

Moral Education System and Human Rights Education in Japan

—Based on Recommendations Made by the United Nations—

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Abstract: The present paper discusses requirements for the protection of children's rights in the Japanese moral education system, based on the Convention on the Rights of the Child and General Comment No.1.

The Convention on the Rights of the Child, including Articles 28 and 29, stipulates children's right to receive an education and its goals. General Comment No.1 of Article 29-1 makes recommendations with regard to the significance of the right, its function, and the implementation of human rights education.

To protect children's rights under moral education systems, it is essential to: ensure that "children are free in moral terms" to respect their autonomy, "empower children" to accomplish the goals of international education, and "implement human rights education for children", including the promotion of mutual understanding, peace, and tolerance.

Key words: Education, Moral, System, Human Rights, the United Nations

I. Introduction

In Japan, there has been recent progress in the revival of moral education in schools, which was abolished following World War II.

In 2006, the Japanese Basic Education Law was fully revised (Law No.120), including the adoption of Article 2 (Goals of Education). Article 2 stipulates that education should be implemented to fulfill the goals stated in Article 2-1 while respecting academic freedom, with the aim of accomplishing the objectives stated in Article 1¹⁾. Article 2-1 states that education should help students: acquire extensive knowledge and become cultured persons, develop attitudes required to search for truth, become enriched persons with a sense of morality, and stay healthy, and the "promotion of morals" was set as an educational goal.

The Japanese school curriculum guidelines issued in

2008 include a statement that schools should implement moral education to fulfill the objectives of the completely-revised Basic Act on Education. Specifically, the guidelines stipulate that moral education in schools should train "people with a public mind who independently become involved in the development and advancement of society, value life and nature, contribute to environmental conservation, develop a sense of affection for the country and community, respect the tradition and culture developed there, respect other countries, and contribute to the peace and development of the international community, in addition to "respect for the values of individuals", "justice", and "responsibility" as stated in previous U.N. Conventions. The guidelines also state that schools should emphasize moral education as a basis for the development of the "ability to live", and an excellent personality, as its important element, consisting of "flexible sensitivities", "a basic sense of ethics", and "a sense of caring, the spirit of social contribution, independence, abstinence, a sense of

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responsibility, being able to live in harmony with others, tolerance of differences, and respect for morality”.

In March 2015, “Fundamental improvement/enhancement of moral education” was published by the Ministry of Education, Culture, Sports, Science, and Technology²⁾. The report, “Improvement/enhancement of moral education”, pointed out the following problems with moral education classes: “Less emphasis is placed on them than other academic subjects”, “Teaching methods tend to become formal”, and “Students are expected to say or write the obvious in classes”. A partial revision of the government curriculum guidelines was proposed to reposition “moral education classes”, which had been held once a week in elementary and junior high schools, as “moral education as a special subject” (once a week), based on proposals by the Education Rebuilding Council and reports submitted by the Central Council for Education. Specifically, the following revisions were proposed: the adoption of textbooks for moral education approved by the ministry, improvement for systematic programs, efforts to improve teaching methods, and recognition of children’s progress in moral learning. The new guidelines also specify the implementation of moral education classes using approved textbooks in elementary and junior high schools from 2018 and 2019, respectively. In addition, the plan for the revision recommends improvements to the nurturing of teachers and training for them, as well as the organization of professional conferences for assessment.

The Ministry of Education, Culture, Sports, Science, and Technology explained that moral education aims to help children develop morals, based on which they improve themselves as persons and lead better lives³⁾. The ministry specified the following objectives of moral education in kindergartens, elementary, and junior high schools, respectively: “general education across various fields to develop morals, “moral education throughout the entire school education activities, including moral education classes (35 sessions a year) and other activities conducted based on the characteristics of other subjects, foreign language activities, comprehensive learning period, and special activities”, and “education on the way of living as humans, as part of the entire school education activities,

including civics and special home-room classes”. The ministry also suggested that “reflections on themselves”, “interactions with other people”, “interactions with nature and sublimity”, and “interactions with groups and society” should be taught in moral education classes in elementary and junior high schools.

In Japan, the institutionalization of moral education was banned following World War II due to the influences of the Imperial Rescript on Education (issued in 1890), which was adopted as an education philosophy in the Meiji period, in which education was considered an important part of the national system, and abolished at the end of the war. The Imperial Rescript on Education stated that profound virtues had been established in Japan, on the assumption that ancestors from the Imperial family created the country. It also suggested that Japanese people should be proud of their allegiance and loyalty, benevolence, and sense of virtue passed down from their ancestors, and that education should be based on the spirit of fidelity. The Imperial Rescript on Education required Japanese people to comply with twelve advices related to virtue, including being filial to parents, virtue among siblings, couples, and friends, benevolence, recommendation of learning and vocational training, education for intelligence, improvement of characteristics and talents, contribution to public interests/services, compliance with the constitution and laws, and serving to the public in emergency situations.

Due to the specificity of the background of the Japanese moral education system, previous studies on moral education classes as an academic subject in Japan re-examined expertise required for moral education⁴⁾, and analyzed the process and background of the adoption of moral education as an academic subject⁵⁾, as well as its influence on moral and other education⁶⁾.

As for education, children’s rights are stipulated in laws at an international level. The “Convention on the Rights of the Child”, adopted at the U.N. General Assembly in 1989, is a legally binding treaty designed to protect the fundamental rights of children related to education⁷⁾. Article 4 and other articles of the convention require Japan and other contracting countries to fulfill their duties stipulated in the provisions. Furthermore, the Committee on

the Rights of the Child, a monitoring committee to check if the contracting countries have fulfilled their duties, adopted General Comment No.1: “Aims of Education” in 2001⁸⁾. General Comments are written statements adopted by the U.N. Committee on the Rights of the Child based on the results of examinations and general discussions submitted by contracting countries, and they aim to promote the execution of the convention and encourage the countries to fulfill their duty of reporting⁹⁾. U.N. General Comments are official statements adopted by the Committee on the Rights of the Child based on the results of screening of reports submitted by the contracting parties and general discussions to facilitate the implementation of U.N. Conventions and encourage the contracting parties to fulfill their obligations of reporting, and they are positioned as guidelines for the implementing agencies to officially interpret the provisions. Therefore, it has been pointed out that the general comments must be considered and respected in legislation in the Diet, the activities of the central and local governments, and court rulings related to the implementation of Conventions.

What conditions are required to protect children’s fundamental rights to education at an international level based on the Convention on the Rights of the Child and General Comment No.1 in the moral education system? The present paper discusses the question.

II. Objectives and Methods

The present study aimed to promote the protection of children’s rights in specific education systems by examining conditions related to moral education systems. The objective of the present paper is to discuss requirements for the protection of children’s rights in a moral education system. The study also aimed to promote their protection by examining the requirements.

In the following paragraphs, the fundamental rights of children related to education and their characteristics are described, and requirements for the protection of their rights in moral education systems are presented, based on the results.

III. Results

1. U.N. Convention on the Rights of the Child

Articles 28 (Right to education) and 29 (Goals of education) of the Convention on the Rights of the Child stipulate children’s rights to education in a direct manner.

2. U.N. Committee on the Rights of the Child/ General Comment No.1

General Comment No.1 of the convention specifies the significance of Article 29-1.

As a significance of Article 29-1, the qualitative aspects of Article 28 on children’s right to education have been enhanced by adding new provisions that reflect the rights of children and their inherent dignity. In addition, General Comment No.1 specifies that the objective of education - the core value of the convention, is to promote and protect, including the provision of relevant support, the equal and inalienable rights of all children with inherent dignity. Furthermore, the comment suggests it should be noted that the realization of the five specified objectives is directly related to consideration of the dignity of children as humans, their rights, specific needs in relation to their growth, and a variety of developing abilities. General Comment No.1 also states that these objectives include the promotion of: respect for human rights, senses of identities and affiliations, socialization and interaction with others, and interaction with the environment, with the aim of developing children’s general potentials in a comprehensive manner.

As a significance of Article 29-1, General Comment No.1 emphasizes that education must: be children-centered, prioritize children, and empower them. As another significance of Article 29-1, the comment also states that the process of education should be based on principles approved through the implementation of education. To accomplish this educational goal, it is necessary to not only encourage children to develop life skills, but also empower children so that they will be able to receive all rights, and promote a culture in which values of humanrights are respected. The objective of education is to empower children by helping them develop their skills, learning,

and other abilities, senses of dignity, self-esteem, and confidence.

The comment also emphasizes that children's rights to education should be specifically discussed, in addition to their access to the rights. Regarding education related to children's rights in particular, we live in an international environment faced by a variety of problems influenced by changes of the times, including progress in globalization, the development of new technologies, and related events. The comment states that children should be encouraged to continue to exert efforts to maintain a sense of balance in their attitudes toward human rights throughout their lives, develop an extensive range of different values, understanding of humans, tolerance, and a spirit of friendship. Children are advised to learn to emphasize interactions, respect individual differences, and take approaches in harmony with a variety of values, because they are expected to fulfill their roles in overcoming varying differences.

Secondly, General Comment No.1 describes the six functions of Article 29-1.

The comment explains that the provisions of the article are inseparable and related to each other, as the first function. General Comment No.1 also specifies that children's rights related to education are values within an extensive ethical framework, rather than isolated or separate ones. The comment states that children's rights to education are particularly related to the following articles: Article 2 (Non-discrimination), a general principle, Article 3 (Best interests of the child), Article 12 (Respect for the views of the child), Article 28 (Right to education), Articles 5 (Parental guidance) and 18 (Parental responsibilities), Article 13 (Freedom of expression), Article 14 (Freedom of thought, conscience, and religion), Article 17 (Access to information), Article 23 (Children with disabilities), Article 24 (Health and health services), and Article 30 (Children of minorities/indigenous groups).

As the second function, emphasis is placed on the process of the promotion of children's rights to education. General Comment No.1 points out that children's rights to education involves educational curriculums, processes,

methods, and environments. The comment recommends: the provision of education in a manner designed to encourage students to express their opinions freely and participate in school lives, its promotion as part of learning processes and experiences, and the implementation of children-centered education with an emphasis on the dignity of children.

As the third function, an importance is placed on independent substantive rights to education of a specific quality, and General Comment No.1 emphasizes that Article 29-1 is related to "children-centered education" and "efforts to eradicate racism, racial discrimination, xenophobia, and related intolerance". As for "children-centered education", it is necessary to recognize that all children have their own unique characteristics, interests, capabilities, and learning needs, and help them develop personalities, talents, and abilities as individuals. To accomplish this goal, children's developing abilities should be comprehensively taken into consideration in the development of curriculums, because they are directly related to the social, cultural, environmental, and economical backgrounds, as well as their current and future needs. In addition, education methods should be coordinated according to the different needs of children. Regarding the objectives of education, all children should be encouraged to develop a sense of balance required to make decisions and life skills to address problems by non-violent means. Children are advised to develop abilities to establish favorable social relationships, have a sense of responsibility, improve methods for critical thinking, become creative, and develop means to pursue options that are important to their lives, and it is necessary to ensure that all children will be ready to face challenges in their lives when they graduate from school. Regarding "efforts to eradicate racism, racial discrimination, xenophobia, and related intolerance", the comment stresses the importance of teaching how racism developed and has been influenced in history, and recommends the implementation of education to dispute all aspects of discrimination and prejudice through accurate recognition and understanding of the values reflected in Article 29-1. Since the issue of racism behaviors involves all children, rather than

particular ones, it is important to focus on children's communities to teach them about human rights, children's rights, and anti-discriminatory principles. The comment states that such an education will effectively prevent and eradicate racism, ethnic discrimination, xenophobia, and related intolerance.

As the fourth function, an emphasis is placed on holistic approaches to education. The holistic approaches aim to maintain balances among the promotion of opportunities for education, the "psychological and physical aspects of children", their "intellectual, social, and actual aspects", and the aspects of their childhood and whole lives. The general objective of education is to enhance children's ability to become fully responsible to a free society and participate in it, as well as opportunities to do so, and, therefore, General Comment No.1 recommends that it is important to implement children-centered education that motivates them and provide opportunities for them, and improve schools so that children will be able to learn and grow as persons based on their developing abilities in an appropriate environment.

As the fifth function, the comment stresses the design and implementation of education with an emphasis on the general and comprehensive promotion and enhancement of a series of specific ethical values stipulated in the convention, including respect for peace, tolerance, and natural environments. Therefore, in addition to the necessity of interdisciplinary approaches, it is necessary to focus on problems in children's communities to promote and enhance their values. For example, in education, children should be encouraged to discuss relationships among the issues of environmental protection, sustainable development, and socio-economical, socio-cultural, and demographic issues so that they will develop respect for natural environments, and participate in environmental projects at community and international levels to discuss domestic and international problems.

Finally, the article reflects important roles that should be fulfilled by education to promote all human rights and help people understand its indivisibility, as the sixth function. The comment states that children's access to education should be ensured so that they will develop the abilities to

become fully responsible for a free society and participate in it, and that understanding of the values as stipulated in Article 29-1 should be promoted.

Thirdly, General Comment No.1 recommends the implementation of "human rights education".

General Comment No.1 specifies that Article 29-1 is positioned as a basis for human rights education programs, and that human rights education should involve the provision of related information for children, and a review of human rights education from the viewpoint of values of human rights based on their daily lives and experiences. When education systems are implemented in unstable environments including conflicts and natural disasters in relation to the values stipulated in Article 29-1, mutual understanding, peace, and tolerance should be promoted in educational programs.

To fulfill these requirements, General Comment No.1 recommends that the contracting countries should take necessary measures to officially adopt these plans in educational policies at all levels and educational legislation. To implement Article 29-1 effectively, it is also necessary to: fundamentally redevelop curriculums, systematically revise "textbooks, other materials, educational technologies, and school policies", ensure that freedom, mutual understanding, peace, tolerance, gender equality, and a spirit of friendship are reflected in school environments, and develop comprehensive domestic action plans to promote and monitor the implementation of the measures.

IV. Discussion

In moral education, the following three requirements must be fulfilled to protect the fundamental rights of children related to their education, based on the Convention on the Rights of the Child and General Comment No.1.

It is necessary to ensure that "children are free in moral terms", as the first requirement.

To ensure that "children are free in moral terms" is to protect the autonomy of children's intentions in relation to morals. The Convention on the Rights of the Child,

including Article 12, recommends that the autonomy of children in education, which has a significant influence on them, should be respected. General Comment No.1 emphasizes the realization of values within an extensive ethical framework, as recommended by the convention, including Article 29-1. Since emphasis has been placed on the autonomy of morals in moral education¹⁰⁾, it is necessary to help children become active by encouraging them to set rules based on their ideas and comply with them. General Comment No.1 specifies that Article 29-1 emphasizes children's substantive rights - independent rights to education with a specific level of quality, to promote "children-centered education". Furthermore, an emphasis is placed on holistic approaches to education because the general objective of the convention in relation to education is to enhance children's ability to become fully responsible to a free society and participate in it, as well as opportunities to do so. Therefore, General Comment No.1 recommends that it is important to implement children-centered education that motivates them and provides opportunities for them, and improve schools so that children will be able to learn and grow as persons based on their developing abilities in an appropriate environment. In addition, the general comment also emphasizes the importance of the process of promoting children's rights to education, as well as their execution.

As the second requirement, it is necessary to "empower children".

As suggested in General Comment No.1, the objective of education is to empower children by helping them develop their skills, learning, and other abilities, senses of dignity, self-esteem, and confidence. To accomplish this educational goal, it is necessary to not only encourage children to develop life skills, but also empower children so that they will be able to receive all rights, and promote a culture in which values of human-rights are respected. Specifically, children should be encouraged to continue to exert efforts to maintain a sense of balance in their attitudes toward human rights throughout their lives, develop an extensive range of different values, understanding of humans, tolerance, and a spirit of friendship. Children are advised

to learn to emphasize interactions, respect individual differences, and take approaches in harmony with a variety of values.

As the third requirement, it is necessary to "implement human rights education for children".

General Comment No.1 specifies that human rights education should involve the provision of related information for children as a basis for human rights education programs, and review of human rights education from the viewpoint of values of human rights based their daily lives and experiences. The comment, which reflects important roles that should be fulfilled by education to promote all human rights and help people understand its indivisibility, states that children's access to education should be ensured so that they will develop the abilities to become fully responsible for a free society and participate in it, and that understanding of the values as stipulated in Article 29-1 should be promoted. An importance is placed on independent substantive rights to education of a specific quality, since Article 29-1 is related to "children-centered education" and "efforts to eradicate racism, racial discrimination, xenophobia, and related intolerance". General Comment No.1 stresses the design and implementation of education with an emphasis on the general and comprehensive promotion and enhancement of a series of specific ethical values stipulated in the convention, including respect for peace, tolerance, and natural environments. When education programs are implemented in unstable environments, including conflicts and natural disasters, the promotion of mutual understanding, peace, and tolerance is essential.

To fulfill the above-mentioned requirements, General Comment No.1 recommends that the contracting countries should take necessary measures to officially adopt those plans in educational policies at all levels and educational legislation. Specifically, it is necessary to: fundamentally redevelop "curriculums, systematically revise textbooks, other materials, educational technologies, and school policies", ensure that freedom, mutual understanding, peace, tolerance, gender equality, and a spirit of friendship are reflected in school environments, and develop comprehensive domestic action plans to promote and

monitor the implementation of the measures.

There has been an increasing demand for the improvement and promotion of moral education in Japanese schools because it has been pointed out that a smaller number of Japanese children have confidence in themselves than those in other countries. As educational institutions responsible for developing children's confidence, their recognition of living in harmony with other people, and sense of accomplishment, while emphasizing their interactions with others and involvement in social activities, schools are being increasingly expected to effectively function as places for group living.

As stated in General Comment 1, the objective of education related to children's rights is to empower them by enhancing their confidence, rather than improving their confidence itself.

To accomplish this objective, it is necessary to take approaches designed to encourage children to interact with others, respect differences, and live in harmony with a variety of values.

V. Conclusion

The present paper has discussed requirements for the protection of children's rights in the Japanese moral education system, based on the Convention on the Rights of the Child and General Comment No.1.

As for the fundamental rights of children related to education, Articles 28 and 29 of the Convention on the Rights of the Child stipulate children's right to receive an education and its goals. General Comment No.1, which aims to execute Article 29-1 effectively, specifies the significance/function of Article 29-1 and what should be conducted to promote human rights education, and recommends their implementation.

To protect the fundamental rights of children related to education in moral education systems, based on Articles 28 and 29 of the Convention on the Rights of the Child and General Comment No.1, it is necessary to ensure that "children are free in moral terms" to respect their autonomy in accordance with holistic education

approaches, "empower children" to accomplish the goals of international education, and "implement human rights education for children", including the promotion of mutual understanding, peace, and tolerance.

Notes

- 1) Article 1 stipulates that the objective of education is to "train physically and psychologically healthy people who are determined to improve their character and have qualifications required to develop a peaceful and democratic country and society".
- 2) The Elementary and Secondary Education Bureau of the School Curriculum Division of the Ministry of Education, Culture, Sports, Science, and Technology: Fundamental improvement and enhancement of moral education URL: http://www.mext.go.jp/component/a_menu/education/detail/__icsFiles/afieldfile/2015/03/27/1282846_9.pdf (accessed 16 August 2015).
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- 5) Yoshio O. 2015. "Flow of Policies for Moral Education, Its Purpose, and Background" *Kikan Kyoiku-hou (Education Laws Issued Quarterly)* 185: 6-11.
- 6) Yusuke Y. 2015. "Will Moral Education Be Improved by Being a School Subject?" *Annual Report of the Gunma University (Cultural science series)* 64: 157-171.
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- 7) UNICEF. UN Convention on the Rights of the Child.
- 8) UN Convention on the Rights of the Child Committee on the Rights of the Child. 17 April 2001. General Comment No.1 (2001) on the Aims of Education. *CRC/C/GC/2001*.
- 9) Akito K, Akemi M, Akira H, and Shigeto A. eds. 2009. *Convention on the Rights of the Child*: Nippon Hyoron Sha Co., Ltd: 11.
- 10) Immanuel K. Seichi H., Wakichi M., and Hideo S. trans. 1979. *Kritik der Praktischen Vernunft*: Iwanami Shoten.