

LITERACY AND LIFELONG LEARNING: SOCIAL JUSTICE FOR ALL?

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Introduction

National debates about education generally focus on school education or, at most, school and vocational education. They generally focus on children or, at most, children at school and young people in their first years after school. The educational needs of adults rarely receive attention and, where they do, they are considered only in the context of training or re-training for employment. The need for education and the right to education extend far beyond schools and children. Adults too have needs and rights. They are the focus of our discussion today.

The needs of adults¹

Adults have educational rights because they have educational needs. Often people in western societies assume that, because our countries have an extensive school system with near universal enrolment, children become adults who are literate and numerate, equipped to participate in their world and personally fulfilled. This is so for most but not for all. The compulsory mass education systems of the last century have certainly produced the best educated populations ever but they have not yet ensured that everyone has the

¹In this section of the paper I have drawn from and am grateful to Geraldine Castleton "Adult literacy in Australia: reading beyond the figures", *Australian Journal of Language and Literacy* vol 23 no 1 2000, pp37-49. I am also grateful to Dr Castleton for directing me to current literature on this subject.

knowledge, information and skills required for each person to reach his or her fullest potential as a person and a citizen.

In 1996 the Australian Bureau of Statistics conducted a Survey of Aspects of Literacy, the results of which were released on September 8 1997, International Literacy Day. It sought to measure three types of literacy:

- prose literacy - the ability to understand and use prose texts
- document literacy - the ability to locate and use information in documents
- quantitative literacy - the ability to perform arithmetic operations using numbers embedded in text or documents.

It measured these areas of ability along a five point scale rather than through a binary dichotomy of literate and illiterate. The ABS survey found that

- almost half of all Australians aged 15 to 74 (6.2 million people) have 'poor' or 'very poor' prose literacy skills
- another 35% (4.7 million people) could be expected to cope with many of the demands of daily life but not always at a high level of proficiency
- only some 17% (2.3 million people) could be considered to have prose literacy skills of a high order.¹

Similar results were also reported for document literacy and quantitative literacy.

As expected the survey found concentrations of low level literacy among particular groups of Australians. Almost half the people with a first language other than English have very poor literacy, compared with 14% of those whose first language is English. People with a first language other than English constitute almost half the total number with very poor literacy - 1.1 million of 2.7 million people.

Poor literacy is also higher among unemployed people. Thirty per cent of unemployed people have very poor literacy skills but only 12% of employed people.

Indigenous people have lower literacy skills than any other group of Australians. For most of them it is a direct result of the lower educational

¹Australian Bureau of Statistics *Aspects of Literacy: Assessed Skill Levels, Australia 1996* (1997) ABS Cat No. 4228.0.

opportunities and lower levels of educational attainment. Some 73% of all Australian students stay on to Year 12 but only 32% of indigenous students do. In Western Australia, the retention rate for Aboriginal young people in rural and remote areas is 16%. Nearly half of all indigenous people over 15 have no formal educational qualification whatsoever, not even the school certificate.

Poor and very poor literacy is also more likely among rural Australians than among urban dwellers. Certainly during the course of the National Inquiry into Rural and Remote Education conducted by the Human Rights and Equal Opportunity Commission, we found that

- rural and remote children are generally disadvantaged in education in comparison with their urban counterparts
- many thousands of these children have no effective access to secondary education whatsoever
- tens of thousands more receive inadequate secondary opportunities
- hundreds of children face difficulty even in accessing a basic level of primary education and that literacy and numeracy are real and perhaps growing problems in these parts of Australia.²

Children who suffer these levels of educational disadvantage become adults with poor and very poor literacy and numeracy skills. The consequences of that were shown in the ABS survey. More than half a million Australians often need help with reading information from government agencies, businesses and so on and just less than half a million often need help filling out forms. Almost all of these people (88%) have very poor literacy skills.³

The result of poor and very poor levels of literacy is typically lifelong poverty for the individuals themselves and significant economic and social cost for the community as a whole. According to the British Government,

The cost to the country as a whole could be as high as 10 billion pounds a year. The cost to people's personal lives is incalculable. People with low basic skills earn an

²The National Inquiry into Rural and Remote Education produced four reports in 2000: *Emerging themes, Recommendations, School communities and Education access*. All are available from the Human Rights and Equal Opportunity Commission and on the Commission's website: www.humanrights.gov.au.

³ Australian Bureau of Statistics *op cit*.

average of 50 thousand pounds less over their working lives, are more likely to have health problems or to turn to crime.⁴

Unfortunately no similar estimates have been prepared for Australia but we could confidently expect similar results, adjusted for our population.

The right to education

I am sure you are familiar with most, if not all, of these statistics. As academics and educators you certainly know far more than I do about the nature of illiteracy. There is little I can tell you about that. I am a human rights lawyer, not an educator. My starting point, therefore, is human rights. And human rights have a great deal of relevance to adult illiteracy. That is what I would like to discuss today.

Human rights are not some vague principles or ethical standards. Of course, they are principles and they are based on ethics. But they are first and foremost a body of law, developed over the last half century. They are clear and precise, not vague. They set out in legal language what it means to be human, what are the fundamental entitlements inherent in our humanity that are the distinctive prerogatives of each and every human being.

Human rights law takes a comprehensive, holistic view of the human person. It does not seek to carve people up into their constituent parts but to take a comprehensive approach, asking what each person needs to realise his or her full potential as a human being. So human rights deal not only with civil and political life but also with economic, social and cultural life. Rights in the latter area are rights to social justice.

Education is recognised as one of the most important rights because it is essential to a person achieving his or her full potential. Human rights law sees education as particularly important to children and so the right to education receives special attention in the *Convention on the Rights of the Child* of 1989. But it does not restrict the right to children or to schools. On the contrary,

⁴Rt Hon David Blunkett MP, Secretary of State for Education and Employment, "Foreword" *Skills for life: The national strategy for improving adult literacy and numeracy skills* DfEE Publications, Annesley 2001.

human rights law sees education as the right of everyone and as a life-long right. It is relevant, therefore, to debates about lifelong learning.

The right to education is recognised in many international treaties, the most important of which is the *International Covenant on Economic, Social and Cultural Rights* of 1966. Australia is a party to this treaty and has pledged to respect, protect and fulfil the rights contained in it. It makes quite detailed provisions about the nature of the right to education.

Article 13 of the Covenant begins by describing education as “the right of everyone”. The Article provides that

education shall be directed to the full development of the human personality and the sense of its dignity ...

The “full development of the human personality” includes intellectual, physical, cultural and moral development.

The Article also sets out the aims of education. It states that education

shall strengthen the respect for human rights and fundamental freedoms

and that

education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

The Committee on Economic, Social and Cultural Rights established under the Covenant has summarised the provisions of Article 13 into five basic requirements.

- Education must be **available** for all without discrimination.
- It must be **accessible**, either within safe physical distance or by correspondence or some other form of distance education.
- It must be **affordable**.
- Education must be **acceptable**, culturally and in other ways, to both students

and their families and communities.

- And it must be *adaptable* so that it meets the different circumstances and changing needs of each individual student.

Social justice and the right to education

The right to education is classified among economic, social and cultural rights. That means it is seen as a right that is important for social justice. I find social justice more difficult to define than human rights. In setting out what human rights are, I have a body of law to point to. But where do I find a generally accepted definition of social justice? The best definition I know is in the very practical words of Mick Dodson, one of my colleagues when I was at the Human Rights Commission. Then Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Dodson described social justice for indigenous Australians.

Social justice must always be considered from a perspective which is grounded in the daily lives of indigenous Australians. Social justice is what faces you in the morning. It is awakening in a house with an adequate water supply, cooking facilities and sanitation. It is the ability to nourish your children and send them to a school where their education not only equips them for employment but reinforces their knowledge and appreciation of their cultural inheritance. It is the prospect of genuine employment and good health, a life of choices and opportunity, free from discrimination.

These words are true not only for indigenous Australians but for all people. Indeed people with poor literacy skills are among those who experience inadequate housing, poor health, limited opportunities in the labour market and exclusion in a society highly dependent on technology, information and access to knowledge. They are also over-represented in correctional institutions, both adult and juvenile.

Mick Dodson's very practical approach to social justice is reflected in the words of the Committee on Economic, Social and Cultural Rights when it discussed the right to education.

Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which

economically and socially marginalised adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. Increasingly, education is recognized as one of the best financial investments States can make.¹

These comments reflect the fact that the right to education is fundamental to social justice. It is fundamental to the full enjoyment of many other human rights and to the exercise of social responsibilities including respect for human rights. Access to good quality education affects the rights to health, employment and participation in political and cultural life and the exercise of freedoms such as freedom of speech and freedom of religion and belief. That is why it is recognised as a human right. It is a right to which every person is entitled without discrimination.

The Committee was careful to ensure that this recognition of the social and economic importance of education did not detract from the more personal purpose of individual fulfilment and development. It said,

... the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.²

Although education is important to the achievement of social justice, it is not restricted to that. Its ultimate goal is the development of each individual person to his or her fullest potential in each and every aspect of personality and life .

The right to education and lifelong learning

These components of the right to education - both personal fulfilment and social justice in orientation - have clear and important implications for literacy, numeracy and lifelong learning.

First, the right to education is a lifelong right. It is not age related or restricted to any one form of education. It is never fully satisfied until the person is fully

¹Committee on Economic, Social and Cultural Rights *General Comment 13, The right to education* UN Doc E/C.12/1999/10 (1999) para 1.

² *Ibid.*

developed and, in my view, we all have potential for growth throughout our lives. This has clear implications for the direction of public resources. Clearly most educational resources will be directed principally towards schools and to formal education generally. However, resources must also be provided for continuing and lifelong education. These opportunities should be available to all who want them but they are especially important for those who need them, those who have not enjoyed in full their right to fundamental education.

That is the second implication of the right to education. The right includes, as a central component, the right to “fundamental education”.³ “Fundamental education” is seen as separate from primary or secondary education, which are also components of the general right. It includes

essential learning tools (such as literacy, oral expression, numeracy, and problem solving) and the basic learning content (such as knowledge, skills, values, and attitudes) required by human beings to be able to survive, to develop their full capacities, to live and work in dignity, to participate fully in development, to improve the quality of their lives, to make informed decisions, and to continue learning.⁴

The right to fundamental education extends beyond school. Indeed the statement of this right refers specifically to the entitlement of those who “who have not received or completed the whole period of their primary education”.⁵ Clearly the right to fundamental education of those with poor or very poor literacy has not been fulfilled. Mass schooling in Australia has not ensured that all Australians are sufficiently literate and numerate for even many basic tasks, let alone to their fullest potential. It has not ensured that many who could cope in the past can cope now and in the future with the increased literacy demands of globalised societies and economies and rapidly increasing levels of technology. The requirement to ensure the right to fundamental education for all places continuing obligations on governments. But more of that later.

Third, the right to education has a very practical element. Everyone is entitled to

³*International Covenant on Economic, Social and Cultural Rights* Article 13.2(d).

⁴*World Declaration on Education for All* 1990, art 1.

⁵*International Covenant on Economic, Social and Cultural Rights* Article 13.2(d).

the education required to enable full participation in social and economic life. That means income generating activity - employment or self-employment. This is implicit in requiring that education “enable all persons to participate effectively in a free society”.⁶ But it is also explicit as part of the right to work which includes “technical and vocational guidance and training programs”.⁷

Much social and economic participation depends on relatively high levels of formal education and literacy. Each person’s individual life chances and choices are dependent on both formal education and literacy. Those who miss out early in their lives struggle to re-gain a rewarding place in the community. Young people who leave school with low levels of literacy are far less likely to participate in continuing education and training during their adult lives and so become condemned to poverty.⁸ Human rights go directly to the social justice dimensions of illiteracy.

The fourth implication, however, provides the necessary complement to this. Education, including lifelong learning, cannot be directed solely towards employability. That is not enough. I quote the Committee on Economic, Social and Cultural Rights again because of its significance.

... the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.⁹

This complementarity of employability and personal development is of great importance to the full enjoyment of the right to education when much of the discussion of lifelong learning and illiteracy is couched in terms solely of employment and economic participation. Geraldine Castleton describes the debate as “constructed in a world in the process of dramatic economic, social and political change”. She says that government policies in response

⁶*International Covenant on Economic, Social and Cultural Rights* Article 13.1.

⁷*International Covenant on Economic, Social and Cultural Rights* Article 6.1.

⁸This is clear from the analysis of data from the International Adult Literacy Survey.

⁹Committee on Economic, Social and Cultural Rights *op cit* para 1.

reflect an “economic rationalist” agenda in which literacy is framed only as a functional, employment-related skill.¹⁰

Similar comments have been made about the debate overseas and the responses of other western governments.¹¹

The economic dimensions of illiteracy cannot be ignored. Indeed they are important issues in the enjoyment of human rights. But they are not the exclusive ambit of the right to education. Human rights, as I have said, are directed towards the full person and constitute a comprehensive statement of what a person requires to live a fully human life. Economic life is not the totality of human life. An approach to lifelong learning that ignores the individual’s right to personal development and fulfilment is deficient in human rights terms. I am sure it is also deficient in educational terms.

Government obligations

Human rights give rise to government obligations. Governments have obligations to respect, protect and fulfill human rights. To respect human rights, governments must ensure that they themselves do not violate human rights. To protect human rights, governments must prevent violations of human rights by any others. To fulfil rights, governments must take all necessary measures within available resources to ensure the full enjoyment of human rights by all those in its jurisdiction.

The obligation to respect requires States parties to avoid measures that hinder or prevent the enjoyment of the right to education. The obligation to protect requires States parties to take measures that prevent third parties from interfering with the enjoyment of the right to education. The obligation to fulfil (facilitate) requires States to take positive measures that enable and assist individuals and communities to enjoy the right to education. Finally, States parties have an obligation to fulfil (provide) the

¹⁰Castleton *op cit*.

¹¹See for example Richard Edwards and Katherine Nicoll “Researching the rhetoric of lifelong learning” in *Journal of Education Policy* 2001 vol 16 no 2 pp 103-112 for discussion of the debate and the responses in the United Kingdom.

right to education. As a general rule, States parties are obliged to fulfil (provide) a specific right in the Covenant when an individual or group is unable, for reasons beyond their control, to realize the right themselves by the means at their disposal.¹²

As part of these obligations, the Committee on Economic, Social and Cultural Rights has said that states have an obligation to take “deliberate, concrete and targeted measures” to ensure the right to education, including through adopting and implementing a national education strategy.¹³ Unfortunately in Australia we have no such comprehensive national education strategy that will ensure effectively the right to education for all, including those who have poor literacy skills.

Human rights law provides the framework for a national education strategy, the various elements I have discussed this morning. It does not prescribe the detail, however. That is beyond the scope of existing law and, in any event, would be impossible to do. National situations, resources levels and people’s needs are far too varied to permit any effective prescription. But the framework is important. It is up to the local experts to complete it.

Beyond the framework, perhaps human rights law makes another most important contribution. It transforms the debate on these issues. Because education, including lifelong education and education for those with poor literacy and numeracy skills, is a human right, it is a matter of state obligation. Developing and implementing effective strategies to fulfil this right is not a matter of discretion but of obligation. Education should not be lined up to compete with the various optional activities open to government. It must rank among the highest priorities for attention and resourcing.

As I have said, I am a human rights lawyer, not an educator. I have no expertise to say what should be in a comprehensive national education strategy or to define what steps must be taken to address the literacy needs of large numbers of Australians. That is your area of expertise. I hope that during this forum you will address these steps. What I can say with assurance is that human rights law, the body of commitments that Australia has voluntarily accepted, the promises we have freely made, requires of us a higher level of performance than we have

¹²Committee on Economic, Social and Cultural Rights *op cit* para 47.

¹³*Ibid* para 52 and 59.

made to date.

The difficulty in addressing many social justice problems is money. Where do we find the money needed to make a difference for people's lives? That should not be a difficulty in relation to adult literacy. I have referred to the British Government's estimate that poor and very poor literacy skills in the UK cost the country 50 billion pounds a year and cost individuals 50 thousand pounds over the working lives. The question with adult literacy problems is not whether we can afford to address them but whether we can afford not to.