 administrators, 30 students including some student leaders from the UCC were interviewed. The administrators were contacted for interviewing

through the snow ball sampling, an approach essential for locating information-rich key informants or critical cases (Patton, 2002, p. 237). Being a student of this university, I acquired the necessary permission and then introduced myself to one administrator for the interview, after which other key informants were recommended and contacted. On the other hand, students who were interviewed were incidentally selected at the six main halls of residence. Students who entered the main halls of residence between the hours of 3:00 pm and 6:00 pm for a period of two weeks and were willing to participate in the study, were interviewed.

Data Sources and Collection Procedures

To address the main issues and answer the research questions, an in-depth, open ended interview-based study of administrators and students at UCC was conducted. The sample size depended on when the saturation point was achieved during the interview. The saturation point was reached when no new issues and themes were likely to emerge from further interviews, Kumar (2005) opined that this sampling procedure is acceptable in qualitative research. Thus, the primary sources of data were the interviews and non-participant observations.

Three main sources of data were used for the study – interviews, observation and documents. The interviews and the observations were the sources of the primary data while official documents and related literature provided the secondary data sources. The secondary source of data complemented and supplemented the interview and the observation data.

Instrument

Qualitative enquiry of this nature, which focuses on meaning in context, requires a data collection instrument that is sensitive to underlying meaning when gathering and interpreting data (Adusah-Karikari, 2008). The main data collecting instrument for the research was the use of open-ended questions used as interview guides. The interview guides were then used (*see Appendix A and B*) for students and administrators respectively, to elicit the needed qualitative data. Sets of related questions based on the research questions were used for interviewing. Interviews were conducted to gather the needed data for the study. Patton (2002) contended that qualitative interviewing begins with the assumption that the perspective of others is meaningful, knowledgeable, and should be able to be made explicit. Moreover, Patton (2002) reveals that qualitative findings grow out of three kinds of data collection: in-depth, open-ended interviews, direct observation, and written documents. Glesne (2005) also affirms that the use of multiple data collection methods contributes to the trustworthiness of data. Therefore, the concept of triangulation was employed for the data collection. Patton (2002) noted that triangulation within a qualitative inquiry strategy can be obtained by combining both interviewing and observation. For the purposes of this research, data triangulation was applied, which is the use of a variety of data sources in a study (Denzin, 1978). Cohen and Mannion (1994) asserted that the purpose of triangulation is not the simple combination of different kinds of data, but the attempt to relate them so as to counteract the threats to validity identified in each. In support of the use of in-depth, open-ended interviews, observations,

and documents for this research work, Patton (2002, p.248), asserted that "studies that use only one method are more vulnerable to errors linked to that particular method than studies that use multiple methods in which different types of data provide cross-data validity checks". Bogdan and Biklen (2003) summarised the fundamental methods relied on by qualitative researchers for gathering information as participation in the setting, direct observation, in-depth interviewing, and document review. These methods formed the central part of this study.

Pilot Testing of Instrument

A pilot test of the instrument for the study was conducted in University of Education, Winneba (UEW) in March, 2009. This involved a discussion with some selected administrators from the administration section of the University and some selected student leaders of this educational institution.

The pilot test gave a foreknowledge of the duration for the interviews with key informants as well as with students. It also helped to re-phrase and re-structure unclear and ambiguous questions. Some of the questions were re-arranged to ensure logical ordering of questions and deletion of repeated ones. Additionally, the pilot study also helped in planning for the field work to make it less stressful. More importantly, the testing of the instrument enabled me to establish the validity, internal consistency and reliability of the instrument. The key aspect of establishing reliability involved the selection of what is recorded, the technical quality of recordings and the adequacy of transcripts. Moreover, the consistency of responses by the respondents in reaffirming what they had said

earlier on during the follow up checking on the transcribed responses, did not only help to establish reliability but also validity. According to Silverman (2001: p. 227) "… the quality of recordings and transcripts has important implications for the reliability of conversation analytic research".

Interviewing

According to Rapley (2004), interviews are by their very nature, social encounters where speakers collaborate in producing retrospective (and prospective) accounts or versions of their past (future) actions, experiences, feelings, and thoughts. An interview is a purposeful conversation, usually between two people, although sometimes involving more than two, that is directed by someone in order to get information from the other (Bogdan and Biklen, 2003). In qualitative research, interviews may be used in two ways. They may be the dominant strategy for data collection, or they may be employed in conjunction with participant observation, document analysis, or other techniques (Rapley, 2004). In all these situations, the interview was used to gather descriptive data, in the subjects' own words, so that the researcher could develop insights on how subjects interpret some situations or phenomena.

Patton (2002) categorized interviews into three general types: the informal conversational interview, the general interview guide approach, and the standardized open-ended interview. Two different sets of general questions to serve as interview guide was used in the interview process for students and administrators at UCC. The face-to-face interview is presented as enabling a

"special insight" into subjectivity, voice and lived experience (Rapley, 2004). In this work, these approaches were planned with the intension to elicit views and opinions of each participant's experiences in relation to human rights climate and the obstacles one encounters.

A study on human rights in an institution of higher learning necessitated a decisive ethical consideration in order to protect the rights of the research participants. There are many ethical issues in relation to participants of a research activity (Kumar, 2005). The principle of *voluntary participation* was required of the people and they were not to be coerced into participating in the research. Closely related to the notion of voluntary participation was the requirement of *informed consent*. Essentially, this means that prospective research participants must be fully informed about the procedures and risks involved in research and must give their consent to participate. Ethical standards also require that researcher would not put participants in a situation where they might be at risk of harm as a result of their participation. Harm can be defined as both physical and psychological (Adusah-Karikari, 2008).

There are two standards that were applied in order to help protect the privacy of research participants. The research guaranteed the participants *confidentiality* -- they were assured that identifying information would not be made available to anyone. The stricter standard, the principle of *anonymity* essentially means that the participant remained anonymous throughout the study -- even to the researcher was adhered to. The anonymity standard was a stronger guarantee of privacy (Cohen and Mannion, 1994). To ensure that the ethical issue

of a person's right to service was not violated, before each interview, the participants were advised. In the first place the purpose of the interview being conducted was explained. Secondary, participants were sought to give their consent to take part in the research. Then those who wanted to take part gave their consent verbally which were recorded. Moreover, permission from interviewees were sought to record the interviews and at the same time consented participants were assured of anonymity.

Interview guides (*Appendix A and B*) were used to interview the research participants, to elicit the needed qualitative data. The use of a digital recorder was used to record the interview in order to capture the exact words of the respondents. This is in line with Patton (2002, p.380) who advises that "no matter what style of interviewing you use and no matter how carefully you word questions, it all comes to naught if you fail to capture the actual words of the person being interviewed". In addition to this, personal notes on observations were taken to ensure that voices were captured accurately in context. This is because Patton (1990 p.383) recommends that note taking allows the researcher "to concentrate on taking strategic and focused notes rather than attempting verbatim notes". Separate locations were used for the interview. In most cases a convenient place or spot was chosen by the interviewee. However, almost all of the administrators were interviewed in their own offices or in an office. The interview session on the average lasted for 40 minutes.

Participant Observation and Documents

Observation as an ongoing qualitative research technique is important since it helps to present the whole picture, captures context or process, illustrates and informs about the influence of the physical environment (Nisbett, 1977). Participant observation refers to situations in which an observer gains firsthand knowledge by being in or around the social setting that is being investigated. The researcher does not get involved in the activities but remains a passive observer, watching, listening, and recording activities as they are performed and drawing conclusions from this (Kumar, 2005, p.120). Students and administrators were observed to discover the interactions, as well as patterns of behaviour and relationships among students and their peers and administrators and their colleagues. One of the problems associated with observation is that "when people become aware of that they are being observed, they may change their behaviour to be positive or negative – it may increase or decrease" (Kumar, 2005, p.120).

The use of official documents, such as Students' Handbook and Academic Programmes, Policies and Regulations, some relevant documents, and periodicals from the university, were intended primarily to collect data on issues relating to human rights and freedoms as it may pertain to UCC. In addition, reports and other papers which contained information about human rights issues of students and administrators were useful data to this research. As Patton (2002, p.295) advised, "learning to use, study and understand documents and files is part of the repertoire of skills needed for qualitative inquiry."

Member Checking

In order to ensure the accuracy of data gathered during the interview, there was the need to conduct member checking. Glesne (2005) defines member checking as sharing interview transcripts, analytical thoughts, and/or drafts of the final report with research participants to make sure they and their ideas were being represented accurately. Basically, the interviews were conducted in English and all interviews were transcribed personally by myself to ensure that no data were lost. Patton (2002, p. 441) affirms that "doing all or some of your own interview transcriptions (instead of having them done by a transcriber), for example, provides an opportunity to get immersed in the data, an experience that usually generates emergent insights".

Just as Patton (2002, p. 437) noted, "on occasion, gaps and ambiguities found during analysis cry out for more data collection" so were interviewees re-contacted to clarify or deepen responses. Clarification and confirmation on issues and themes that were raised during interview were sought.

Data Analysis and Interpretation

Notably, qualitative research is a complex issue, and making sense of qualitative data is not an easy task (Coffey and Atkinson, 1996). From the interviews, considerable text data that were generated were organised, transcribed, edited and coded to ensure that all inferring schedules are complete and contain accurate information. Bogdan and Biklen (2003; p. 54) defined qualitative data analysis as "working with data, organizing it, breaking it into manageable units,

synthesizing it, searching for patterns, discovering what is important and what is to be learned and deciding what you will tell others". Patton (2002) noted that analysis of any kind of data referred to its systematic examination to determine its parts, the relationship among the parts, and their relationship to the whole. Glesne and Peskin (1992) maintained that qualitative data analysis involved organizing what one has seen, heard, and read so that one can make sense out of what he/she has learned in the field. According to Bell (1993), "…a hundred separate pieces of interesting information will mean nothing to a reader unless they have been placed into categories … groupings, patterns and items of particular significance" (p.127).

The data collected consisted of personal notes on observation, digital recording of   interviews, and institutional documents. The data gathered were given serial numbers to facilitate easy identification for scoring. After transcribing the data, an inductive approach was used to organise the data into various themes and categories based on the research questions and the objectives of the study. Data were organised into five sections, based on the themes of the research questions such that the results of the analysis provided answers to the questions raised. The inductive analysis, a process that is aimed at uncovering embedded information and making it explicit (Hoepfl, 1997) was used. As Bogdan and Biklen (2003) also noted, this qualitative analysis helps themes and categories to emerge during three phases – i) Discovery ii) Coding iii) Interpretation. The discovery is when the researcher identifies themes and develops concepts as research progresses. The next phase, coding, occurs after the data collection,

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focusing on refining the understanding of the subject matter. The final phase is interpretation in which the researcher attempts to understand the data. This research utilized the tools available through the adopted research design — phenomenological study — which proceeds through the methodology of reduction, the analysis of specific statements and themes and a search for all possible meanings (Creswell, 1998).

Thus, based on the participants' utterances, which is the unit of analysis, the transcribed responses to each item for all participants were transposed onto a broad sheet. All the responses to each item were grouped together to provide a quick overview and for easy deductions. Studying the various responses, the data revealed some pattern of recurrent instances which were identified across the data set (Silverman, 2004). It was then possible to code and categorise related and divergent views. For example, some responses to item one under research question one, obtained some responses such as:

Respondent A: … ***peaceful coexistence*** *on campus...*

Respondent B: … *some lecturers and administrators* ***talk harshly*** *to students*

Respondent C: ... ***congenial atmosphere*** *where people abide by rules...*

Respondent D: *You are* ***free to live your life****, provided you* ***follow the laws****...*

The key words in bold describing the human rights atmosphere were classified under 'cordial' (as in A, C and D) and 'harsh' (B) respectively. See page 79 – 80 for the discussion.

Challenges of Fieldwork

The fieldwork was confronted with a number of challenges. However, the challenges that emerged during data collection for the study were not different from those that confront other research works. To start with, the familiarity between the researcher and some of the research participants was of particular interest, that is, employees of the university. Due to the familiarity, it was anticipated that participants would be cautious with their actual perceptions and opinions on issues under discussions. This was seen as having the potential to introduce biases into the findings and conclusions. This challenge was overcome by consistently reminding participants of preserving their anonymity and the fact that the study was entirely independent.

One critical challenge was the difficulty on the part of some of the research participants to honour the scheduled appointments booked for the interview due to their heavy duty schedules. As a result, I kept on rescheduling till time was made for the interview.

Another challenge was the frequent interruption of interview process during the administrators' interviews. Administrators being interviewed were often called upon to duty or to attend to a social call from time to time thereby disrupting interviews. This stalled the flow of the discussions. As a stop-gap measure, all 'visitors' who called on social calls were entreated to wait unless the issue at stake was critical and needed an urgent attention.

Some of the participants appeared to be experiencing "research fatigue" and this was prominent among the Assistant Registrars. Participants complained

that they operate with very busy schedules and to them every minute counts. With persistent visits to their offices they made time (separately and individually) for the interview. However, they participated in the research work, albeit with some hesitation.

These challenges suggest, therefore that, the study is limited to views and perceptions of the participants. The implication is that vital information for the study could have been withheld, suppressed or misrepresented by respondents due to human factors and the sensitive nature of the topic under study.

CHAPTER FOUR

RESULTS AND DISCUSSION

Introduction

This chapter presents the results obtained from the review of documents, observations, and interviews conducted in order to answer the research questions posed in this study. The objective of this study was to examine and investigate the perceptions, opinions and experiences of students and administrators on human rights and freedoms situation in the University of Cape Coast (UCC). The research questions provide a framework for this study. To provide a quick reference, the research questions enquire specifically about:

1. Perceptions on human rights and freedoms

2. Human rights awareness level in UCC

3. Causes of violation of human rights and freedoms

4. Challenges and benefits of promoting human rights

5. Extent to which the University pursues human rights and freedoms

In this chapter, the data collected on the above themes and on pertinent issues related to human rights promotion in the University of Cape Coast (UCC) are analysed, discussed and presented. Data gathered from the participants were coded after studying the responses. It was important to understand the data in order to effectively manage data, merge related data drawn from different notes, and identify patterns or relationships. This helped in analysing the data by

categorising them into the appropriate themes. These were discussed, drew and verified conclusions.

The data that emerged from the documents, observations as well as the interviews conducted, are described and analysed and related the themes to the research questions. Finally, this chapter provides detailed description of the themes and concepts that emerged from the interviews with the students and administrators and presents an analysis that focuses on the experiences and their perspectives on promoting human rights in UCC. In addition to the observations and the document analysis, the research is based on the perspectives of two distinct groups — students and administrators. In coding the voluminous data, several themes and patterns emerged.

The dominant themes that recurred are the generational conflict and the effect of socio-cultural values and practices, affecting the institution as a social organization. Also, the students, rather than the administrators, highlighted a myriad of challenges and invisible barriers that they experienced in pursuing their education. In particular, they talked about the bureaucratic nature of the university administration, the lack of human rights centre, manipulation and the perception that there is a conflict between the desire to maintain the *status quo* and the move to change them. There was a mixed perspective on discrimination by way of gender and by physical disability and the support of the institution.

Socio-Demographic Information on Respondents

In all, 10 administrators who were at different ranks and who served in different capacities in the administration of the University and 30 students drawn from various disciplines of study and halls of residence were interviewed. Four out the 10 administrators were females and one of the females was an Assistant Registrar while the remaining three were serving as Administrative Assistant, Senior Administrative Assistant and Principal Administrative Assistant. With the exception of the Administrative Assistant, all the women interviewed were married.

The ages of the majority of student participants fell between 21 and 30 years. While the ages of the administrators fell between 25 to 45 years. The oldest among them was a male Assistant Registrar while the youngest among the administrators was the female Administrative Assistant. Table 1 provides the distribution of the administrative staff by gender and rank.

Table 1

Distribution of Administrative Staff by Gender and Rank

Rank	Male	Female	Total
Assistant Registrar	1	1	2
Principal Administrative Assistant	1	1	2
Senior Administrative Assistant	2	1	3
Administrative Assistant	2	1	3
Total	6	4	10

Source: Fieldwork, 2009.

The educational background for all the administrators who participated in the research was at least a first degree. In addition to the first degree, some of the Administrative Assistants especially the Senior Administrative Assistants have acquired post graduate diplomat certificates. Two of the Principal Administrative Assistants indicated masters "in progress". The academic qualifications of the staff interviewed reflected their ranks and positions in the University community. With regards to the post of Assistant Registrars, the requirement for such position set out by the University is a master's degree. The female Assistant Registrar holds a Master of Philosophy while the male holds a Master of Education from the Faculty of Education.

Moreover, all the administrators interviewed indicated at least four years working experience at the current post while the longest serving administrator interviewed was a senior administrative assistant who started as administrative assistant, and has been serving for the past eleven years. The worth of their experience and knowledge is seen as very critical and this lent credence to the quality of data obtained for this study.

On the other hand, out of the 30 students, 14 were females and 16 males. They were selected from the six main halls of residence, that is: Adehye Hall, Atlantic Hall, Casley Hayford Hall, Nkrumah Hall, Oguaa Hall and Valco Hall. Five students each were selected and interviewed from each of the Halls. Table 2 presents the distribution of the student respondents by gender and the halls of residence.

Table 2

Distribution of Student Respondents by Gender and Halls

Halls of Residence	Male	Female	Total
Adehye Hall	0	5	5
Atlantic Hall	3	2	5
Casley Hayford Hall	5	0	5
Nkrumah Hall	3	3	5
Oguaa Hall	2	3	5
Valco Hall	3	2	5
Total	16	14	30

Source: Fieldwork, 2009

It is important to note that the representation of the females was quite high. Thus, 14 representing (46.7%) of the students were females as against 16 (53.3%) for the males. This is done because of the nature of the study which demands that females' voices would be adequately represented. These students were selected irrespective of the programmes of study, for the study is disinterested in the areas of study of students. However, they cut across various programmes.

This qualitative research focused on the experiences of students and administrators in a selected public university in Ghana. As stated in a brief discussion in Chapter One, the goal in this study was to examine and offer an understanding of the experiences of students and administrators on human rights

in the University of Cape Coast. It sought achieve this using the voices of students and administrators in the selected public university in Ghana. Lykes and Coquillon (2007) affirmed that qualitative research methods are more designed to encourage the preservation of participants' individual input and particular context — their voices, lived experiences indigenous knowledge, perception, and words. The next part of the analysis focuses on the specific themes of the students and administrators under study.

Research Question 1

What are the perceptions of administrators and students on human rights and freedoms issues in the university?

Perceptions on Human Rights and Freedoms

This section attempts to answer the research question one above. To do this, respondents had to respond to a set of related questions. To start with, participants were asked to describe the human rights climate. The general perception of the participants on the human rights climate in the University of Cape Coast (UCC) was described to be good and congenial for work and studies. It was evident from the data that participants related or linked the prevailing conducive school climate to the good policies, rules and regulations adopted by the University. It was explained further that UCC is a place where students and workers go about their duties freely without fear. There is freedom of association, freedom of speech and expression. A student leader said:

You are free to live your life, provided you follow the rules and

regulations. (A student leader, interviewed on Saturday, 28/03/09).

Many other participants for the study were of similar opinion and described the general institutional atmosphere as cited in the words of an Assistant Registrar. He commented of the prevailing condition as:

Congenial atmosphere where people abide by rules and regulations for peaceful coexistence, for the University is a place for matured people with a good orientation.

(A male Assistant Registrar, interviewed on Tuesday, 31/03/09).

The above views, however, do not suggest in any way that the human rights situation in UCC is the utopian ideal - belonging to or characteristic of an ideal, perfect state, but rather has its own challenges and concerns. On the centrally, some students add that it is not often the case. They mentioned that sometimes some individuals have their rights undermined by others in the university community. He expressed his misgivings as presented in the student's own voice:

My concern is the way some lecturers and administrators talk harshly to students and even sacking students from their offices even when the students have genuine cases to present.

(A level 400 male student of Atlantic Hall, interviewed on Tuesday, 24/03/09).

On the question of whether there is the need for human rights education in UCC, almost all participants responded in the affirmative with some reasons. Reasons that were provided centred on the fact that people need to be educated on their rights and responsibilities and even including those who seem to be well informed. A lady student put it succinctly and emphatically that:

… all need to be sensitised to empower them to act appropriately.
(A female level 300 student of Oguaa Hall, Thursday, 26/03/09).

Other two prominent voices that aptly represented the dominant views were captured here. One of the views was captured from a student and the other from a Senior Administrative Assistant. They spoke about the fact that:

> *Students are the leaders of tomorrow so if they are educated and are well informed, they will be in a better position to influence society positively.*
>
> *(A level 400 female student from Valco Hall, interviewed on Monday, 23/03/09).*

Then the administrative officer stated to the fact that:

> *In every human institution like ours, abuse of rights is bound to occur. It therefore becomes necessary for people to know their rights and obligations, so that they live to protect and respect them, for knowing is empowering.*
>
> *(A male Principal Administrative Assistant interviewed on Thursday, 05/03/).*

These and other related responses that were provided were all pointing to one thing; the need to embark on human rights education or creating human rights awareness. These responses from the participants were in conformity with the goals of human rights education as Flowers (1996) stated and have been cited below. The goal of human rights education is said to:

> Help people understand human rights, value human rights and take responsibility for respecting, defending, and promoting human rights. An important outcome of human rights education is empowerment, a process through which people and communities increase their control of their own lives and the decisions that affect them. The ultimate goal of human rights education is people working together to bring about human rights, justice and dignity for all. (Flowers (Ed), p.3).

It is clear from the above discussion that the importance of education in human rights and human rights education can never be over emphasised especially in an institution of higher learning like the UCC.

Research Question 2

What is the level of human rights awareness among administrators and students in the UCC?

Human Rights Awareness Level

In theory, it is the responsibility of governments to inform their citizens about the treaties they have signed and ratified. This is a rather minimum obligation tagged on to UN documents that have not generally been taken

seriously by governments. The United Nations has, through the Decade for Human Rights Education (HRE) and now the World Programme for HRE, underlined the necessity of organizing HRE at all levels of schooling in order to strengthen respect for human rights and fundamental freedoms. The global community of HRE, in turn, have continued to develop clear methodological criteria for quality HRE - such as use of active or "democratic" methods of learning - and the linking of education with action. These qualities of HRE are intended to help ensure that HRE are carried out in a way that supports the cultural practice of human rights, not just information dissemination.

In line with this backdrop of human rights education, the result of the study revealed by the dominant views indicated that majority of students were aware, to some extent, about their human rights and freedoms.

You know that students know and are aware of their rights by the type of questions they ask you. They have access to considerable information and use that to their advantage.

(A female Principal Administrative Assistant interviewed on Tuesday 10/03/09).

The Principal Administrative Assistant in explaining why she thinks that students are aware of their rights and freedoms mentioned how students question issues to demonstrate their understanding of human rights. Many of the participants of the study expressed similar opinion.

Contrary to this assertion, a fewer minority of the participants especially some of the administrative officers were of the view that some students do not

know their rights since they are unable to assert themselves and insist on their rights. However, it was not certain whether the students referred to here, did not actually know their rights or they simply lacked the courage to be assertive. This then does not conform to the expectations of the rights of the child. This is because the Convention on the Rights of the Child attaches particular importance to the process by which education is to be promoted, as underlined in the general comment:

> Efforts to promote the enjoyment of other rights must not be undermined, and should be reinforced, by the values imparted in the educational process. This includes not only the content of the curriculum but also the educational processes, the pedagogical methods and the environment within which education takes place (UNHCHR, 2006, Part I, para. 33).

Accordingly, human rights should be learned through both content transmission and experience, and should be practised at all levels of the school system.

On the issue of the process and procedure for seeking redress, the responses were synonymously clear. It was agreed among student respondents that when one was seeking redress of an infringement of right, the first point of call could be either through the student representative or through the Hall Master / Warden or through a Head of Department. A student leader said it all that:

> *An aggrieved person may report to the Head of Department or through any of the group or association leaders who then can pass it on to a higher authority if the need be.*
>
> *A male student leader of Valco Hall, interviewed on Tuesday, 24/03/09.*

But what students omitted is the use of informal approach where the victim asks the perpetrator to stop. If this fails then the formal procedure may be followed. The Students' Handbook clearly stipulates what should be done.

Similarly, when students were asked whether they easily reported cases of rights infringement involving administrators or faculty members, it came to light that students were very hesitant to do so. More than a half of the student respondents expressed that it depended on the circumstances. They considered whether the outcome would favour them or not. Else, as they put it "you let it go". The reasons could be that students were afraid of possible intimidation and victimisation or those incidents are not very common. They could not stand the stigma, the tag or the humiliation they may face if it came to the public domain. This situation points to the fact that students are limited in exercising some of their rights.

When students were asked to state where, when and how they heard about or got information on human rights and freedoms in UCC, this generated varied and interesting results. The greater majority mentioned the media especially television, radio and the news papers. While others mentioned the orientation provided for freshmen and women, students' handbook, internet, friends and other printed material like books and magazines as the source of obtaining information on human rights, equity and freedoms. Table 3 provides a graphical presentation of the sources of human rights information for UCC students.

Table 3

Sources of Human Rights Information

Media		Other
Electronic	Print	Sources
Television	Students' Handbook	Orientation for Fresher students
Radio	Magazines	
Internet	Journals	Relatives
Movies	Newspapers	School
	Books	Friends

Source: Fieldwork, 2009.

It was revealed that students obtained information on human rights from various sources other than from the University. Apart from the Students' Handbook and the orientation for fresh students that was mentioned by few students, all the other sources were not provided by the University. This implies that the University has not been able to provide alternative source for information on human rights and freedoms for students. Students are at times at lost as where to find a particular facility or centre to go and find materials purposely for human rights education.

Research Question 3

What are the causes of abuse or violation of human rights and freedoms

within and among the constituents of the University?

Causes of Violation of Human Rights and Freedoms

Under this section, a range of divergent views were received from the research participants on what constitute the main causes of human rights abuses. The data for study revealed interrelated and complex factors as causes of human rights abuse.

Majority of the student participants mentioned ignorance as the dominant cause of abuses. Others mentioned human nature and greed as fundamental to causing human rights abuses. A female student at the Adehye Hall said to the effect that:

> *Some men by nature and design are greedy and are cheats. They make*
>
> *advances where they have no business, desiring for what do not belong*
>
> *to them. Some would want to take advantage of you because you are a*
>
> *female student.*
>
> *(A female student of Adehye, interviewed on Friday 27/03/09).*

The lady said this in reference to sexual advancements and harassment that some women experience. This implies that women, in spite of the efforts by the institution to ensure a just society and gender equity, are still confronted with some form of discrimination and disrespect.

Other factors that lead to human rights abuse include: the use of drugs, authority/power (political), financial power, fear, character traits, morality, and

cultural influence. Broadly speaking, the factors causing human rights violation, as provided by the respondents can be grouped into two main categories. The two related factors are distinguished by means of the perpetrator or the victim of the abuse. These factors are:

1.   Promoter factors – are the factors that influence a subject to violate on rights of others. These factors such as power, money are used as an agent or a tool to undermine the rights of others.

2.   Prone or the vulnerability factors: – these are factors that expose an individual or make that person vulnerable and easily becomes a victim of abuse. For instance, if a person is drunk or is under intense fear, this situation predisposes him/her to abuse by a perpetrator.

Table 4 below presents an explanation of these factors that either influence people to cause or expose people to abuse. It was noticeable from the responses that there are some factors that can be said to be ubiquitous in the sense that they can be classified under the two categories. For instance gender and drug influence are both classified as 'perpetrator' and 'vulnerability'. This is because someone under the influence of drug for example, is likely to violate the rights of others and at the same time he/she may become very vulnerable to be abused by others due to the effect of the drug. So under the influence of drug one can be a perpetrator or a victim.

Table 4

Factors likely to cause the Violation of People's Rights and Freedoms

Categories	Factors	Effects
Promoter/ Influencer Factors: – under the influence of; - special advantage of ;	Authority / Power Influence of Drug Money /financial power Greed Gender Morality / Character Culture Opportunistic tendencies	*Perpetrator* : - these push or motivate the subject to abuse.
Prone / Vulnerability Factors: – made liable to; - open to; - liable to give in; - yield to;	Gender Ignorance Poverty Lack of information Conflict Fear & timidity Limited understanding Subordination Exposed to drug	*Victim*: - open to or suffer physical and emotional harm.

Source: Fieldwork, 2009

From the facts presented above, a subject under the influence of alcohol may be motivated to violate the rights of others. Here the influence of alcohol makes the subject become a perpetrator to cause harm. On the other hand, poverty and the use of drug for example, may limit a person's ability assert him or her self and become vulnerable. That person then will have to succumb to a perpetrator's action and suffer physical and emotional harm – victim of abuse rights. It should

be mentioned that, it is also possible for someone considered as vulnerable to initiate acts that undermine the rights of others and thereby become a perpetrator. Such situations are, however, very limited in occurrence. It is evident from the foregoing discussion that, students by their nature and characteristic in a socio-cultural setting, are found to exhibit vulnerability factors, which make them prone to manipulation, subordination and control. This finding indeed, lends credence to Galtung's (1973) *Cultural Reproduction and Structural Violence Theory* discussed earlier on in chapter two.

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Research Question 4

To what extent does the administrator in the university promote, respect and protect human rights and freedoms?

The answers to this question have been put into three categories: a). Extent to which the university pursues human rights, b). Evidence of practice, c). Role of the administrator in promoting rights and freedoms.

Extent to which University Pursues Human Rights and Freedoms

The University of Cape Coast by policy and design, has made conscious efforts to put into practice the principles of human rights as enshrined in the 1992 Constitution of the Republic of Ghana and the Universal Declaration of Human Rights.

When asked, how does the university protect and promote the respect for human rights and freedoms, respondents were unanimous in mentioning

institutional documents, policies and structures which have been put in place, help in pursuing and promoting the respect for human rights issues in UCC.

Many students mentioned the students' handbook as the means by which the university has established standard rules and regulation based on human rights and freedoms principles. One student leader stated that:

For me, the handbook is the guidance and source of inspiration

for a free and a just society.

(A student representative for Casley Hayford Hall interviewed on

Wednesday, 25/03/09).

UCC is committed to an equal opportunities policy. It believes that all members of the university community have the right to a workplace free from exploitation, harassment, discrimination or any other form of hindrance to the effective execution of their duties. Most of the participants held similar views as intimated by one female Principal Administrative Assistant, she mentioned that:

The University has put in place some measures to promote and protect

gender issues. Examples include the quota system offered for enhancing

the chances of potential female students to access university education and

a committee set up specifically to handle sexual harassment cases in the

university.

(A female Principal Administrative Assistant interviewed on Tuesday

10/03/09).

In the same vein, some students mentioned the formation of ladies associations and women caucus. They were appreciative of the fact that these

women interest groups have been supported by the University to champion the course of women on campus and in society. Caucus used here refers to special-interest group (of women in this case): a group of people, often within a larger group such as a university community, who unite to promote a particular policy or particular interests. These have been given the due recognition and attention by the authorities and by law and for the purpose of helping to eliminate all forms of gender stereotyping, harassment and discrimination against women. It is worthy of note that this conforms to the Article 10 of the Convention on the Elimination of All Forms of Discrimination against Women which states that:

> States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure them equal rights with men in the field of education and in particular to ensure, on the basis of equality of men and women;

> The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods; (Article 10; 1-3).

Evidence of Practice of Human Rights and Freedoms

With respect to putting into practice the human rights principles, ample examples were cited by the participants. The most commonly cited evidences emanated from the implementation of policies, principles or philosophies of the

university. As a result, a fair and humane community has been witnessed due to increased student participation based on the student-centred philosophy, open administration, unbiased pursuance of rules and regulations and support for democratic values for both students and staff.

The study reveals that UCC has promoted democratic values in its administration. The democratic values are typically defined in relation to the notion of constitutional democracy, including beliefs related to individual rights and freedoms, popular sovereignty, representative government (voting), justice and human rights. Students are represented on committees, councils and boards in taking decisions that affect them. This list is not comprehensive. However, in the words of Berman (1997), these values are linked to development:

> The processes that foster development are not independent of one another. They are inextricably linked. The environments that foster development are ones that are open, nurturing and participatory, where people model and live pro-social values and where conflict is handled instructively and effectively. They are the environments where young people are provided opportunities for taking the perspective of others and reflecting on their own attitudes and beliefs (Berman, 1997, p.36).

The human rights principles are believed to form the bases for the rules and regulations. These have been put into writing in the *Students' Handbook* and *Code of Ethics* respectively. These documents include principles from relevant Rules and Regulations that affect the life of the constituents of the University community based on respect of rights and responsibilities. Special attention is

always drawn to the communication channels among Students, Hall Masters / Wardens and Tutors, Faculties; Dean of Students, the General Administration and the Vice Chancellor's Office.

When the interviewees were asked, in what ways do the university applies the principles of human rights and freedoms, administrators and students alike, were unanimous in their response. It was revealed that UCC applies the principles of human rights and freedoms in formulating and implementing all its policies, guiding philosophy, code of ethics and the Students' Handbook that spells out the rules, regulations and responsibilities for all staff and students. More importantly, the university is guided by a student-centred philosophy of education as stated in the Academic Programmes, Policies and Regulations:

> We focus on serving the needs of students, nurturing and challenging them to grow socially, physically, morally and intellectually. Our major goal is to prepare productive citizens and future leaders who can serve the national and global community in diverse ways (UCC, 2008a, p.1).

This conforms to the provisions of the convention of the right of the child and the Children's Act 1998. These conventions seek among other things that, 'in all dealings with the child or consideration of any issue concerning the child, the best interest of the child should be paramount'.

However, responses received on whether there are programmes or courses on human rights in UCC were not favourable. Majority of students as well as some administrators mentioned that they were not aware of that. Others who responded in the affirmative were short of providing examples when asked.

Nonetheless, few students and administrative staff mentioned that aspects of human rights are taught in some departments such as Social Science, Sociology, Development Studies and African Studies. This implies that currently, there is no 'known programme of study' mounted in UCC purposely for promoting human rights education.

Role of Administrators in Promoting Human Rights

The goal of social justice-oriented educational leadership programmes is to develop administrators who are sensitive to the lives and well-being of all students. These approaches may well mean that social justice-minded administrators are essentially conflicted in their daily practices. Public school administrators' daily professional lives are guided by a host of statutes, regulations and court decisions – all of which might be hostile to the well-being of many children (Karpinski, and Lugg, 2006).

Moreover, over the past decade, university administrative preparatory programmes have increasingly focused on issues of social justice. Part of this growth has been fuelled by concern for the growing number of public school students who have been considered at-risk for a host of dismal academic and life outcomes (Karpinski, and Lugg, 2006).

In addition, when students were asked about the roles administrators can play to promote human rights in the University, they mentioned among others that administrators should be open and friendly to all who calls at their offices. The dominant views included:

Administrators as implementers of policy should do so with a human face and also identify policies that are inimical to human rights and initiate the process for a review.

(A level 300 male Oguaa haller interviewed on Friday, 27/03/009).

Administrators can help promote human rights by avoiding unnecessary bureaucracy and break the communication barriers. Another important role administrators can play is initiating and organizing programmes and activities that are meant to sensitize the constituents of the University community.

(A level 400 female student of Valco Hall, interviewed on Monday, 23/03/09).

Research Question 5

What are the challenges of promoting human rights and freedoms in the UCC?

Challenges of Promoting Human Rights

In order to answer the research question posed here, the results have been discussed under the following titles: major concerns of students such as sexual harassment, types of sexual harassment and then benefits of human rights education.

The study revealed that educational administration principles are perceived to be at variance with the principle of rights, equity and social justice. This is because the strict pursuance rules and regulations invariably affect, erode

or deny students of some of their rights and freedoms. This confirms Karpinski and Lugg's (2006) that educational administration, both as a field of academic inquiry and as a profession, has historically, been at odds with or in direct opposition social justice. The historical record is replete with examples of indifference or outright hostility by practitioners and scholars towards issues of rights and social justice (Karpinski, and Lugg, 2006).

For instance, some students have been complaining bitterly about the payment of fines slapped on late registration of courses, and students think that this is a form abuse of their rights. On the other hand, to ensure effective and smooth administration, school administrators find it as a necessity to 'persuade' students to conform to the laid down regulations.

Commenting on the major challenges in pursuing rights, equity and social justice in UCC, participants' responses to the question of major challenges raised mixed reactions. The participants mentioned the following as the dominant factors: "our socio-cultural orientation", "people's attitudes", "our mindset", "our belief systems", "ignorance" and "misrepresentation". The most frequently mentioned factor was the cultural orientation, then people's attitudes, mindset, belief system, conflict and illiteracy/ignorance. Other factor mentioned included limited resources, both human and material, and lack of social/political will to pursue rights, equity and social justice principles.

Moreover, the female Assistant Registrar lamented about the tendency of some students to conceal or withhold the truth. She said lamenting that:

The situation where students distort or falsify information in order to be

accorded with some considerations was worrying. And this

irresponsibility on the part of students is unacceptable.

(*A female Assistant Registrar interviewed on Friday, 13/03/09).*

This view implies that an educational administrator in trying to discharge his or

her duties equitably, come face to face with human rights concerns:

In executing duties as administrator you have to apply the rules the way

they are. Most often it requires closing your eyes to personal convictions

and sentiments to save you from queries.

(A male Senior Administrative Assistant, interviewed on Friday,

06/03/09).

Similar view was shared by Karpinski and Lugg (2006). They were of the opinion

that educational administration, both as a field of academic inquiry and as a

profession, has historically, been at odds with – if not in direct opposition to –

social justice.

Major Human Rights Concerns of Students

Ghanaian society has some practices deeply rooted in their tradition and

which may affect human rights. These include such notions as the "child is to be

seen but not to be heard," and "when the elder/senior person speaks, it is final".

These notions in effect, affect students as they grow through the stages of

education. Thus, educational experiences in Ghana are highly affected by socio-

cultural factors. As a result, a number of the students interviewed recounted a

number of challenging experiences which are related to or caused by some socio-cultural factors.

The study revealed that the dominant concerns of students (both females and males) relating to human rights issues in higher education are the hazards of sexual harassment, seeking sexual favours, favouritism, the use of vulgar language especially on ladies, disturbances, intimidation, rustication or dismissal of students, penalties on late registration, with holding information and theft among others.

Majority of the students interviewed mentioned sexual harassment and the issue described as 'seeking sexual favours' as the most dominant related issues leading to the erosion of students' rights and freedoms. As matter of fact sexual harassment was frequently mentioned among others. For example when student were asked about what constituted some of the human rights violations; what were some of the frequent incidents or cases bordering on the abuse of rights; and when asked to state the situation(s) that can be described as violation of rights and freedoms of students, sexual harassment was consistently stated. Other issues mentioned alongside sexual harassment included a phenomenon which has been described as 'seeking sexual favours, favouritism, the use of vulgar language especially on ladies, disturbances, intimidation from some faculty members. Others were about rustication/dismissal of students, penalties on late registration, withholding information and theft. These represent some of the major concerns of students.

Sexual Harassment

The study revealed that the most critical and dominant concern expressed by students was sexual harassment. Sexual harassment is a violation of women's human rights and it is a prohibited form of violence against women in many countries. Sexual harassment has been defined as:

Unwelcome sexual advances, request for sexual favours and other verbal or physical conduct of a sexual nature, whether on a one-time basis or a series of incidents that might cause offense, humiliation, awkwardness, or that might reasonably be conceived as placing a condition of a sexual nature on employment, opportunity for promotion, grades, etc. (AWLA 2003, 10. In Students' handbook, UCC, 2008b)

Sexually harassing conduct causes devastating physical and psychological injuries to a large percentage of women in workplaces around the world. Sexual Harassment is a form of unlawful sex discrimination. Under federal law in the United States, sexual harassment is unwanted verbal or physical behaviour of a sexual nature that occurs in the workplace or in an educational setting under certain conditions. Such behaviour is illegal if it creates an environment that is hostile or intimidating, if it interferes with a person's work or school performance, or if acceptance of the harasser's behaviour is made a condition of employment or academic achievement (Morley, 2005).

Critical to these efforts to combat sexual harassment has been the growing recognition of sexual harassment as a form of violence against women which violates women's human rights. States are obligated under international law

to take effective steps to protect women from violence and to hold harassers and/or their employers accountable for sexual harassment in the workplace. In spite of the efforts made by state institutions to combat sexual harassment, if victims continue to shy away and feel reluctant to report such incidences, it becomes increasingly difficult for institutions to minimise if not eradicate this social evil.

Sexual Harassment Nature and Types

Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment or education, unreasonably interferes with an individual's performance or creates an intimidating, hostile, or offensive environment. According to Morley (2005) sexual harassment can occur in a variety of circumstances, including but not limited to the following:

1. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.

2. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a nonemployee.

3. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

4. Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

5. The harasser's conduct must be unwelcome.

It is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. The victim should use any employer complaint mechanism or grievance system available. In the University of Cape Coast, all forms of sexual harassment is prohibited by law and has been specified in the *Students' Handbook* as: "Conduct which leads to the harassment of another person is not acceptable and shall render the individual responsible liable to disciplinary action" (UCC, 2008b, pp.62-71).

Benefits of Promoting Human Rights

The promotion of human rights in an institution of higher learning has a number of benefits and some challenges as well. What seemed as a summary and the ultimate benefit of promoting human rights in UCC was stated by a level 400 male student. He said that:

I see peace and development as the ultimate result when human rights and freedoms are promoted, respected and protected.

(A male student of Oguaa Hall, interviewed on Friday, 27/03/09).

Others mentioned the fact that human rights education is capable of making students patriots and ambassadors of human rights awareness in society. For example one interviewee said:

Students can become engaged in civil society and activism.

(A level 300 female Adehye Haller interviewed on Thursday, 26/03/09).

Another import view in this regard came from an Assistant Registrar. He mentioned that:

When human rights are promoted, it will eventually lead to the elimination of students' acts of vandalism, riots, demonstrations and all forms of violence from reoccurring on our campuses. And this, as a result, will make it possible to achieve lasting peace and security that we all yearn for and let me add that human rights education should be done in context – cultural specific.

(A male Assistant Registrar interviewed on Tuesday, 31/93/09).

In support of human rights education, a female Principal Administrative Assistant also made a revealing statement. Her view was shared by other participants who expressed similar and related responses. She revealed that:

By promoting a rights-based approach to education, human rights education enables the education system to fulfil its fundamental mission to secure quality education for all.

(A female Principal Administrative Assistant interviewed on Tuesday,

10/03/).

It is important to note that these insights shared by the research participants reflect the cardinal values expressed in the Preamble of the UDHR as provided by Clark (1948) in the following lines:

The General Assembly recognised that 'the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, and that human rights should be protected by the rule of law, friendly relations between nations', … the people of the UN have affirmed their faith in human

rights, the dignity and the worth of the human person, … and are determined to promote social progress, better standards of life and larger freedoms' and have promised to promote human rights (United Nations General Assembly (1948). UN General Assembly Resolution, 217). (Excerpt from the simplified version of the Universal Declaration of Human Rights; see Appendix C for the full text of the simplified version of the UNDHR).

Similarly, Tibbitts (2005) has made a strong case for benefits of promoting human rights education. This is in line with the integration of human rights themes into university courses and programmes of study and other opportunities to see the application of human rights principles to current events or daily practice helps to promote understanding for the value of human rights and to use a human rights "lens" in interpreting societal and global problems. Tibbittis (2005) further posits that human rights education (HRE) can foster a sense of social responsibility and belongingness.

A clear link between HRE at the university level and the human rights movement is the students. These same students will then be better positioned to integrate human rights values into their professional careers. This does not only refer to general Social Science education but also professional schools, such as public health, education and law. By promoting a rights-based approach to education, human rights education enables the education system to fulfil its fundamental mission to secure quality education for all. Accordingly, it contributes to improving the effectiveness of the national education system as a

whole, which in turn has a fundamental role in each country's economic, social and political development.

Tibbitts (2005) further provides among others, the following benefits: (a) Improved quality of learning achievements by promoting child-centred and participatory teaching and learning practices and processes, as well as a new role for the teaching profession; (b) Increased access to and participation in schooling by creating a rights-based learning environment that is inclusive and welcoming and fosters universal values, equal opportunities, diversity and non-discrimination; (c) A contribution to social cohesion and conflict prevention by supporting the social and emotional development of the child and by introducing democratic citizenship and values.

It was revealed from the literature that human rights and freedoms and education are interrelated. They form the two sides of the same coin, and thus, they complement each other. As Brownlie pointed out: "Education protects against injustice and exploitation by increasing the individual's knowledge and skills to articulate demands…" (Brownlie, 1971, p.145). Brownlie's view has been held by authorities as more viable reason why education policies should be vigorously pursued. Education is seen as the first step towards creating human rights awareness and empowerment in educational institutions.

Similarly, Tibbitts (2005) further elaborates on the complementary roles of education and human rights education in institutions of higher learning. By promoting a rights-based approach to education, human rights education enables the education system to fulfil its fundamental mission to secure quality education

for all. Accordingly, it contributes to improving the effectiveness of the national education system as a whole, which in turn, has a fundamental role in each country's economic, social and political development.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Introduction

The objective of this study was to examine and offer an understanding of the experiences of students and administrators in higher education in Ghana, specifically students and administrators selected from the UCC, a public university using their own voices. By examining lived experiences and perceptions through the voices of these students and administrators, shared realities emerged. This chapter presents summary, major findings, conclusions, recommendations as well as suggestions for future research.

Summary

The study sought to examine and investigate the perceptions and experiences of students and administrators on human rights and freedoms in the University of Cape Coast. This study explored the factors that bear on the practice and the promotion of human rights and freedoms in UCC. In additions, it examined the challenges and benefits of promoting human rights. On the basis of the issues raised, this study sought to answer the following questions:

1. What are the perceptions and the experiences of administrators and students on human rights and freedoms issues in the university?

2. What is the level of human rights awareness among administrators and students in the UCC?

3. What are the causes of abuse or violation of human rights and freedoms within and among the constituents of the university?

4. To what extent does the administrator in the university promote, respect and protect human rights and freedoms?

5. What are the challenges of promoting human rights and freedoms in the UCC?

Relevant literature reviewed covered areas such as human rights declarations, covenants, treaties, conventions, concepts, principles as well as human rights education and the constitution of Ghana. The main issues discussed were the human rights concepts and principles that are practiced and promoted, the challenges, benefits and the experiences of students and administrators in higher education in Ghana. *Cultural Reproduction and Structural Violence* theory, which asserts that teachers and administrators carry societal perceptions of human rights and gender roles in their interactions with workers and students, offers useful theoretical frames for understanding social justice and human rights in higher education in Ghana.

Interviews were used to highlight individual voices on issues that affect participants' perceptions and lived experiences. In all 30 students and 10 administrators from UCC were interviewed. In depth-interviews, supplemented by documents and observations, were used in the data collection process. In interpreting data, inductive analysis, a process aimed at uncovering embedded

information and making explicit (Hoepfl, 1997), was used. As Bogdan and Biklen (2003) indicated, qualitative analysis helps themes and categories to emerge through identifying themes, coding, and interpretation. The five research questions guided this research.

The discussion of the results was presented through voices of the participants through the use of quotations. The voices revealed the themes that helped to understand the lived experiences of students and administrators. A variety of studies and literature were used to interpret and discuss the data.

Research findings from the study have suggested that the administration of the university is committed to the application of the principles of human rights and freedoms. The majority of respondents cited the integration/ incorporation of values and principles of human rights in the policies, statutes, students' handbook and code of ethics. The results showed a mixed perception of discrimination by gender and disability within the structures of the institution. It was also revealed that that the use of power, gender, the influence of drugs and money were some of the strong push and pull factors to the abuse of one's rights.

Based on the findings it is recommended among others that UCC to undertake continuous education and sensitisation of human rights and freedoms issues for all of its constituents. Again, there is the need to establish human rights centre that will handle human rights complains and promote the respect for human rights in the University of Cape Coast as well as in the larger community.

Summary of Findings of the Study

This section presents the major findings of the study based on the five research questions which guided the study. The major findings covered themes such as generational conflict, cultural violence, discipline, institutional structures and policies that promote human rights and gender issues and are as following:

1. Research findings from in-depth interviews and document analysis showed that the administration of the university is committed to the principles of human rights and freedoms. These have been incorporated into the administrative structures, policies, rules and regulations of the university. For instance the majority of respondents cited the integration/ incorporation of values and principles of human rights in the policies, statutes, students' handbook and code of ethics.

2. In addition, the findings from the study indicated that the human rights climate of UCC is conducive and this reflects the larger society's expectation for a university. In a traditional society such as Ghana, the societal expectation is that a woman and a young person are to remain in a relatively subordinate position. Students are always expected to respect and obey the seniors/ elders and abide by rules and regulations determined by the elders without question. For it is the responsibility of the latter to ensure smooth running of the institution.

3. The research revealed power relations in education which put administrators and faculty members in a superior position. By its nature education cannot be analyzed in isolation since several societal issues affect the educational

process. The legacy of socio-cultural factors shapes the experiences of students.

4. It was evident from the study that by promoting a rights-based approach to education, human rights education enables the education system to fulfil its fundamental mission to secure quality education for all. Accordingly, it contributes to improving the effectiveness of the national education system as a whole, which in turn has a fundamental role in each country's economic, social and political development. The application of human rights principles and promoting the respect for these values, UCC fulfils the constitutional mandate to uphold human rights, equity, freedom and social justice in providing improved quality education.

5. Evidently, the United Nations has been a strong force behind the call for HRE for all sectors of society and all levels of formal schooling. In line of this, the UCC is seen to have paid great attention to the integration of human rights issues. This is in contrast with the general HRE observations that, there has been less attention paid to the university as compared with the secondary school sector as supported by Tibbitts' (2006) assertion that: Universities can also be seen as closed, tending to operate rather autonomously from the government than systematically addressing human rights curricula at university (p.3).

6. The results of the study showed a strong perception of the prioritisation and protection of gender issues within the structures of the University. Gender issues are being promoted and protected by policy and in practice. The

Institution has been making frantic efforts to ensure gender equity and protect their interests especially in the face of perceived increase of sexual harassment, assault and gender discrimination.

7. The use of power and money, the influence of drugs and gender were revealed to possess strong push and pull factors for the abuse of one's rights.

8. Moreover, the view that some forms of discrimination exist in the University community is gaining credence. From the results of the study, it was clear that physically challenged people were perceived to be discriminated against. The nature of some of the educational facilities is such that accessing some of these facilities by a person with disability becomes almost impossible. Specific reference was made about the types of building and other facilities at the southern campus (old site) of the University of Cape Coast.

9. The study further revealed that at the time of the study, there was no known programme of study mounted in UCC purposely for promoting human rights education. Only some aspects of human rights are being taught as integral part of other courses.

10. It was evident from the study that there was provision for active student participation in the administration of the university especially in the areas of decision making and the selection of the student representatives or the student leadership. The university administration in this regard, supervises and ensures that the due processes are followed to avoid any regrettable incidence that may occur. The students also learn from practicing these democratic values.

11. The view that the patriarchal culture of the University appears to undermine students' freedom and frames their identity in subordinated paradigms, was gaining credence when placed out of context. The school as part of society is often influenced by cultural dynamics of the society. With the reason that students need to be guided and reshaped.

12. In addition, the findings of the study indicated that educational administration, both as a field of academic inquiry and as a profession, has historically, been at odds with – if not in direct opposition to – social justice and freedoms. The historical record is replete with examples of indifference and conflict between practitioners and scholars towards issues of social justice (Karpinski and Lugg, 2006).

13. The study revealed that *Cultural Reproduction and Structural Violence* theory remains the major cause of conflicts and agitations in the promotion of human rights and freedoms in the university due to misunderstanding and mis application of the principles. Deducing from some of the experiences through the voices of students and administrators suggest the pursuance of selective interest.

Conclusions

It could be said that from the findings of the study, the UCC has demonstrated a strong commitment to the promotion and the protection of the respect for human rights and freedoms.

It was evident from the study that UCC has endeared itself to respecting, protecting and promoting human rights on campus in spite of the challenges

confronting it through the laid down rules and the enabling structures that enhanced the promotion of human rights.

The University as a higher educational institution has made efforts to fulfil its fundamental mission to secure quality education for all by adopting a rights-based approach to education, through the integration and application of the principles of equity, rights and freedoms in its administration.

There exist a strong influence of culture on the interpretation and application of the principles of rights and freedoms and the mutual transfer of values between the institution and society. This requires that human rights education should be done in the context of cultural specifics.

The principles of educational administration which seek to run a smooth and effective institution by enforcing rules and regulations have often been erroneously perceived as constantly undermining the rights and freedoms of students of UCC.

It could be said that the University has proven to have a strong affinity for the protection of gender issues by making frantic efforts to protect their interests and ensure gender equity, especially in the face of perceived cases of sexual harassment, assault and gender discrimination.

The University remains an appropriate and fertile ground for effective promotion and education of human rights issues. Education is meant to protect people against injustice and exploitation by increasing the individual's knowledge and skills to articulate demands.

Finally, the students' handbook provides vital insights and information into promoting, respecting and protecting human rights and gender issues in UCC. The students' handbook is the major source of information on the application of the principles of human rights and freedoms for the majority of students in the university community.

Recommendations

Based on the findings and the conclusions of the study, the following recommendations are made:

1. All departmental heads in the University of Cape Coast should consider integrating human rights themes as part of a course into their academic programmes, and to provide opportunities to see the application of human rights principles in daily practice. This will help promote understanding for the value of human rights and to use a human rights "lens" in interpreting societal and global problems.

2. There is a need for the office of the Registrar to consider establishing human rights centre that will handle human rights complains and promote the respect for human rights in the University of Cape Coast as well as in the larger community. The human rights centre, to be run by independent human rights professionals will be charged with the responsibility of training, disseminating and safeguarding human rights concerns of faculty, staff and students. Preferably, a branch of CHRAJ on campus would be appropriate.

3. Stakeholders, support agencies and civil society organisations such as United Nations Education Scientific and Cultural Organisation (UNESCO), United Nations Children Education Fund (UNICEF) should support UCC to provide increased opportunities for strengthening of gender mainstreaming and to be the leader in gender advocacy. Also to enable the University to provide, maintain and fulfil its fundamental mission to secure quality education for all.

4. All members of the university community should read and apply the principles prescribed in the various handbooks. All students should be encouraged to critically and conscientiously read the students' handbook. The students and workers handbooks are vital tools for promoting and protecting human rights and gender issues in the UCC.

5. The Training and Development Unit should collaborate with Human Rights Institutions to undertake human rights training and education for all categories of staff. And also to organise symposia, seminars and lectures for the university community on human rights and freedoms in UCC periodically. This would help to continually sensitize the people on the principles of rights and freedoms to avert misapplication of rights and freedoms that is capable of engendering conflicts and agitations.

6. Since there exists a strong influence of Ghanaian traditional culture on the way people interpret and apply the principles of human rights and freedoms and the complexities of mutual transfer of values between

the institution and society, there is the need for human rights education and protection. This should be done in the context of cultural specifics. This will help forestall a lot of conflicts and misunderstanding due to misrepresentation and misapplication of the principles of human rights.

Suggestions for Future Research

The findings of this study suggest some themes for further research. The perceptions of students on the role of human rights in the administration of higher education would be useful as would a comparative study of male and female faculty and administrators perceptions. It would be insightful to see how their perceptions differ or complement each other. This study involved students and administrators in only one public university.

It would be interesting to conduct a study on this same topic in all the six Ghanaian public universities so as to make a generalisation on human rights and freedoms in higher education for the universities. In addition, with the increase of private universities in Ghana, a comparative study of the issues of human rights and freedoms in the public and private would broaden the scope of the issues of human rights' research in higher education.

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APPENDIX A

INTERVIEW GUIDE FOR STUDENTS

Introduction: This interview guide forms part of an M. Phil research work being carried out at the Institute for Educational Planning and Administration (IEPA), University of Cape Coast. The study seeks to solicit information on the topic: Promoting Human Rights and Freedoms in the Administration of the University of Cape Coast: the Role of the Administrator.

I would be seeking your views and perspectives on freedom and human rights climate in the institution. The study is purely for academic purposes and the information you provide will be kept in strict confidence and your name will not be associated with the comments you make.

A. Socio-demographic information of respondent

1. Age group: under 20 {   }, 21-30 {   }, 31-40 {   }, 41-50 {   },

2. Sex: Male { },   Female { }

3. Programme of study: ……………………………..…Level: ……..………

4. Leadership position(s) if any: …………………………………………

5. Marital Status: single {   }, married {   }, divorced {   }, separated {   }

6. Previous Educational level: Secondary { }, Post-Sec { }, Diploma { }, 1st Degree { }, Others, Specify:…………………………………………

7. Residential status: Residential { },   Non-Residential { }

8. Hall of residence / affiliated …………………………………………….

B. Perceptions on human rights and freedoms

9. How would you describe the human rights climate in the University of Cape Coast?

10. What situations or regulations seem to be taking away your freedom or rights?

11. Is there a need for human rights education in the university and Why?

12. What role(s) do you think administrators should play in promoting human rights in this university?

13. "Students know well their rights and freedoms but not their responsibilities". What is your comment on this assertion?

C. Human Rights Awareness level:

14. Are you aware of any attempts or strategies directly or indirectly meant to promote human rights in the University?

15. When and where do you hear of human rights issues in the UCC?

16. How do students claim, demand or seek redress when their rights are violated?

17. What programmes/activities seek to integrate or promote human rights principles?

18. Do you easily draw people's attention to human rights implications of their actions?

D. Extent to which the university pursues human rights and freedoms

19. How do you get information on human rights and freedoms in the university?

20. How would you assess the way administrators handle human rights and freedom issues on campus?

21. Do you think some form of discrimination exists/occurs on campus?

22. Which of these forms are very common? Discrimination by way of: – a) gender, b) religion, c) race/tribe, d) physically challenged, e) social class, f) any other.

23. How does the university protect and promote the respect of human rights and freedoms?

24. How does the university support or advance gender issues? What has been your experience as a student in UCC?

E. Evidence of the practice of human rights and freedoms.

25. In what ways do you think the university applies the principles of human rights?

26. Where do you go for redress when you feel your rights and freedoms have been violated?

27. What is the channel (procedure) for redressing human rights violations?

28. Are there programmes or courses on human rights education in UCC?

29. What do you think are some of the human rights violations that are of particular concern to you?

30. What are some of the frequent incidents or cases of human rights violation against: a) students; b) faculty; c) other workers?

F. Causes of violation of human rights and freedoms

31. List situation(s) you would describe as a violation of student's rights or freedoms?

32. How often do you read the *Students' Handbook*? Any implication for human rights?

33. What are the main causes of human rights abuses or violations on campus?

34. Identify factors that may prevent students from enjoying their rights and freedoms.

35. What Human rights concerns/situations need attention in the university?

G. Benefits and challenges of promoting human rights

36. What are the major challenges in promoting human rights awareness in the university?

37. What actions of administrators/students do you consider hostile to the human rights climate in UCC?

38. How do administrators handle cases of abuse of rights and freedoms?

39. What are the benefits of promoting human rights and freedoms in the UCC?

40. What can students do to promote, respect for human rights and freedoms on campus?

41. Your suggestions / comments, please.

Thank you.

INTERVIEW GUIDE FOR ADMINISTRATORS

Introduction: This interview guide forms part of an M. Phil research work being carried out at the Institute for Educational Planning and Administration (IEPA), University of Cape Coast. The study seeks to solicit information on the topic: Promoting Human Rights and Freedoms in the Administration of the University of Cape Coast: the Role of the Administrator.

I would be seeking your views and perspectives on freedom and human rights climate in the institution. The study is purely for academic purposes and the information you provide will be kept in strict confidence and your name will not be associated with the comments you make.

A. Socio-demographic information of respondent

1. Age: 21-30 { }, 31-40 { }, 41-50 { }, 51- 60 { }, above 60 { }

2. Gender: Male { },   Female { }

3. Title: Mr. { }, Mrs { }, Ms { }, Dr. { }, Professor { }, Other specify……

4. Occupational status: ……………………………………………………

5. Rank / Position: ……………………………………………………..

6. Number of years in this position? …………………………………………

7. Marital Status: single { }, married { }, divorced { }, separated { }, cohabitation { }.

8. Educational level: Diploma { }, Degree { }, Masters { }, Doctorate { }, Others, Specify: ……………………………………………………

9. Residential status: On campus { }, In town { }, Visiting

B. Perceptions on human rights and freedoms

10. How would you describe the human rights climate in the University of Cape Coast?

11. What are Human rights and freedoms about?

12. Do you see a need for human rights education in universities?

13. In your view who are likely to abuse the rights and freedoms of others in the university?

14. What roles do you think administrators should play in promoting human rights in this university?

C. Human Rights Awareness level:

15. Are you aware of any strategies directly or indirectly being used to promote human rights in UCC?

16. How would you describe human rights awareness level among students?

17. How do people claim, demand or seek to redress their rights when infringed?

18. Are there any programmes/activities that seek to promote the teaching and practice of human rights in the university?

19. Do students easily report cases of human rights abuses involving faculty members or administrators?

D. Extent to which the university pursues human rights and freedoms

20. How does the university protect and promote the respect of human rights and freedoms? Are they documented (policy, statutes,…)?

21. How does the university address or advance gender issues?

22. Do you often draw people's attention to human rights and freedom in your activities?

23. Who is/are responsible for addressing human rights and freedoms abuses?

24. What are some of the frequent incidences of human rights violation among: a) students; b) faculty; c) other workers; that are of particular concern to you?

E. Evidence of the practice of human rights and freedoms.

25. In what ways do you think the university applies the principles of human rights?

26. Where do people go for redress when their rights and freedoms have been violated?

27. What is the channel (procedure) for redressing human rights violations?

28. Are there programmes or courses on human rights in UCC? Please give examples.

F. Causes of violation of human rights and freedoms

29. In what situation(s) would you describe as violation of someone's rights?

30. What are the major causes of human rights abuses that often come to your notice?

31. How do you deal with issues of discrimination – a) gender, b) religion, c) race/tribe, d) physically challenged?

32. Please explain briefly how these factors may affect the well-being of students?

33. How can human rights violations be eliminated in the university?

G. Benefits and challenges of promoting human rights

34. What are the major challenges in pursuing human rights awareness in the university?

35. Are there any benefits in promoting human rights in the UCC?

36. Who benefits and who suffers as a result of the human rights violations?

37. How can the university achieve equitable and a just society? Please, suggest strategies.

38. How can human rights and Freedoms best be promoted and protected in this institution?

39. Your suggestions / comments.

Thank you.

APENDIX C

The Universal Declaration of Human Rights (1948)

Article 1—all human beings are free and equal

Article 2—no distinction as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status

Article 3—right to life, liberty and personal security

Article 4—freedom from slavery

Article 5—freedom from torture, or cruel, inhuman or degrading treatment or punishment

Article 6—right to recognition as person before the law

Article 7—right to equal protection of the law

Article 8—right to effective remedy by competent national tribunals

Article 9—freedom from arbitrary arrest, detention or exile

Article 10—right to fair and public hearing by an independent and impartial tribunal

Article 11—right to be considered innocent until proven guilty

Article 12—freedom from arbitrary interference with privacy

Article 13—freedom of movement

Article 14—right to seek and enjoy asylum from persecution

Article 15—right to nationality

Article 16—right to marriage and family

Article 17—right to own property

Article 18—freedom of thought, conscience and religion

Article 19—freedom of opinion and expression

Article 20—freedom of peaceful assembly and association

Article 21—right to take part in government

Article 22—right to social security

Article 23—right to work, free choice of employment, equal pay for equal work, join trade unions

Article 24—right to rest and leisure

Article 25—right to adequate standard of living for health and well-being of self and family

Article 26—right to education

Article 27—right to participate in cultural life of the community

Article 28—a social and international order in which rights can be fully realized

Article 29—duties to the community

APPENDIX D

Excerpts from the Constitution of Ghana

First written in 1957, the constitution of Ghana was revised in 1992. Ghana has a republican form of government, based on the British and American models. Ghana's legislative branch consists of a unicameral parliament elected through a system of proportional representation. The head of state of Ghana holds the title of president. The president assembles a cabinet, called the Council of State, and together they form the executive branch of the government. Ghana maintains an independent judiciary with the Supreme Court of Ghana as the highest court in the land.

Preamble: commitment to freedom, justice, probity and accountability; sovereign will of the people; universal adult suffrage, rule of law; protection and preservation of fundamental human rights and freedoms, unity and stability. (core values or beliefs)

Ch. 5: Fundamental Human Rights and Freedoms

g. to be enjoyed by every man, woman and child no matter the tribe, region, political party, religious group or skin colour.

h. Every person entitled to personal liberty except for prison, treatment for infectious or contagious disease, or education or welfare of person under 18

i. Person detained must be told immediately in language he understands the reasons for detainment.

j. No slavery or involuntary servitude except by sentence or order of court.

k. Right to own property cannot be taken without just compensation.

l. Freedom of speech, press and other media.

m. Freedom of thought, conscience, belief, including academic freedom and religion.

n. Freedom of assembly, including demonstrations.

o. Freedom of association including forming or joining trade unions, political parties or other associations for protection of interest.

p. Right to receive and give information within the law.

q. Freedom of movement.

r. Right to work under satisfactory and healthy conditions and receive equal pay for equal work without discrimination.

s. Every child, whether born in or out of wedlock, entitled to reasonable provision out of estate of its parents.

t. Every child has right to be protected from unhealthy work or cruel, inhuman or degrading treatment or punishment.

u. No child shall be deprived of medical treatment, education or other social or economic benefit by reason of religious or other beliefs.

v. Women shall be given the necessary facilities during pregnancy, delivery and early childhood development

w. Disabled and sick persons shall be treated fairly.

x. During a state of emergency, a citizen could be deprived of certain Fundamental human Rights and Freedoms.

Ch. 12—freedom and independence of the media

Ch. 19—National Commission for Civic Education—to educate citizens about the constitution to enable them to play their role in the affairs of the country.

Ch. 22—Parliament shall have no power to make any law to interfere with chieftaincy. A National House of Chiefs made up of five paramount chiefs in a region to review and revise traditional customs and practices. Chiefs may not take part in active party politics.

Ch. 24—Code of Conduct for public officers