CIVIL RIGHTS IN SCHOOLS:
The Implications for Youth Policy

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When the British government ratified the UN Convention on the Rights of the Child, 1989, it undertook to publicise the Convention 'to adults and children alike' (42)[1] and to implement all its 54 articles in national law, policy and practice. During 1996-1998 Sean Arnold and I conducted a survey which enquired how well known the Convention is in British schools. Very little research has been conducted about young people's views of their rights, how they define and regard them, and how practical or relevant they consider that concepts of rights are in their daily lives. Melton and Limber (1992) report one study, but within a very developmental age-based framework. This article describes the background about the Convention, and then our survey in schools, and presents and discusses the findings. Many replies are all reported together here rather densely, in order to give a broad picture of young people's detailed understanding of the complex matter of their civil rights at school. The final section discusses interpretations of the survey findings, adults' and young people's views about participation rights in schools, and how greater understanding and use of the UN Convention could make a crucial contribution to more just and well-grounded youth policies.

The United Nations Convention on the Rights of the Child 1989

The United Nations Convention on the Rights of the Child 1989 has been ratified by every nation except Somalia and the United States, and is by far the most widely supported international document. The Convention, and at times this paper, refers to everyone aged up to 18 as children: this is not to disrespect teenagers, but to emphasise respect for all young people without age barriers; many children's rights include babies (Alderson, 1999).

All rights are relative, not absolute, and are subject to safeguards. The Convention repeatedly states that 'the best interests of the child shall be a primary consideration' (1,3,21). Rights in the Convention are affected by the evolving capacities of the child', the responsibilities, rights and duties of parents'(5) and the national law (31). Rights cannot be exercised in ways which would harm the child or other people. They must 'respect the rights and reputations of others', as well as 'national security and public order, health and morals' (13). The Convention sees rights not as endorsing selfish greedy individualism, but as increasing mutual respect. Any individual's claim to a right also confirms respect for everyone else's equal claim, dignity and worth; rights are collective and not individual concepts. The Convention includes aspiration rights as a means of furthering children's interests and concern for them, besides promoting

`social progress and better standards of life in larger freedom, in the spirit of peace, dignity, tolerance, freedom, equality and solidarity' (preamble).

Children's rights can broadly be divided into three kinds. There are *provision* rights to education, health care, and other goods and services. *Protection* rights defend against abuse, neglect and discrimination. The so-called *participation* rights, which our survey concentrated on, include rights to freedom of expression, thought, conscience and religion, and the key ones are:

> *To the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child; the views of the child being given due weight in accordance with the age and maturity of the child (12);*

> *The right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice (13).*

Provision and protection rights can easily be discussed under traditional headings of needs, welfare and best interests, when adults tend to be assumed to be the experts. In a sense, for example in the right to `compulsory education'(28), provision and protection rights contradict the original so-called first-generation meanings of rights which Locke and Kant developed as concepts of autonomy, self-determination and non-interference with the person's physical and mental integrity. Provision and protection rights can legitimate adult control over children which often helps but sometimes harm them. The UN Convention's moderate participation rights are the nearest ones to the human rights enshrined in the Universal Declaration (1948) and the European Convention (1948) of Human Rights. In autumn 1998, the latter became incorporated into English law. Yet in such clauses as the right of everyone to work and to vote, it is not clear if children are seen as human beings or not (Alderson, forthcoming). The Convention on the Rights of the Child does not go as far as English law in the *Gillick* case (1985), in that the Convention only grants children rights to share in decisions affecting them (12) but not to be the *main or sole decider* (as discussed in Alderson and Montgomery 1996).

Rights and education
Educational commentators on children's rights tend to support provision and protection rights, but to criticise or ignore participation rights. The Commonwealth Teachers' Report in 1997 on *Education and human rights* mentions only provision and protection rights for children in its eight sections. In marked contrast, section four speaks of teachers' rights, with 'every other citizen', to vote, contest elections, join political organisations and trade unions, speak and write on political issues

and be free from victimisation. Teachers (but not students) 'should be involved through consultation and negotiation in forming educational policies at every level' (NUT, 1997). Educationalists tend to stress the child's right to education (28), to overlook all the other rights (for example, Thomas 1998), and with others in psychology, philosophy and law to be sceptical or cautious about children's participation rights (for example, Eekelaar, 1986; Scarre, 1988; Buchanan and Brock 1989). In contrast, writers who review education from a rights perspective tend to be more critical about the way some schools deny provision, protection and especially participation rights (Freeman, 1983; Newell, 1991; Lansdown and Newell, 1994; Franklin, 1995; Jeffs, 1995; Lansdown, 1995; John, 1996; Hammarberg, 1997; Trafford, 1997; Verhellen, 1997; PEG, 1998; Alderson and Goodey, 1998; Cockburn, 1998; Griffith, 1998; Hannon, 1998).

The survey
During 1996-1999, the Economic and Social Research Council mounted its first research programme on Children 5-16 which emphasises children's own perspectives and the schools survey was one of the 22 selected projects. We wrote to 168 local education authorities. Using information from them and other bodies such as the Children's Rights Office and School Councils UK, we approached 250 selected schools in the UK and Northern Ireland, asking primary school deputy heads and secondary school PHSE specialists to take part in the survey. Fifty eight teachers replied to the teachers' survey, and 49 agreed to conduct the pupils' survey, which yielded 2,272 completed questionnaires. We used one questionnaire for everyone, partly to have efficient ways of making comparisons between all the groups, partly because ability and interest do not strictly correlate with age. Bright 8-year-olds might do more than slow 16-year-olds and we wanted to include people from a wide range of ability.

Besides compiling a wide-ranging sample of types of schools, we included 100 schools which were recommended as being involved with rights education or school councils. Teachers are increasingly busy and over-burdened; even so, the low response rate indicates some general lack of interest in children's rights. Our initial letter emphasised that the survey was designed to take as little of the teachers' time as possible. We asked them to complete a two page questionnaire about their school and their views on children's rights, and to agree to conduct the questionnaire survey for 20 to 30 minutes and post back the booklets. In return, we would send a short report about the results and some teaching suggestions and materials.

The 24 page A5 booklet questionnaire had a shiny green cover, which each pupil kept after returning the inner pages. On the cover were a picture of a circle time, and brief explanations about the Convention, the survey, and the researchers. The

survey was planned as an information-giving as well as an information-gathering exercise, though we did not want to overwhelm people with too much information before asking for their views. Although all the questions are linked to the Convention they are about the students' own everyday experiences. We used short words like civil' rather than `participation', and our paraphrases of the participation rights in the Convention appear in the subheadings below, for example, `the right to respect for your worth and dignity`. These rather abstract ideas are broken down into simple questions about daily school life, such as the activities pupils enjoy when developing their skills and talents, or their views on the right to express religious beliefs by wearing a turban or scarf. The questionnaire responses were analysed by the SPSSPC computer package.[2]

The other main part of the survey was 34 small group discussions, usually lasting about half an hour with six pupils, which we conducted in some of the survey schools. We learnt a great deal by visiting the schools, talking with pupils and staff, and noting the general settings and routines. However, there is space in this article only for the questionnaire responses.

The questionnaire was called, `What do you think about your rights at school?' and has the following introduction.

> *Human rights are about being able to do and say what you want to, as long as you do not break the law or hurt anyone.*
>
> *Many people think that rights are about being selfish, grabbing what you can get and not caring about any one else. Yet human rights are about respect for everyone.*
>
> *In 1989, everyone in the world was asked to support rights for children (see back cover) [here, we paraphrased the civil rights].*
>
> *How much do you think your school respects children's rights?*
>
> *And what do you think about your own rights?*
>
> *It would be very helpful if you would tell us what you think.*
>
> *There are no right or wrong answers; it is your views which matter.*

Then we explained about filling in the booklet.

> *How to answer the questions.*
>
> *We hope that you will answer all the questions, but if you don't want to answer some, just leave them out.*
>
> *We hope the questions are clear enough for 8 year olds, but not too simple for 16 year olds.*

You do not need to write your name, so no one will know how you have answered.

We have asked teachers not to look at booklets after they collect them in to send to us.

Please put a ring round the number next to each comment that best explains what you think, for example:

Do you like ice cream?

yes	*1*
no	*2*
varies	*3*
I'm not sure	*4*

If you partly agree, or think 'it varies' or 'it depends' please ring the 'varies' number.

If you think 'I don't know' or 'it doesn't apply to me' please ring the 'not sure' number, - or add your own answer if there is a line.

The 2272 replies were from 1224 girls, 1020 boys and 28 who did not specify their sex, ages are shown in table 1.

Table 1. Ages

Age:	7	8	9	10	11	12	13	14	15	16	17
Number of people	3	59	126	311	352	231	325	319	314	122	2

The schools varied from large to small, junior, middle and secondary, six were special schools, and the teachers reported a range of socio-economic and ethnic groupings, and of urban, semi-urban and rural settings. We sent a report, set out as wall charts, for every school to display showing the total replies to some of the main questions from their own school, compared with the total replies from all the schools.

The survey results
Your right to respect for your worth and dignity, your right to express yourself and to develop your skills and talents fully

We asked the students to ring any of the creative, expressive activities we listed which they enjoy doing in or out of school, see table 2. Table 3 shows their replies to the questions about their opportunities to do these things. The survey was completed before the literacy hour, and (from autumn 1999) the maths hour, were

introduced, which may further encroach on time for creative activities. Table 4 shows views about freedom of expression and school rules about personal appearance. Schools in the survey varied from having no uniform to having a strict dress code.

Table 2. Preferred creative activities

Being with friends	2096
sports and games	1867
computers	1642
art/crafts	1361
making things (like model railways, cooking)	1278
music	1225
drama	1040
outdoors things (like caring for animals or digging ponds)	1021
writing	875
dance	814
other activities (please name)	547

Table 3. Opportunities to be creative

Do you do these things that you enjoy mainly while you are at school?'	*yes:*	666
	no:	323
	it varies:	1274
Do you think your school gives you enough chances to enjoy these things?	*very much:*	243
	quite a lot:	694
	it varies:	649
	not enough:	399
	hardly at all:	158
	not sure:	134
If you would like to do more of these things at school, but you cannot, is this because your school needs:		
more money (such as for computers or sports)		547
more teachers		57
more time		361
(others were not sure or gave another reason).		

Table 4. Freedom of expression and rules about appearance

People express themselves in how they look, in their clothes and hair style.
What do you think about your school's rules about what you can wear and how you can look?

all right	893
too strict	853
not strict enough	55
it varies	227
we don't have rules and I like that	129
we don't have rules but we need some	19
not sure	78

Your right to be heard, your right to have your views taken seriously in matters that affect you, your right to share in making decisions about your life

We asked how much they feel teachers listen to them and believe them (table 5). Like most of the questions, the answers combine the students' views about what does happen, with what could or should reasonably be expected. In the following tables, only the yes or no replies will be shown, in order to keep down the lists of numbers. Table 6 records views about school rules and when more specific questions followed the initial general one, rather more critical views emerged. During the group discussion at one primary school on a housing estate at the far edge of a city where it met the surrounding fields, the children were concerned about this freedom. They used to be allowed during breaks to go to a nearby shop, well within sight of the school. Since leaving the school during breaks had been forbidden, the shop had closed. The children argued that their custom had kept open a vital amenity which benefitted the whole neighbourhood on a remote and poorly served estate. Some of the children had never been into the city centre and they felt an important part of their lives and their community had been lost. The teachers who did not live on the estate were less aware of this loss.

Table 5. Views about teachers' responses

On the whole, do your teachers listen to you?'	*a lot*	346
	quite a lot	889
	not much	581
	it varies	387
	not sure	59
On the whole, do your teachers believe what you say and take you seriously?	*yes*	554
	no	391
	it varies	1101
	not sure	227

Table 6. Views about school rules

	yes	*no*
Are most of your school's rules fair?'	1113	473
Can you choose whether you stay inside or go outside during break times?	897	1037
Do you think you should be allowed to choose whether you stay inside or go outside during break times?	1880	240
Are you allowed to leave school (such as to go home or to the shops) at lunch time if your parents agree?	1051	1067
Do you think you should be allowed to leave school (such as to go home or to the shops) at lunch time if your parents agree?	1673	363

The young people's views about choosing their school are shown in table 7. The preference of many to decide for themselves, will be discussed later. We did not give the option of possibly not going to school at all. The questionnaire had to be worded very carefully, to translate rather abstract concepts into practical daily issues, to use clear user-friendly wording, and to satisfy the teachers who decided whether to conduct the survey in their school. The next two questions were open ones, and we coded the top ten replies to what they most enjoy and least enjoy at school (table 8). These replies do not necessarily contradict the earlier closed questions on expressive activities because they are about different priorities.

Table 7. Choice of school

Do you think you should be allowed to choose which school you go to?'	yes	1230
	no	56
	share choosing with my parents	855
	there is only one school I can go to	59
Would you rather be at another school?	yes	249
	no	1586

Table 8. Main likes and dislikes at school (open questions)

What do you enjoy most at your school?	named lessons	410
	sports/PE	398
	seeing my friends	382
	break times	142
	art	82
	general atmosphere	40
	home time	36
	parties/celebrations	16
	craft and design	10
	foreign languages	7
What do you least like about your school?'	named lessons	477
	teachers	247
	rules/being told what to do	160
	too much work/homework	151
	nothing (or I'm happy)	109
	physical conditions in the school	105
	rules about appearance	99
	bullies	49
	behaviour of other people	48
	school starts too early	37
	assembly	35

Popular lessons probably imply popular teachers although teachers are not specifically referred to in the enjoyments list and they come second highest on the least liked list. The negative list is mainly about conditions set by adults and bullies only come eighth. This suggests that though bullying may be common, and is for some students extremely serious, for many people it is not a severe problem and the main problems are posed by adults rather than by other students. This ordering of

dislikes raises questions about the way the education literature frequently emphasises problems raised by pupils, and implies that the adults only resolve and prevent problems. We asked closed questions about the main purpose of schooling (table 9),

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Table 9. Main purposes of school (closed questions, ring as many as you like)

What are the main things you want from school?

good teaching to help me to pass tests and exams	1930
time to be with friends	1845
good teaching to help me to get into the job/career I will want to do	1783
learning about the real world, such as that I might be unemployed	1377
getting ideas about interesting new things I could try	1364
learning to be part of a group and to get on with other people	1341
the feeling that I belong to my class or to the school	1225
learning about my rights	1209

Your right to hold your own beliefs, to have all kinds of useful information and ideas. The right to freedom of thought, conscience and religion. To learn to live in peace, tolerance, equality and friendship and with respect for nature.

Table 10 shows views about school assemblies; 30 people said they did not go to assemblies. Views about rights to information are shown in table 11, including lessons about children's rights. During the group discussions, everyone spoke about respect, justice, freedom of expression, and their wish to be listened to, but few used the language of rights. We asked some of them, `Do you ever say, that's my right, or, you have no right to do that?' The reply tended to be, `Oh no, you'd get into trouble if you said that.' During discussions, black students were especially likely to emphasise their desire to learn about the countries their families originally came from. Some felt this was their right, particularly if they thought an unfair account was given of histories of conflict or colonialism between Britain and these other countries. Any formal or informal mention in schools about relations between black and white peoples and their histories affects young people's rights in terms of their sense of identity and self-respect, and also in the kinds of respect and understanding which they feel their peers are encouraged to have for them. The replies about ecology lessons confirmed the enthusiasm for green issues which many young people are believed to have.

Table 10. Views about school assemblies and religion

	yes	no
Do you like the school assemblies?	355	928
Do you think girls and boys should be able to choose if they go to assemblies?	1250	544
Do you think young people at school should be able to express their religion if they want to, such as boys wearing turbans, or girls wearing scarves?'	1626	261
Do you think you should have lessons about religions around the world?'	1071	536

Table 11. Rights to information

	yes	no
Do you think you should have lessons about events in the news like wars or elections?	1109	468
Do you think you should have lessons about children's rights?	1765	129
Do you think you should have lessons about the history of other countries, such as Asia or Africa?	1206	381
Do you think you should have lessons on caring for the world, such as saving tigers or the ozone layer?'	1589	183

The right to go to peaceful meetings

Once more there was a difference between what the students think they are permitted to do, and the rights and responsibilities which they would like to have (table 12). On the right to arrange peaceful meetings, 787 said they were not sure, suggesting that they have not attended such meetings, and only 14 people did not reply to this question, suggesting a high interest in this topic.

Table 12. Peaceful meetings

	yes	no
Do you think you and your friends should be allowed to arrange meetings in school, such as to have a music group or plan an outing?'	1878	113
Can boys and girls arrange meetings in your school?'	656	815

The right to privacy and respect and the right to fair discipline (table 13).

We added to the privacy heading: 'If you write or say anything, which you want to be kept private, people should keep your secret, unless they think someone might get hurt.' We asked for young people's views on how their teachers keep secrets. This question is very complicated by child protection possibilities, which make many teachers guarded in how far they can promise to keep secrets. The 14 non replies suggest that they were not certain they could count on their privacy being respected. With the small group discussions, our usual opening question was, `what did you think about the booklets?' A frequent initial reply was, 'we really liked the way it said the teachers would not look at them.' One reason students have for wanting teachers to be discreet is their power to influence other teachers and general attitudes in a school towards individual students. Given this concern, replies to the next question on teachers being fair, all but 12 people replied, also suggest caution among the majority.

The question on teachers explaining before punishment was the only question which everyone answered. The groups who discussed exclusions tended to say that it was rather a mysterious business: certain students who were known as

disruptive disappeared and little explanation was given. This can account for the high number of don't knows, from students who had never been threatened with serious punishments.

When the British government made the first of its regular reports to the United Nations Committee on the Rights of the Child, on progress in implementing the Convention, in 1995, the Committee selected a few points for particular criticism and one was that children have no right to a hearing, to be informed, or to express their view, before they are excluded from school (UN, 1995). This has still not yet been remedied. High numbers thought that some teachers punish the whole class when a few people have done something wrong, although this practice is illegal. Responses to a general question about `the right amount of discipline to keep your school running well' appeared more satisfied.

Table 13. Rights to privacy and fair discipline

	yes	no	varies
Do you trust your teachers to keep a secret if you tell them?	792	699	
Do you think your teachers are careful to be fair when they talk about their pupils?'	805	569	
If they think someone might have done something wrong, do the teachers listen to that person's view, before they decide whose fault it was?	845	609	647
Before anyone is punished, do the teachers first explain clearly to them how they will be punished and why?'	827	612	521
If it is serious, such as if someone is going to be suspended, does a teacher talk about this with the boy or girl first, and listen to their view?'	672	396	280
		(908 were not sure).	
If a few people do something wrong, do the teachers punish the whole class?	1217	390	575
Do you think there is the right amount of discipline to keep your school running well?	979	403	

The right to be kept safe from harm (table 14)
As mentioned earlier, a high reported incidence in response to a general and not a personal question, like the one about bullying, should not be confused with a high level of severity, or even with wide-spread personal experience of a particular issue; each problem needs to be seen in perspective and in relation to other problems for the person concerned.

The next question was a directly personal one. Psychologists classify, as basic needs, having some personal space which people can identify as their own, and somewhere safe to keep possessions, however few. Adults at home and at work tend to assume these needs as rights. Yet well over half the students feel either that their possessions are not in a safe place, or that they have to carry everything around the school with them. The groups talked about the problems of having to carry heavy bags and sometimes wet coats around all day, and how guarding their

bags during break times stopped them from playing active games. On personal safety, the groups discussed how most behaviour problems arise during breaks and that, when there is one lunch time supervisor per 70 or so pupils, the adult support is inadequate. Some schools have reduced these difficulties by involving the pupils in resolving conflicts with peer mediation schemes (for example, Highfield, 1997). They illustrate how schools benefit when all staff and students are respected.

Table 14. Rights to safety

	yes	no	not much	none
Is there any bullying at your school?'	472	980	445	76
Do you have somewhere safe to keep your things (like your coat or books)?	911	1076	others said it varies/ not sure	
At break and lunch times, are the adults ready to help anyone who needs them?	1079	408		

Working together for rights, and how these are shared in your school
The views about school councils are shown in table 15. Replies of yes and no, to whether the school had a council, differed within some schools, suggesting that if there was a council, it was not well known. Our question may have excluded councils for students only, without staff members, but our phrasing was deliberate, because purely pupil councils can hardly be effective, without staff members to give or obtain essential information, and to support council decisions. The next six questions were only for students who said they had a council. These who were uncertain, may never have been councillors or experienced the issues directly. About a quarter of those with a council said that the students could raise any topic for discussion. For many of the schools who did not have a council, discussion was already limited. For example, some students told us about their failed attempts to get permission for a school council. Some teachers told us that it was impossible to have a school council, 'because all the children want to talk about is uniform, and they can't question that'.

Being able to raise a topic does not necessarily entail reaching a satisfactory conclusion. Some students told us that after the council made decisions, the head teacher's approval had to be sought. Sometimes this was not granted, or the head did not find any time to discuss council business. One inner city primary school had a derelict factory next to the cramped school grounds. For years the school council campaigned to get the local authority to carry through their decision to demolish the factory and extend the school grounds. They were disappointed each

year. In these kinds of matters, the children wanted more active support from adults inside and outside the school. One primary school deputy head was proud of the new council and newsletter, but the children said meetings were a waste of time because they had to write the newsletter instead of having discussions. Some of the youngest children had clear views on whether their council was a genuine forum or a pretence, and they could competently take notes and report business between the council and their class.

Practices of choosing or electing councillors varied within some schools when one class had quite an elaborate secret ballot, but in another the teacher selected council members or drew up a rota; this could be in an effort to ensure a fair mixture of councillors. Some people felt the experience of being on the council benefitted individual pupils as well as the whole school, and the more people who could be involved the better. Others thought that continuity with fewer members was important. The group that was critical about the school council was generally dissatisfied in response to most of the other questions (Alderson, forthcoming).

Table 15. School councils

	yes	no	not sure
Does your school have a council, where pupils and teachers meet to decide about things that happen in the school?'	1196	735	
The next questions were answered by those who had said yes, they had a council.			
Can the school council talk about any topic?	762	118	383
Can the council only talk about things the teachers allow?	243	548	
Can the pupils choose anyone they like to be on the council?	718	299	
Do the teachers choose boys and girls to be on the council? yes some 306, yes all members 208		494	
Is the school council good at sorting out problems?	342	313 (372 said varies)	226
Does the council help to make the school a better place to be in?	463	275 (289 said varies)	227

Explicit views about rights

The booklet said, 'Human rights are about respect for you and for everyone else. Sometimes, you have to give up a few of your rights to help other people.' Table 16 shows views about sharing rights and working together. Finally, table 17 shows their views on the questionnaire booklet. Almost everyone reached page 22, including many of the most generally critical students.

Table 16 Sharing rights and working together

		yes	no
Do you think your school has got the balance right between respecting each person and looking after the rights of the whole school?		790	468
Do you think that, on the whole, the pupils at your school have:	*too many rights*	94	
	enough rights	715	
	too few	572	
	almost no rights	344	
	varies	197	
	not sure	301	
Do you think that some people at your school have more rights than others?			
If so please show which groups you think these are:	*boys*	158	
	girls	256	
	older pupils	837	
	clever ones	694	
	pupils who are stronger	126	
	pupils who are richer	111	
	any other group (please describe)		
	244 (gave comments)		
	I do not think any group has more rights	511	
Do you think any groups in your school should have more rights than others?		276	1613
Have you heard about the Convention on the Rights of the Child before today?	*yes, a lot about it*	107	
	yes a bit about it	427	
	no, I've not heard about it	1348	

Table 17. Views about the questionnaire

What do you think about this question booklet?		
	too long	294
	too short	266
	about the right length	1567
	very interesting	748
	quite interesting	1024
	boring	336

Discussion: the implications for youth policy

Survey research method

All research data need to be treated cautiously. We do not know how accurately the replies reflect the students' 'real' views and how these vary from week to week, or how their replies agree with or differ from their teachers' varied views. However, we aimed to ask fairly worded and balanced questions, and the large number of replies and range of schools are likely to give a general idea of young people's differing views about their schools. The groups' appreciation that their questionnaire responses would be treated confidentially, and their enthusiasm and

confidence when talking with us, suggest that the topics, wording and design of the booklets encouraged them to trust and confide in us.

One aim of the research was to develop fairly quick and cheap methods of collecting the views of many young people, partly because their views are so often neglected when researchers assume that adults can and should speak for them. We used methods developed by Andrew Thompson (1983) which show that people willingly fill in long detailed questionnaires if these are well designed. The quality (relevant topics, clear words, clear attractive layout, easy response methods) matters more than the length. The high completion rate in our survey shows that this is a useful method. The next sections discuss a few topics from the questionnaire.

Freedom of thought and conscience
Since very young children have clear strong views and notions of justice and kindness (Dunn, 1995), young people's capacity for freedom of thought and conscience cannot simply be dismissed as immature. The obvious enjoyment observed in well-conducted positive assemblies, and the anger and contempt which some students feel about boring negative assemblies or ineffective councils appear to be well-founded on reflective experience and not, for example, on immature inappreciation. Enforced and disliked assemblies seem likely to undermine, rather than nurture, interest in religion and morality. Assemblies could be key opportunities for students and staff to negotiate more positive shared occasions, but they are generally not yet enjoyed. The way age relates to this and other topics will be reported in another paper. Even if there are clear age differences, the general replies to the survey give a broad picture of the range of relations between students and teachers in British schools, and if disaffection increases with age, earlier prevention is important.

Expressing a view
On choice of school, the preference of many to decide for themselves, rather than their parents deciding for or with them, links to another study of decision making when only a minority of young people aged 8-16 said they wanted to rely on their parents to decide for them about their surgery (Alderson, 1993). These replies raise questions about the difference between many young people's desire for close supportive interdependent relationships with their parents, but also for some independence when making personal choices. Questions also arise about the general assumption that parents are the consumers of education, as in the language of the Parents' Charter and parental choice. During group discussions, pupils pointed out, 'our parents are hardly ever in the school, they don't really know what goes on here,' and 'I'm the one who knows what matters to me most about choosing a secondary school'. Many of the young people said their parents would support their choice.

School and class councils can channel imaginative ideas on new ventures and problem solving, besides the positive energy and enthusiasm of most people in the school (the pupils). Standards in learning and behaviour rise through such genuine dialogue (Highfield 1997; Davies, 1998; QCA, 1998; Hannon 1998). Teachers alone cannot ensure that schools are safe and creative places and, unless they work with the students' cooperation, they waste time and effort working against the students' resistance or apathy. We saw stressed, over-worked teachers regretting that they achieve so little, when they could share so much more with the students - who could be librarians during the lunch hour, for example, instead of the library being closed for lack of staff.

Our survey shows quite high levels of criticism and dissatisfaction among pupils. We noted negative cycles in certain schools. The staff reprimand and punish pupils, for example, for breaking minor rules, and believe that if they are irresponsible in small things, they cannot take on bigger responsibilities. Some students react angrily, and fall into a negative trap. If they comply they feel they are being infantilised; if they resist or try to show some initiative this is taken by the staff as insubordination. Teachers who take risks, encourage some independence, share some policy making, and accept some disagreements with students as a basis for working with them towards reasonable compromises, can gain in two main ways: they follow the educational and democratic principles of nurturing and respecting original critical thinking; and they reap the benefits of greater enthusiasm and commitment among the students. This can especially benefit the potentially most disruptive ones who can become positive leaders (Highfield, 1997).

Safety and personal property
Lack of safe space for possessions has serious practical and symbolic effects, in reminding students hourly of school management's indifference to them. Schools which expect students to carry everything around with them justify this as a means of reducing theft and damage to property. Yet such official systems set negative examples of precisely the kinds of disrespect for people and their property which are at the root of theft and vandalism. Abstract principles of respect only take on real meaning in apparently trivial daily interactions; matters which appear minor are often major concerns to young people.

Some schools, in large impressive notices, declare equal opportunities for everyone on grounds of ethnicity, social and religious background, gender and ability, but refusal to tolerate bullying. This works well if bullying is tackled through conflict resolution, peer mediation and other positive democratic methods. But if punishment and exclusion are the only methods, then the school cannot claim to respect equal opportunities, since bullying is often a reaction from pupils who already feel

rejected for their assumed inabilities and failings. The policy is, in effect, sexist and racist when black boys are over-represented among the excluded. 'Them-and-us' attitudes divide the delinquent few from the rest, and deny real equality. Individuals are heavily blamed, instead of divisive routines in schools also being attended to. Widely varying exclusion rates between schools suggest that the deciding factor is at least as much school policy as individual pupils' failings.

Current concern and costly new policies for managing 'disaffected youth' (Pearce and Hillman, 1998) will not be effective until the basic question is asked: *What is making young people feel disaffected and alienated?* Otherwise support and resources may be channelled to increase the very factors which alienate young people, such as greater pressure on them to stay in schools which damage them by disregarding their civil rights. Treating the symptoms of disaffection does not necessarily cure the disease and causes, and may exacerbate them.

Respect for young people and their rights

Children's rights are often derided in the media, and among the public as negative, dangerous or silly. Yet surely these views are based on ignorance. The UN Convention's rights to mutual and equal respect for everyone's worth and dignity treat children and teenagers as thoughtful potential contributors to their school community, not simply as passive receivers of services. If children's rights are to be valued, the public and the education professions will have to become far more informed and aware about: the 1989 UN Convention; the close links between theory and practice, teaching and extra-curricular activities, which mutually reinforce or undermine respect for children's rights in schools; ways in which teachers and students together can raise standards of learning and behaviour so effectively; the need for the government and school managers to respect all teachers, if pupils too are to be respected.

We also need new understanding of the value of the language of rights, which moves justice for young people beyond privileges that depend on the whim of kind adults, to the properly established, fair and protective standards, which adults in Britain can take for granted. A valuable way forward would be to involve young people themselves far more in designing and conducting civil rights based research about how they can work with the staff on improving their school community.

Acknowledgements

Notes

1 Figures in brackets denote the relevant article of the Convention.

2 In this report, the replies listed do not add up to 2272 because not everyone answered every question. Also, we have not given all the 'it varies/don't know' responses, although these options were given with almost every question, because this paper is already so crowded with numbers.

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