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**Dealing with difference in the divided educational context: balancing freedom of expression and non-discrimination in Northern Ireland and Israel**

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# **Dealing with difference in the divided educational context: balancing freedom of expression and non-discrimination in Northern Ireland and Israel**

## **Abstract**

It has long been established that an effective citizenship education (CE) in a multicultural society must incorporate some exposure to a variety of views on different topics. However, the ability and willingness to deal with difference relating to controversial matters of national identity, narrative and conflict vary. This is not least the case in the ethno-nationally divided and conflict-affected jurisdictions of Northern Ireland and Israel. This article relates qualitative research conducted among students, teachers and policy-makers in these two jurisdictions that explores the area of dealing with difference within citizenship education. Using the starting point of a framework based on international law on education, the article goes on to consider how freedom of expression and non-discrimination are variously interpreted and balanced when exploring controversial issues in the classroom of a divided society.

Key words: Citizenship education, Northern Ireland, Israel, difference, freedom of expression.

## **Dealing with difference in a divided society**

It has long been established that an effective citizenship education (CE) in a multicultural society must incorporate some exposure to a variety of views on different topics. However, the ability and willingness to deal with difference relating to controversial matters of national identity, narrative and conflict vary. This is not least the case in ethno-nationally divided and conflict-affected jurisdictions, where many would argue that education holds the potential to critically engage with difference, division and inequalities relating to religions, politics, ethnicities or historical narratives (Gallagher 2004; Reilly and Niens 2014). Although citizenship and citizenship education (CE) have been variously conceptualised, given CE's general focus on issues of the state and its citizens, it can arguably offer a space in the school curriculum where such difference may be explored (Geboers, Geijsel, Admiraal and ten Dam 2013). Indeed, Banks (2004) suggests that in multicultural societies one of the main goals of CE should be to address cultural difference in terms of educating for recognition and tolerance of such difference. But education may also play a destructive role in terms of 'reproducing the attitudes, values, and social relations underlying civil conflict and violence' (Buckland 2005, 2). Thus, the role of CE in dealing with difference may be contested, particularly where aspects of identity, citizenship and historical narrative are not agreed upon (Niens and McIlrath 2010). In two such divided jurisdictions – Northern Ireland and Israel – CE exposes students to difference in terms of learning about the various ethno-national groups within each society, in addition to understandings of human rights (Partnership Management Board 2007; Cohen 2013). Nevertheless, both jurisdictions still experience conflict and division, including within their segregated education systems, where most young people study alongside only or mostly those of the same ethnicity or religion (Donnelly and Hughes 2006).

The teaching of contested and controversial issues through CE within a divided society poses challenges as such issues are controversial precisely because of the jurisdiction's divisions (McCully 2005). Stradling (1985, 9) defines controversial issues as those on which society is 'clearly divided and significant groups within society advocate conflicting explanations or solutions based on alternative values'. Examples of such issues may be the varying national identities inherent in a state's population, and their subsequently differential feelings of belonging to the jurisdiction; perspectives on the role and culpability of certain ethno-national groups in the conflict and their historical narratives; and ethno-national group representation in the state apparatus (Hanna 2014). Much research has been conducted on this topic within the framework of CE and of social studies more broadly, focussing in particular on pedagogical approaches and potential bias (Hess 2004; Oulton, Dillon and Grace 2004). However, less attention has been paid to investigating the area of dealing with difference in CE in divided societies within an international education rights framework. It is, therefore, within this context that the research reported in this article offers a contribution to the literature by focusing on the understandings held by CE students, teachers and policy-makers of education rights in NI and Israel.

Human rights frameworks may be regarded as particularly salient in divided societies, given their often conflict-affected histories blighted by past or present human rights violations. In terms of the current study, the principles of non-discrimination and freedom of expression, although used often within international human rights law (Convention Against Discrimination in Education 1960, the International Covenant on Economic, Social and Cultural Rights 1966, the United Nations Convention on the Rights of the Child 1989), also have a wider relevance when considering dealing with difference in the CE classroom. Non-discrimination is regarded as a fundamental principle within international human rights law, that applies to every

international treaty document (Merry 2013). Within international education rights law, non-discrimination often appears to be interpreted in terms of physical access for all to education, with a particular focus on socially, culturally, geographically and economically marginalised individuals and minority groups (Friboulet, Niameogo, Liechti, Dalbera and Meyer-Bisch 2006; Right to Education Project 2008). It also receives attention in relation to the content of education, which should be non-discriminatory (that is, accurate, neutral and fair), thereby making it ‘acceptable’ to all (Tomaševski 2001). Freedom of expression is also a term commonly used in international human rights law, and, indeed, CE. It is guaranteed to children and young people through articles 12 and 13 UNCRC and article 19 of the International Covenant on Civil and Political Rights 1966, among others. Although there are tensions between freedom of expression and the right not to be discriminated against by the views of others (Callamard 2008), freedom of expression along with non-discrimination may be regarded more broadly as values that are essential to democratic citizenship, and therefore, to CE (Marker and Mehlinger 1992). The tensions between freedom of expression and non-discrimination in the classroom, where they do not easily coexist, will be highlighted through examples later in this article.

It may then seem inevitable that the definitions and understandings of students, teachers and policy-makers involved in CE, particularly in the divided context, will vary and even sometimes conflict. Therefore, this article centres on the question of how these key stakeholders understanding international education rights obligations within the context of dealing with difference in CE in NI and Israel.

## **Citizenship education in Northern Ireland**

## Background

The dichotomy of views on national belonging in Northern Ireland (NI) originates in the British Protestant colonial settlement of the north of Ireland, the partition of the island in the early 20<sup>th</sup> century, and inequalities between Catholics and Protestants (favouring the latter) in terms of representation in government and access to employment and housing (Cochrane 2013). The late 1960s saw the rise of a civil rights campaign, led by disaffected Catholic nationalists, resulting in civil unrest and violent conflict, and the rise of paramilitary groups (Walker 2012). Over the next three decades, a number of high-profile political agreements were signed in an effort to transform the conflict, the most significant of these being the Good Friday Agreement 1998 (Maney *et al.* 2006). The Agreement led to legislative changes and the establishment of new political structures (Mitchell 2015). Government, statutory bodies and other workplaces must abide by equality legislation that ensures equal opportunity for both Catholics and Protestants (HMSO 1998).

Today, the population of NI is approximately 1.8 million (NISRA 2012, 12), and identity and citizenship are understood in a variety of ways. The majority of Protestants affiliate themselves with the UK, of which NI is an administrative part (unionists, in political terms), and the majority of Catholics with the Republic of Ireland, from which NI is administratively independent (nationalists). It is this dichotomy that lies at the heart of the conflict within the jurisdiction and the subsequent difficulties faced in dealing with difference through a mandatory CE curriculum that is common to all students. Currently, 43.9% of the population are from a Catholic background, and 53.1% describe themselves as Protestant (NISRA 2011, 19). Furthermore, four principal national identity markers are used by adults: 39% describe themselves first and foremost as 'British', 32% as 'Irish', 21% as 'Northern Irish' (a more localised understanding), 1% as 'Ulster' (describing the historic northern province of the island

of Ireland that incorporates NI and three counties of the Republic of Ireland), and 6% as ‘other’ (NILTS 2012). Statistics are similar for young people (NIYLTS 2012). Thus, as Arlow (2002, 40) has claimed, in the NI context, ‘there is no agreed concept of a ‘citizen’’, and there continues to be sporadic periods of violent conflict and paramilitary activity (BBC 2012). Furthermore, there remains, in some areas, a high degree of residential separation between Catholics and Protestants, and the education system is segregated so that most young people go to school only or mostly with their co-religionists (Donnelly and Hughes 2006). Thus, young people’s exposure to ethno-national difference may be limited.

### **Local and Global Citizenship**

During the first five years of post-primary school (11–16 years), CE is compulsory in the form of Local and Global Citizenship, although there is no mandatory examination (CCEA 2009; CCEA 2013). The subject aims to ‘help[...] young people learn how to participate positively in society, to influence democratic processes and to make informed and responsible decisions as local and global citizens throughout their lives’ (PMB 2007, 21). The curriculum is built around statutory ‘key themes’. Of particular note here are two themes: ‘Diversity and Inclusion’, which is intended to include opportunities for pupils to ‘consider the range and extent of diversity in societies locally and globally and to identify the challenges and opportunities which diversity and inclusion present in local, national, European and global contexts’; and ‘Human Rights and Social Responsibility’, which provides students with opportunities to ‘understand that a globally accepted base exists that reflects the rights, as outlined within various international human rights instruments, and responsibilities of



individuals and groups in democratic society' (CCEA 2007, 45). Thus, dealing with difference, at least officially, appears to be high on the CE agenda in NI.

Although when earlier versions of CE in NI were introduced there was some debate around its appropriateness in a school (Arlow 2002; McEvoy 2007), more recently its absence from media or political concerns has been notable. Recent critique has been levelled by academics who propose that the loosely classified and flexible curriculum offers the potential to avoid local controversial issues (Reilly and Niens 2014).

## **Citizenship education in Israel**

### **Background**

The dichotomy of views on national belonging between Jewish and Palestinian citizens of Israel has its origins in Jewish immigration to majority-Arab Palestine in the late 19<sup>th</sup> and early 20<sup>th</sup> century, and the division of land that followed the establishment of the State of Israel as a Jewish state in 1948 (Ministry of Foreign Affairs 1948; Segev 2000). Unlike the Palestinians in the West Bank and Gaza, and those who are living as refugees in neighbouring Arab states, Palestinian citizens of Israel are citizens of the state, and so are entitled to rights equal to those of Jewish citizens of Israel (Abu-Saad, 2006). However, tensions lie in the fact that, while the vast majority of Jewish citizens believe themselves to belong to the Israeli state, for most Palestinian citizens of Israel their affiliation lies more fully with the Palestinian or wider Arab

people (Shafir and Peled 2002). Palestinians differ from their Jewish Israeli citizens in terms of religion, language and many cultural aspects (Smootha 1997; Ghanem 2001). It has been noted that Palestinians do not have full control of their religious bodies, mass media, government departments relating to Palestinian affairs, or education, and face inequality in social, educational, economic and political terms (Rouhana and Ghanem 1998). Most Jews and Palestinians also live in separate areas and attend separate schools (Jabareen and Agbaria 2010).

Differing views on national identity, representation in governance and reported inequalities have led to protracted conflict both within and outside the official borders of Israel, and endemic Jewish/Palestinian divisions within Israeli society. There have been numerous high-profile Israel-Palestine peace initiatives, but they have ultimately failed to bring about a permanent solution to the contentious issues of land, security and peace (Bar-Tal and Vertzberger 1997; Smith 2013).

Today, Israel has a population of 7.6 million, with 5.7 million (75.5%) Jews and 1.5 million (20.3%) Arabs (Palestinians) (Central Bureau of Statistics Israel 2010, 3). A survey conducted in 2006 indicated that, while 52% of Jewish citizens of Israel responded that they were 'proud' to be Israeli, only 13% of Palestinian citizens of Israel expressed this feeling (Arad and Alon 2006, 24). Palestinian identity is particularly highly differentiated, with one study relating that Palestinians use three main self-descriptors: 49% see themselves first and foremost as 'Arab', 25% as 'Palestinian', and only 18% as 'Israeli' (Hadar and Himeyn-Raisch 2008). Such statistics confirm that the concepts of national identity and citizenship in Israel,

particularly among its Palestinian citizens, are highly complex, and mirror to a certain extent citizenship issues in the NI.

## **Civics**

Citizenship education (called ‘Civics’) is a compulsory subject in all streams of the Israeli state education system. Students in non-religious Jewish and Arab-Palestinian schools are required to study Civics over two to three years during 10<sup>th</sup>–12<sup>th</sup> grade (age 15–18 years), culminating in the compulsory *bagrut* matriculation exam (Tatar 2004). Each student must use the mandatory textbook, ‘To Be Citizens of Israel’ (Cohen 2013).

Currently, the official goals of Civics include:

To inculcate a common Israeli civic identity, together with the development of distinct national identities, and to impart to students the values of pluralism and tolerance, educate students to accept the diversity that exists within Israeli society, and to respect those who are different from oneself ... (Ministry of Education 1994, cited in Ichilov, Salomon and Inbar 2005, 40).

The central focus of the Civics curriculum is the government and politics of Israel. Within this, there are three compulsory key themes, two of which are of particular here. One theme relates to the Jewish and democratic values inherent in the state, and is to offer students the opportunity to consider the tensions between these two facets, and differing viewpoints on them. The other theme focusses on key debates in Israel, including those surrounding cultural diversity and minorities. Thus, a range of contested issues, should be studied. Civics teachers are advised to

present a variety of opinions using a variety of sources, and encourage critical thinking skills (Ministry of Education 1994, cited in Cohen 2013).

Featuring frequently in the media (Nesher 2012), Civics has often come under fire for its portrayal of differential expectations of Jewish and Palestinian citizens, passing on stereotypical images of Palestinians, not sufficiently dealing with the tensions between the Jewish and democratic aspects of the state, and inadequately involving Palestinians in curriculum development (Pinson 2009). At the time that interviews for the current research were being held (2012), concern was expressed by many participants about the rise in nationalistic tendencies in the Ministry of Education and in society more generally.

Consideration of citizenship and CE in NI and Israel illustrates that there is a range of similarities and differences between such programmes and a number of key challenges within divided jurisdictions in terms of dealing with difference. Thus, the question arose regarding the potential for exploring them within an international, ‘universal’ and unifying framework provided by international human rights law. This international framework, therefore, was the starting point for this study of dealing with difference in and through the CE curriculum, and is discussed briefly below.

### **Research approach: conceptual framework and methods**

The conceptual framework for this study drew on interpretations of international law on education, particularly those based on the International Covenant on Economic, Social and

Cultural Rights 1966. Such interpretations include that education should be ‘non-discriminatory’ (ICESCR 1966; general comment 13 ICESCR 1999; Tomaševski 2001; Right to Education Project 2013). The author then drew upon this and other interpretative work (see Wilson 2005; Beiter 2006; Friboulet et al. 2006; de Beco 2009) in order to discern what such interpretations might look like in the specific context of CE in a diverse society. Added to this were research participant interpretations, and subsequent further study of other legal texts in order to better understand the terms ‘freedom of expression’ and ‘non-discrimination’. This exploration of human rights documents was balanced, however, with the understanding that human rights frameworks are socially constructed and necessarily brief and essentialised, and may offer merely the ‘least worst’ framework for education rights across the world (Davies 2005). Therefore, following data collection, other bodies of literature were drawn upon in order to elaborate upon these terms in the findings. It is this interpretation of international human rights law – that education should be ‘non-discriminatory’ – that helps to illuminate some of the challenges inherent in dealing with difference in CE in NI and Israel, especially in relation to freedom of speech, and it is these challenges that are explored below.

Such a study that was interested in the subjective understandings of education rights offered by individuals lent itself to a qualitative study approached from an interpretivist perspective (Guba and Lincoln 1989). The research related in this article emanates from a three year doctoral research project on the interpretation of education rights within CE in NI and Israel. These two jurisdictions were selected because of their comparability in terms of being conflict-affected and divided societies, where a common citizenship curriculum is being delivered within an ethno-nationally segregated education system.

The data was collected between December 2011 and December 2012. The purposive participant sample comprised a total of 52 students (aged 14-17 years), teachers and policy-makers involved in CE at post-primary level in NI and Israel. Twelve policy-makers, 16 teachers, and 24 students were interviewed using a semi-structured approach, the latter in groups of 4–8. Those from each of the two main ethno-national groups and from ethnographically segregated schools in each jurisdiction were included. All interviews and focus groups were conducted in English by the author, with each lasting 45-105 minutes. Questions asked and topics discussed revolved around understandings of education rights within CE that took as a starting point interpretations of international education rights law mentioned earlier. Measures were taken to ensure informed and signed consent, anonymity and confidentiality, and conducting research among young people that was in line with their ‘best interests’ (Lundy 2007). Thematic analysis was carried out on interview and focus group transcripts, based on the approach taken by Braun and Clarke (2006), that begins with familiarisation with the entire data set and the generation of initial codes, and leads to the development of themes (dealing with difference, finding oneself in the ‘story’ of the curriculum, and preparation for life in a divided society). The emergence of the theme of dealing with difference, in particular, aided in identifying the concepts of non-discrimination and freedom of speech. These concepts were then analysed within the context of pre-existing literature and theory (Dickson-Swift, James, Kippen & Liamputtong, 2007). This article focuses on one of the key themes: dealing with difference.

## **Findings**

## *Engagement with difference*

Although discussion of difference appeared to form part of the purpose of CE in both NI and Israel, the depth of engagement with difference varied. According to interviewees in both jurisdictions, and across the three participant groups, dealing with difference within CE involved learning about issues from at least two different standpoints:

In Citizenship ... you don't learn one side of the story, you've to learn both sides (Jamie, Protestant student, NI).

I need to know the other side to see the big picture (Itai, Jewish student, Israel).

where a voice is missing in a classroom ... a part of the teacher's role has to be to bring those other voices into the classroom (Chris, policy-maker, NI).

it's about knowing the 'other', knowing the Palestinian narrative, knowing the Zionist narrative (Latifa, Palestinian teacher, binational school, Israel).

It is clear from the above that hearing '*other voices*' on a topic is seen as important in itself and as a means of seeing '*the big picture*'.

It was suggested by the vast majority of participants that learning different viewpoints requires the use of various sources of information. Such an approach often was considered a hallmark of quality by teachers. Yet, for some, certain information, or certain types of 'difference', was lacking. This attitude was particularly pronounced among Palestinian interviewees. One Palestinian teacher referred to the dominance of the Jewish perspective in the Civics textbook:

... we can't teach what we think or what we believe in ... And I talk with the students about many things that we live, we know that it's not included in the book. This book is the Jewish version, we don't believe in the same things that they wrote in this book, we believe in other things (Layla, Palestinian teacher, Israel).

This citation highlights the belief expressed by a number of teachers that Civics does not sufficiently represent the Palestinian narrative, and so exposure to 'difference' in this case means exposure to the majority, Jewish national narrative. Therefore, it may be suggested that Jewish students are not sufficiently exposed to difference in terms of the Palestinian narrative, and this point was raised by a minority of Jewish teachers, describing Palestinians as among the 'other Israel':

This is a very homogenous school which means that most of the reality of Israel they [students] won't meet here. And what I put to myself as a pedagogic creed is to bring them the other Israel ... to bring the other voice or someone else to make them feel uncomfortable with their own ideas because they ... very [much] feel that they know the truth, they *own* the truth ... (Lev, Jewish teacher, Israel).

Thus, exposure to difference when it relates to the controversial area of national narrative may be limited in the formal curriculum in a divided school system, unless a teacher has a particular motivation to take this approach.

Not only were the quantity of viewpoints and the type of difference addressed, but also what learning about difference achieved in terms of values. Respect and tolerance emerged as two such values:



Recognising difference, being prepared to talk about difference, but also being prepared to accept that difference is appropriate (Lawrence, policy-maker, NI).

First of all being patient [tolerant] to others ... it's more understanding that in every matter there is lots of opinions, they need to listen, they need to give other people also the opportunity to say their own thing (Aviv, Jewish teacher, Israel).

Here, effectively dealing with difference means not only helping students to understand that there is a variety of perspectives on a subject, but also encouraging them to listen to, respect and be tolerant of (alternative) opinions; in other words, to allow others to enjoy freedom of expression and non-discrimination. Students also referred to tolerance in their focus group discussions, but while some believed that they should be learning to be more tolerant, for others, particularly Palestinians, there was more of a sense that others should be more tolerant towards *them*. More than half of Palestinian students interviewed suggested that Jewish citizens do not accept Palestinian citizens of Israel:

Ranya: they hate us ... they treat us bad ... actually it's most of the world, not [just] in Israel, think that Arabs are terrorists

Jamila: but we're not

Basim: yes, stereotypes

Ranya: but we're not

Basim: yeah we're goofy, we're funny

Malik: we are from the name 'Islam', 'Islam' means 'peace', and we want peace, making peace with other countries.

Basim: we're not that serious about everything, we laugh, we joke.

In the above excerpt, it is suggested that while Jews hate Palestinians, Palestinians ‘*want peace*’ with others. Thus, here the implication is that these students believe themselves already to be tolerant towards the ‘other’, and so rather than learning to accept difference, students are more concerned that they are not accepted themselves, and how this should be an aim for others. Here, others include not only the majority Jewish Israeli population, but also the wider world. This suggests a much wider-ranging desire for Palestinians to be accepted as they are, individually, in terms of their traditional group identities, and perhaps even their non-stereotypical, ‘de-essentialised’ (Bekerman *et al.* 2009) multiple identities.

Other teachers and policy-makers highlighted that although they believed that CE should be teaching young people to accept difference, the lack of contact between the different groups made this difficult. One policy-maker stated:

One of the mistakes of the Israeli educational system is that we have this separation and people do not study together (Ehud, Jewish policy-maker, Israel).

Similarly, a teacher in NI shared:

I think they [students] find it very hard to look at two sides of an argument when it’s something they’ve been brought up in, very, very hard [as] this would be a very polarised community (Sandra, teacher, Protestant school, NI).

The suggestion is that students have difficulty in seeing different sides of an issue due to their background in a monocultural community (and school). In this understanding, this militates against what the curriculum aims to achieve in terms of dealing with difference: neither offering students in NI the best chance to ‘consider the range and extent of diversity in societies locally and globally’ (CCEA 2007, 45), nor offering students in Israel an education in ‘respect[ing] those who are different from oneself’ (Ministry of Education 1994, cited in Ichilov, Salomon and Inbar 2005, 40).

However, there were some students in both jurisdictions who had exposure to the ‘other’ community, and viewed it in a positive way, despite their families’ negative approach. The dialogue with Catholic students below is a case in point:

Hannah: my daddy hates Protestants, he hates them

Caitlín: that’s the way my mummy and daddy are

Hannah: so then I was thinking, ‘Well, should I hate them?’ But then I realised, ‘No’, because my best friend, she’s half Protestant, her mummy’s Protestant.

Despite the inability of some to transcend inter-community barriers, Hannah in the above dialogue maintains that she can accept difference, to the point of having friends who are partly of the ‘other’ community. Thus, the ‘monocultural’ and separated school environments in NI and Israel may not be the overriding factor in determining whether a young person is exposed to difference, and may not, then, limit the effectiveness of CE in the way that some policy-makers or teachers suggest.

## *Freedom of expression*

Linked to engagement with difference was the right of students to express their views, a key focus in the interviews with students, teachers and policy-makers. Below are two illustrative examples from the interviews:

I think first and foremost they [students] have the right to be able to express their opinion in a comfortable and safe environment (Laura, teacher, Catholic school, NI).

[Civics] shouldn't preach, it shouldn't discipline, it should open up discussions, debates, about possibilities, about ways of life, about values (Mansur, Palestinian policy-maker, Israel).

As is clear from the above, the right of students to express their opinion was suggested as being highly prized in the CE classroom. There were, however, different emphases in NI and Israel. In NI, many participants focussed on the safety of the space – the '*comfortable and safe environment*' – and strategies were cited frequently that aimed at achieving this, such as using international examples as an 'entry point' to a sensitive local topic, and of the teacher knowing when to '*draw the line*' (Niall, teacher, Protestant school, NI). However, this emphasis on safety may have hampered freedom of speech, as suggested by Catholic students below:

Róisín: I think [name of teacher] would be open to letting you express yourself

Caitlín: she lets you say your opinion and say what you think but

Róisín: there's a line

Caitlín: there's a line

All students: yeah

Caitlín: that you're not allowed to cross

Róisín: there's a very fine line

In discussing the '*very fine line*' that they are not permitted to cross, students here displayed an awareness of the limits imposed by their teacher on freedom of expression. This clearly curbed the willingness of these students to express their views, and may also have hindered the lively classroom discussion that some see as central to effective CE.

Emphasis on safety may be a mask for reluctance to deal with difference when it concerns local contentious issues relating to ethno-national identity and conflict. For example, one teacher was open about his unwillingness to deal with certain controversial issues in class:

I think really the only one [topic] we would find where kids would actually have a strong view which is hard to get around would be the Northern Ireland situation, but even then it's through a lack of knowledge, and then you have to be cautious too because there can be at certain times of the year community tensions and things (Niall, teacher, Protestant school).

There appears to be here an awareness of two issues: the difficulty in discussing '*the Northern Ireland situation*', and the caution adopted by teachers during tense times of the year when local contested cultural issues may come to the fore in divided communities. Such tense times included when violence flared up over unionist-affiliated Orange Order marches through Catholic areas, in celebration of historic Protestant victories over Catholic leaders. Therefore, freedom of expression may sometimes have been limited when sensitive local topics were raised by students in NI.

In contrast, among students in Israel, particularly Jewish students, the value of lively debate was emphasised, even when it came to sensitive local issues. On a number of occasions, students referred to how they talked about ‘everything’ in Civics. The extract below illustrates how the class works from Jewish students’ perspective:

Tobi: we are not sleeping in the class, actually we are telling and shouting

Gilad: arguments

Tobi: yeah

Interviewer: Oh really? Shouting even?

Rebekah: all the time he [Tobi] shouts

The impression is given above of a classroom environment where students are able to express their opinions, even in an arguably aggressive way. Indeed, for some policy-makers in Israel freedom of expression was essential to effective CE:

if you speak about free speech and you do not allow the student to express their views, this is the worst kind of education because it creates cynics (Ehud, Jewish policy-maker, Israel).

The comparison, then, with the ‘safe space’ of the NI Citizenship classroom and the ‘fine line’ that some students feel they must not cross is striking. Not only this, but the fact that this issue did not arise in interviews with Palestinian students is also of note, and this silence may indicate a lower level of discussion of difference that is officially or tacitly encouraged or permitted in Palestinian schools.

Despite the seeming openness to debate in the Jewish Israeli classroom, however, it was also clear among some participants that sometimes freedom of expression was curbed when that expression was deemed inappropriate by the teacher. For example, one teacher shared:

it happened to me once or twice that I stopped the lesson and I talked to them about things that, for me, was very harsh things to say for them, and once I even sent out a kid, a student, because after I explained everything, he doesn't have to agree, but he just shouted 'death to the Arabs!' And I said, 'Not in my class. Get out and we'll talk about it personally later'. And I explained to them why I won't tolerate any of those things (Yonatan, Jewish teacher, Israel).

In terms of dealing with difference, there is an onus, implied above, on the teacher to be critical of what is being expressed by their students, and to act if they believe it to be offensive, not only to other students but also to the teacher, even to the extent that they exclude the student from the classroom. Here, the tensions between freedom of expression and non-discrimination come to the fore. Others in the classroom may feel offended by or even discriminated against by such a student's exercise of their freedom to express themselves, but equally, silencing such a student may itself be interpreted as discriminatory. Freedom of expression may further be understood, then, within the context of striking a balance between claiming one's rights and respecting those of others. Whatever action is taken by the teacher in such a situation, a message is conveyed to students about human rights, and potentially their areas of contest and even contradiction.

## **Discussion**

### *Tolerance and separate schooling*

Participants proposed that engaging with difference and controversy required the development of respect and tolerance. Nieto (1994, 1) suggests that tolerance represents ‘the capacity for or the practice of recognizing and respecting the beliefs or practices of others’, and some participant responses illustrated the view that difference must not be ignored but rather highlighted in order to learn to accept it. Such an approach is common in CE in multicultural societies; according to Banks (2004, 4), one of the main goals of CE should be ‘to teach toleration and recognition of cultural differences’. Relatedly, others would suggest that consideration of different views and even disagreement actually helps to develop tolerance (Avery 2002). However, although the value of tolerance was upheld by participants, at times it was suggested primarily as something that should be directed towards *them* rather than something that they should be applying themselves towards *others*. This was especially so among Palestinian students. Time and again, therefore, the need felt by the minority for recognition and understanding arises (Ben-Nun 2013). Before this right to recognition is fulfilled, it may be difficult for the minority to accept, respect and be tolerant towards the majority. Indeed, as Bekerman (2009) has outlined, in conflict-affected societies, in the contest between protecting identity and working towards peace, identity often ‘wins’. Therefore, it is posited that the contrast with NI in its emphasis on accepting difference is illustrative of the more equal standing felt between Catholics and Protestants, thanks to the representative structure of the state apparatus and social sphere that extends to equitable school funding (Hanna 2014), and also the greater level of exposure of one ethno-national group to the other. This reminds us of how a school cannot be considered as an ‘isolated enclave’, detached from the wider societal structure around it, which impacts it so profoundly (Levy 2014, 102).



This ability to develop tolerance was linked by some interviewees to exposure to difference, and the segregated education system that arguably militates against it. This concern is supported in the literature, much of which argues for ethno-nationally integrated approaches to schooling within the broader goal of social cohesion (see, for example, Gallagher 2005), thereby acknowledging the difficulty of teaching young people to be tolerant and respectful of difference ‘when there is no-one in their school environment who is different (in terms of religious background) and therefore requires tolerance’ (Lundy 2006, 347). Indeed, studies based on contact theory would indicate the broadly positive role of inter-group contact (Pettigrew 1998), and research conducted in Israel by Bekerman (2009, 74) suggests that children and young people are often better equipped than adults to go ‘beyond the boundaries of ethnicity and religion’; the example in NI of the Catholic student who has a friend who is ‘half Protestant’, despite the fact that her father ‘hates Protestants’, would support this assertion. This may echo Lederach’s (1995, 19–20) view of the importance of ‘personal transformation’ in a society transforming towards peaceful accommodation, where individuals come to terms with feelings of fear, anger, and bitterness following communal violence. Such transformation may happen alongside their dealing with issues of local conflict, history and controversy, which scholarship on conflict transformation would link to the potential for building a more peaceful future (Kriesberg 2007). However, these areas are potentially avoided by teachers due to concern that ‘dealing with the past might only serve to open old wounds’ (McEvoy 2007, 145), and is a common concern in societies transitioning out of conflict (Quaynor 2011). Nevertheless, there is evidence that, even in ethno-nationally integrated schools, controversial issues and conflict may not be addressed (Donnelly 2004) and further, there are those who argue that peace education may not be successful without also ‘conflict education’ (Davies 2004; Levy 2014). Thus, views among schools and stakeholders vary regarding the extent to

which ethno-nationally segregated schooling and therefore CE classes reduce the effectiveness of the subject.

### ***Power and balancing the rights to expression and non-discrimination***

The interviewee responses relating to freedom of expression raise a number of points regarding the balance that seemingly must be struck between creating a safe and controlled space and allowing an appropriate level of freedom of expression, but which may discriminate against particular students' views. Indeed, international human rights law, on which was based the initial framework for the research related in this article, allows for this; as mentioned earlier, young people are entitled by international law to non-discrimination and freedom of expression, but there are tensions between these two terms. One student's freedom to express themselves has to be balanced with the right of others to not be discriminated against, in this case by their peers' expression of their (potentially offensive) opinions in class. But equally, it may be discriminatory to silence such a student. From the perspective of some teachers and policy-makers, if a student expressed something that was offensive to another student or to the teacher, then sometimes the student should be challenged, reprimanded or even excluded from class. In other words, the discussion of certain types of difference and certain types of expression were deemed unacceptable – it may be suggested, 'discriminated against' – and the balance between safety and expression was being struck at varying points on a spectrum. In NI in particular, it was unclear as to whether freedom of expression was, in reality, permitted when sensitive local topics were raised by students, or whether the oft-cited 'culture of avoidance' was at play (Dunn and Nolan-Haley 1998). In Israel, it is salient that Jewish Israelis are known for their more direct and challenging approach – *dugri* – than Palestinian citizens of Israel, who are known to

exhibit the more indirect style of *musayara*, or those who live in NI, well-documented as often avoiding contentious issues in mixed or unfamiliar company (Katriel 1986; Feghali 1997; Dunn and Nolan-Haley 1998). Despite taking account of culturally differentiated aspects of communication, a question still arises about the varying conceptualisations, value and limits that may be placed on freedom of expression and non-discrimination within CE, particularly given the potential for CE to teach about democratic values (Osler and Starkey 1996; Geboers *et al.* 2013). Indeed, where the desire of these students to express their views openly is curbed, it may hinder the lively classroom discussion that some would suggest is central to successful and politically engaging CE (Torney-Purta 2002) and hinders the fulfilment of the curriculum aims in terms of dealing with difference and perhaps even of human (education) rights (CCEA 2007; Ichilov, Salomon and Inbar 2005). This is perhaps even more poignant in the Israeli case, given that in 2000 the Students' Rights Law was introduced, which prohibits ethnic, socio-economic or political discrimination against (school-age) students (Students' Rights Law, 2000, para.1, cited in Levush, 2007).

In dealing with difference, then, the role adopted by the teacher is key (Hess 2004), not least given the power differential between teachers and students where teachers generally hold the balance of power in deciding what is acceptable for discussion. As Archard (2004) has indicated, according to article 12 UNCRC, freedom of expression among young people is conditional on age and maturity, and therefore upon adults' judgment. National cultural factors may be at play here, but more than that, the more traditional (Western?) understanding of children as being less mature, and possessing less knowledge than adults and therefore less agency (see Prout and James 1997). It also raises a question about whether the teacher excludes the student because they believe the student is offending other students, or if it is more to do with the teacher's own sensitivities towards certain opinions (Hess 2004). The potential for

teacher bias to enter the CE classroom, then, is highlighted; as Ichilov (2008, 195) suggests, it is 'reasonable to assume that teachers may interpret events and curricular materials in the classroom based on their ideological stance', and so, as Arlow (2002) considers, it is of utmost importance that teachers recognise their own bias through reflexive practices. Returning to the case jurisdictions, whichever way the contrast of Israel with NI may be explained, it is clear that freedom of expression and non-discrimination are conceptualised differently by different participants, particularly when it comes to views on the appropriateness of limitations on expression. What for one individual may be seen as admirable respect for freedom of expression by a teacher, may seem to another like deplorable toleration of racist and discriminatory remarks.

## **Conclusion**

This article explored understandings of and challenges inherent within dealing with difference in citizenship education among students, teachers and policy-makers in Northern Ireland and Israel. It took as a starting point the problem of dealing with difference in an ethno-nationally divided society, particularly within the educational context. It then explored this theme within the framework of international human rights law on education and its interpretations. Such an approach revealed a variety of interpretations made by stakeholders with regard to non-discrimination and freedom of expression, including some distinctions between NI and Israel. There was broad support of students' exposure to a variety of viewpoints, and of respecting students' right to freedom of expression. However, as the gradient of controversy increased, particularly in terms of dealing with issues of national identity and local conflict, support for

dealing with difference varied. Questions were also raised regarding the extent to which tolerance towards difference could be instilled within a divided school system, although some examples were provided of where that appeared to be possible. Furthermore, there was disagreement over whether CE required full freedom of expression of students, or whether a ‘safe’ and controlled environment for discussion, where certain topics were not explored (or were ‘discriminated against’), was preferable.

In closing, this study investigated interpretations of education rights law among stakeholders of a contentious school subject in a divided society, in search of a unifying and helpful perspective that international frameworks are sometimes assumed to offer. At least in part owing to the divided nature of Northern Ireland and Israel, this close look at two cases unearthed varied and sometimes conflicting interpretations of the law in relation to dealing with difference. The findings presented here, therefore, indicate the enduring difficulty in offering final definitive interpretations of education rights law, and have implications for those tasked with setting benchmarks. The challenge of dealing with difference in citizenship education in divided societies remains.

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