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# DOING RIGHTS, MAKING CITIZENS: THE PRACTICES OF HIGH SCHOOL STUDENT GOVERNMENTS

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## Abstract

How does the right to education inform respect for citizenship rights, where school education becomes a site of contestation over democracy? Drawing on a review of all documents produced during international reviews of Taiwan's implementation of the United Nations Convention on the Rights of the Child and interviews with members of high-school student governments, in this article, we demonstrate how local educational systems negotiate to meet international child rights standards. We further argue that experiences of being involved in student governments and human rights review processes empower the students, informing them of a future where they feel relevant and responsible in networking and decision-making.

**Keywords:** civil and political rights; Convention on the Rights of the Child; education reform; right to education; school government; Taiwan.

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## [A] INTRODUCTION

School education is essential in helping children socialize to become citizens in a democratic society. At school, students learn communication, teamwork, public speaking, interaction with authority figures, and other vital skills to prepare themselves for engaging in public and private affairs. Ideally, civic education and critical thinking, if offered through formal courses and extracurricular activities within and beyond

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the campus context, should help equip young children with the necessary adeptness to participate in social and political life in the future, such as voting, petitioning, joining a union and political party, and paying attention to public policy debates (Chomsky 2012). Governments also utilize school education as a medium to convey the country's political traditions and culture to students (Meyer & Ors 1992), thereby reflecting on the design of courses and activities, the selection of textbook content, and the "hidden curriculum" between teachers and students (Bennett & Hansel 2008).

Therefore, it is crucial to understand the formulation and reform of a country's education policy, as it determines the children's perception as well as the kind of citizens they are expected to become in the future. The education policy reflects the goals set by the government to be achieved through education. These goals usually depend on the kind of citizens the government wishes to foster (Borman & Ors 2012). Furthermore, it is imperative to understand the implementation of education policy, since many factors could influence the interaction between teachers and students and between students themselves, resulting in the insufficient and unequal distribution of educational resources.

In the language of human rights, the formulation and implementation of education policy includes children's right to education, as stipulated in Articles 28 and 29 of the United Nations Convention on the Rights of the Child 1989 (UNCRC). Article 28 of the UNCRC requires the state parties to achieve various levels of education, from primary through secondary to higher education. Therefore, children should have the right to access all educational and vocational information and guidance. Article 29 of the UNCRC addresses the more fundamental aspects of education policy, depicting five educational goals to be achieved: (a) the development of children's personality, talents and mental and physical abilities; (b) the development of respect for human rights and fundamental freedoms; (c) the development of respect for the children's parents, their cultural identity, language and values; (d) the preparation of children for responsible life in a free society; and (e) the development of respect for the natural environment.

Although the UNCRC expects states to develop their educational policies based on these goals, the states have expressed their preferences regarding the priority of education goals, which must be considered in the context of the local educational system. Hence, the aims of education introduced *from* abroad may conflict with the culture and values built

*from* within (Shee 2019). Being aware of the potential inconsistency, this study explores the practice of the right to education in Taiwan.

More information on how Taiwan adopted the UNCRC is needed here. Taiwan is not a member of the UN but included the UNCRC into domestic law in 2014 through an Implementation Act of the Convention on the Rights of the Child 2014 (last amended 19 June 2019). To monitor the implementation of international human rights treaties, Taiwan has created a system of internal periodic reviewing that mirrors the international reviewing before the International Review Committee (IRC) (Chang 2019). Taiwan has also established a National Human Rights Commission (NHRC) under the Control Yuan in 2020 to monitor the human rights situation in Taiwan (Caldwell 2019).

In each review cycle (every four to five years), the Government submits a state report to the IRC, whereas the NHRC and non-governmental organizations (NGOs) offer alternative and parallel/shadow reports. Following the review of all reports and discussions with different actors, the IRC adopts concluding observations and recommendations for the Government regarding the implementation of the relevant human rights treaty.

When analysing Taiwan's education policy, we consider the role of multiple actors. The Government, the NHRC, NGOs and the IRC have negotiated and collectively determined the aims of education and the direction of Taiwan's education policy. Yet, in practice, students and teachers are considered the primary actors on the ground who achieve these goals. This study identifies the influence of human rights treaties on Taiwan's education reform and the goals behind these policies. Then, it explores how multiple actors in Taiwan interpret and implement the right to education that reflects the kind of agentic citizens the system seeks to produce.

## [B] RESEARCH METHODS

Multiple methods to collect qualitative data were used to understand the formulation and practice of Taiwan's education policy. First, we analysed the documents collected from the two review cycles for the implementation of the UNCRC in Taiwan, including the reports produced by the Government, NHRC, NGOs, child delegates and the IRC's concluding observations. Drawing on the documentary analysis, we considered how various actors' interpretations of the aims of education inform education policy reform.

<b>Respondent</b>	<b>Gender</b>	<b>Year of class</b>
A	boy	sophomore year
B	boy	sophomore year
C	boy	sophomore year
D	girl	sophomore year
E	girl	sophomore year
F	boy	sophomore year
G	boy	sophomore year
H	girl	sophomore year
I	girl	sophomore year
J	boy	sophomore year
K	girl	sophomore year
L	girl	sophomore year
M	boy	junior year
N	boy	sophomore year
O	girl	sophomore year
P	boy	sophomore year
Q	girl	sophomore year
R	boy	sophomore year
S	girl	sophomore year
T	boy	sophomore year

*Table 1: Basic information of interviewees*

Subsequently, to understand the practice of education policy at school, we considered high school student governments in Taiwan as an example to illustrate the complex situations in which students exercise their rights in negotiation with teachers' authority. The National Taiwan University Research Ethics Office (NTU-REC No 202209HS004) approved

a qualitative research protocol, including careful ethical accounts, especially considering potential participants could be teenagers. Semi-structured interviews were conducted with 20 student delegates from 13 high schools (11 boys and 9 girls ranging from 16 to 18 years old, most of whom had been elected as leaders of student government).

Taiwan's senior high school is a three-year education system, in which students are "freshmen" in their first year, "sophomores" in their second year and "juniors" in their third year; basic information about our interviewees can be found in Table 1. These students had first-hand experiences with the school authorities, teachers and other peer students. All the respondents belonged to Taipei City, the capital of Taiwan, to avoid differences in educational policies across counties and cities. Most interviews lasted 1–1.5 hours, while some respondents chose to do group interviews, which lasted between 1.5 and 2 hours.

The interview was composed of two parts: the model of school governance and student delegates' strategies to participate in school affairs. For the first part, we asked the respondents about the attitudes and behaviours of school administration towards student government, such as the principal, directors of different departments and parent delegates. Our interest lay in understanding whether the schools respected student delegates' opinions, considered their views and provided information and assistance for the student government. Furthermore, we also asked about the relationships between the student government and other teachers and students.

For the second part, we asked our respondents about the structure of their organization, its division of power and institution, the challenges they faced while participating in school affairs, and their strategies to respond to school discipline. To avoid the recall bias of our respondents and for narrative triangulation, we also collected posts and meeting minutes from each school's social media pages.

## [C] MULTIPLE INTERPRETATIONS OF THE "AIMS OF EDUCATION"

The UN Committee on the Rights of the Child (the UN Committee) adopted its General Comment No 1 in 2001, identifying various issues with respect to the aims of education, including human rights education, prevention of overemphasis on the competition for further education, student participation in school affairs and prohibition of corporal punishment and the student grievance mechanism. General Comment No 1 also

mentions children's right to non-discrimination (Article 2) and the right to be heard (Article 12), considering that the right to education does not exist independently but is interrelated and interdependent with other children's rights. However, this documentary study found that the IRC's recommendations influenced Taiwan's Government's selective emphasis on educational policies, while the NGOs were found to have identified a broader range of issues related to the aims of education.

According to UN Committee General Comment No 1, the state shall pay equal attention to all issues concerned; however, the Taiwanese Government has been selective regarding the problems it addresses in the state reports. On the contrary, the NGOs have taken a more inclusive approach to education reforms that sometimes went beyond the concerns of the IRC and were thus overlooked by the Government and the NHRC. In the following sections, we focus on two issues mentioned in NGO shadow reports—human rights education and non-discrimination education.

## Selective Gaze at Human Rights Education

As the means to cultivate children's respect for human rights, human rights education is one of the essential components mentioned in the UN Committee General Comment No.1. The states must provide human rights education, teaching children about international human rights treaties and informing them of how human rights standards are practised in everyday life. In the first state report concerning the UNCRC in 2016, Taiwan's Government mentioned establishing a "Human Rights and Civic Education Mid-Range Plan" under the Ministry of Education (MOE), integrating human rights education into primary and secondary school curricula (Child and Youth Welfare and Rights Promotion Group 2016). In 2019, the MOE announced the implementation of the "Curriculum Guidelines of 12-Year Basic Education", thereby standardizing the curriculum for high school and below. It included human rights education, and teachers were encouraged to incorporate this concept into different subjects. Training on human rights education for teachers and the development of relevant teaching materials were also included in the second state report.

Surprisingly, no NGOs mentioned human rights education in their shadow reports. The only report that touched upon this issue was the alternative report submitted by the NHRC, which was concerned with the practicality and effectiveness of the Government's proposal (NHRC 2021). The NHRC urged the Government to revise current curriculum guidelines rather than simply adding human rights education as a

critical topic to radically rebuild human rights-based curricula. In its concluding observations, the IRC (2022) also emphasized human rights education, acknowledging Taiwan's effort to promote awareness of human rights among schoolchildren. However, the IRC also recommended that students should have the opportunity to exercise their rights in school.

Nevertheless, with little mention of human rights education, NGOs provided abundant case studies and observations concerning the rights of students from marginalized and vulnerable groups, such as sexual and gender minority students, Indigenous students, and students with disabilities. Although Taiwan has often been considered the leading country in Asia in terms of gender equality (Lee 2011; Brysk 2021), NGOs reported profound hostility in school contexts against gender minority students. For instance, high-school teachers included anti-LGBT content in homework and exams (Taiwan Association for Human Rights, Covenants Watch & Taiwan Alliance to Promote Civil and Partnership Rights 2017); influential parent delegates pressured textbook publishers to delete content about gender equality (Taiwan CRC Watch 2022); and students were reported being bullied due to their gender expression and sexual orientation (Taiwan CRC Watch 2017). These issues remain common despite the requirements of the Gender Equity Education Act 2004 (last amended 16 August 2023).

Indigenous students and students with disabilities have also experienced similar situations. Under the Education Act for Indigenous Peoples 1998 (last amended 20 January 2021), the Government should subsidize schools to provide multilingual and multicultural teaching to promote students' cultural identity and respect for cultural diversity. However, according to NGOs' shadow reports, the efficacy of implementing these policies has not been as positive as claimed by the Government (Lima Taiwan Indigenous Youth Working Group 2017). A significant challenge lay in the shortage of teachers for Indigenous languages, and the MOE and the Council of Indigenous Peoples were not active in addressing the issue until recently. Meanwhile, students with disabilities have also faced several issues, such as being rejected by schools or treated inappropriately at school. The NGOs have reported low attendance rates of disabled students, and, for those who do attend school, reasonable accommodation and inclusive education remain gravely lacking among schools at all levels despite the rules provided by the Special Education Act 1984 (last amended 21 June 2023) (League for Persons with Disabilities 2022).

Generally, it was found that the Government has been passive and selective regarding education policy for human rights and non-discrimination, although it is essential for realizing both Articles 2 and 29 of the UNCRC. The insufficient attention from the state reports is primarily due to the IRC's attitude. In its first concluding observation, the IRC mentioned the integration of human rights education, encouraging the Government and the NHRC to elaborate further on the issue. Therefore, the education reform for human rights awareness was emphasized in the second review cycle. Yet, the IRC mentioned little about non-discrimination, and the Government and the NHRC have paid limited attention to the issue. Therefore, on the construction of the right to education, the IRC has a strong authority in agenda-setting, which, both directly and indirectly, has influenced the Government's attention to specific policies.

## Half-Done Work for the Right to Education

In addition to selective attention to human rights and non-discrimination education, it is also vital to examine whether Taiwan's educational policies have realized the goals outlined in Article 29 of the UNCRC. A systematic review of all relevant reports found that, despite the state's emphasis on several legal amendments, the NHRC, NGOs and IRC have commented on the insufficiency of changes in law without substantial transformation in practice. In this regard, we focus on student's participation in school affairs and regulations on teachers concerning school discipline.

Students' participation in school affairs should be viewed as the conjunction of the right to participation (Article 12) and the aims of education (Article 29) under the UNCRC. Article 12 requires states to protect children capable of forming their own opinions to express their views and give them due weight within the decision-making process. At schools, Article 12 recognizes students' right to establish a student government, elect student delegates to participate in school councils and express their views about school affairs such as curriculum review, dress code and so on.

In its first state report, the Government mentioned student delegates' right to participate in school meetings according to the Senior High School Education Act 2013 (last amended 26 May 2021). However, NGO parallel reports argued that the participation quota of student delegates is not equivalent to the state fulfilling the obligation to protect the right to participation (The Guardian–National Association for Children and Family 2022). This is because in most high schools, the



student governments did not have a complete organizational structure and rules of procedure, and most students did not receive any training and experience to operate such an organization. Without the school's assistance and support, students could only rely on the experiences passed on from previous delegates. Another problem experienced by student governments concerns the power inequality between teachers and students. Although many teachers in Taiwan have learnt to treat students as human rights-holding subjects and respect their opinions, many students, who are regarded as not mature enough by many teachers, are still excluded from participating in school affairs. Student government members often fear expressing their opinions at school council meetings or are not provided adequate information to form their opinions. The NGOs are concerned that student delegates might become "tokens" of student participation (Hart 1992) yet lack substantial opportunities to participate. The IRC (2017) was also concerned with the operation of student governments, recommending that the Government supervise the independence and efficiency of student governments.

Following the initial review of the implementation of the UNCRC, the Government has adopted measures to foster the effectiveness of student government. In 2018, the MOE formulated the "Guidelines for Senior High Schools to Give Counsel on the Operation of Student Councils and Other Related Self-Governing Organizations", which required senior high schools to provide necessary assistance to student governments. In 2021, the Government amended the Senior High School Education Act 2013, requiring the proportion of student delegates to be no lower than 8% and giving student delegates the right to propose, discuss and vote. For students below junior high school, their right to participate in school councils is now also respected and ensured by the Protection of Children and Youths' Welfare and Rights Act 2003 (last amended 20 January 2021). In concluding observations regarding the second review, the IRC (2022) further discussed students' participation in reviewing curricula while appreciating the Government's efforts in promoting student governments' operations.

Article 28(2) of the UNCRC, in conjunction with Article 29, set up strict limitations for the states to regulate school discipline. Taiwan's Government only mentioned a few regulations prohibiting corporal punishment in its first report, whereas the NGOs and the IRC questioned their implementation. The NGOs criticized the Government for requiring students to learn non-violent behaviours while still subjecting them to a violent environment (Taiwan CRC Watch 2017). Students from vulnerable

groups had a higher tendency to be bullied by classmates who imitated teachers' ridicule and discriminatory attitudes and behaviours. The IRC (2017) stressed the importance of student grievance institutions, urging the Government to build an independent, confidential and safe mechanism for students to complain and appeal. Students should have a voice in the grievance mechanism and should be able to elect third-party representatives for monitoring.

The Government provided further details regarding school discipline in its second report (Child and Youth Welfare and Rights Promotion Group 2021). It mentioned the amendment to the "Directions Governing the Regulations on Teacher's Counselling and Discipline of Students" in 2020, prohibiting teachers' use of corporal punishment. The Government also required schools to establish a Student Grievance Review Committee to handle students' appeals and launch a survey among students regarding corporal punishment at school. The NHRC (2022) reminded the Government of the complainer's rights to know during the grievance procedure, including the right to acquire investigation reports and learn the outcomes.

By utilizing the examples of students' participation in school affairs and discipline, we demonstrate the gap between the Government and civil society's comprehension of the achievement of the goals of education. For the Government, ensuring the quota of student delegates in the school council was sufficient to fulfil its obligation concerning students' right to participate. However, for NGOs and child delegates, the student government in most schools lack a complete organizational structure, training and resources to function adequately. The power inequality between teachers and students creates another barrier for student delegates to express their views in front of teachers and the administration. Similarly, the Government paid meagre attention to school discipline in the first review, only mentioning the prohibition of corporal punishment. On the other hand, the NGOs and the IRC alerted the Government that corporal punishment is still prevalent, and that the Government should take responsibility to improve student grievance mechanisms.

Despite the Government's initial passive attitude to student rights, we have observed the influence of NGOs and the IRC on shaping the Government's agenda and actions. Following the reviews, the Government has come to recognize student delegates' right to actively participate in school councils and requested school authorities to provide necessary assistance. It has further established stricter regulations on school

discipline, along with a series of commitments to implement student grievance mechanisms. Therefore, since the internalization of the UNCRC in Taiwan, we have witnessed the increasing impact of NGOs and child delegates on fostering an environment wherein the right to education is reconceived and realized as per international standards.

## [D] LEARNING HOW TO GOVERN AND BE GOVERNED AT SCHOOL

In the forums of international reviews of the implementation of the UNCRC in Taiwan, the construction and interpretation of the right to education inform all relevant actors of contested imaginations of the pursuit of democracy. However, the manner in which students in Taiwan experience and exercise such a right at school also deserves attention. Are students' experiences at school correspondent with the reports? Are there inconsistencies between Taiwan's educational policies and their implementation?

Informed by Lundy's (2007) conceptualization of Article 12 of the UNCRC regarding children's right to be heard and drawing on interviews with members of high-school student governments, we present how students perceive their learning about rights and governing and how they negotiate the reality of being governed. Emerging from the coding process of our qualitative data, we identify two models of school governance based on the students' narratives: "democratic school governance", where school authorities respect students' participation and empower students to become active participants in school affairs; and "non-democratic school governance", where the authorities oppose or exclude students from participating and dissuade them from challenging teachers' authority. Schools' governance styles impact the extent to which the right to education is related to students' understanding of citizenship rights.

### Learning to Get Things Done Democratically

A school environment is democratic when teachers and students establish an equal and reciprocal relationship in the school context. The administration of democratic governance, providing necessary information and resources for student delegates to form their views, respects students' participation in school affairs and pays attention to their opinions. Moreover, the executive leaders actively consult with student delegates to promote the reform of school policies. As illustrated by one of the respondents, the director of the Student Affairs Office in

her school took the initiative to discuss with student delegates about mandating a later school start time:

He might have heard from the news that some people proposed to the public policy platform, calling for the MOE to cancel the self-study time in the morning. Instead of waiting for the MOE to amend the regulations, he thought it would be better for us to discuss them first. It will cause less trouble if we change our rule first (Respondent I).

Another respondent mentioned working with the Director of Student Affairs to cancel the school's morning assembly since the director considered that "it's meaningless to redo such an event after a year of cancellation during the pandemic" (Respondent J). The director allowed J to put this policy reform into his political agenda to ensure that other students could recognize the student government's effort to promote students' benefits. J recalled that the teachers respected his opinions without pressuring him from a superior position.

Respecting students' opinions does not necessarily mean full acceptance of their thoughts; however, it does require teachers to provide students with reasonable responses when rejecting their proposals. One of our respondents mentioned being rejected by teachers when proposing an amendment to the school lunch ordering policy. Most students in Taiwan have their lunch prepared by the school; however, in recent years, more and more schools have allowed students to make their orders by themselves. Nonetheless, in Respondent H's scenario, teachers rejected the student delegates' proposal because there could be a risk of food poisoning, which the school would be held accountable for, and, thus, the administration needed to be more careful. In addition, the school was afraid that self-ordering would increase the disparity between students from families of various income levels. H considered these arguments reasonable and further discussed with the teachers how to improve their policy proposal. While teachers are willing to respect students' participation, they expect students to take responsibility for their actions as well as the actual and potential consequences.

Although most teachers and students (outside the student government) in a more democratic school environment may not be familiar with the operations of the student government, they have designated channels to put forward their opinions to student delegates. Through friend groups and personal networks, as well as leaving anonymous messages on the social media pages of the student government, the ways of expressing an idea are diverse. At some schools, students strictly supervise the student government and provide anonymous criticism on social media. One of

our respondents mentioned another student organization in their school that often criticized the student government for its lack of effectiveness.

They criticized us for too much emphasis on hosting activities and networking events with other schools rather than fighting for students' rights and interests. We discussed whether to respond to them, but our director said they have the right to express, and we should consider taking some of their suggestions (Respondent L).

Under democratic school governance, student delegates are empowered to form and express opinions, supervise school policies, and pressure the authority through various means. Respondents P and Q belong to the same school, being the president and vice president of the student government, respectively. They mentioned their experience in revising the constitution of their student government to expand its size and promote its status to be equal to that of other school departments. Due to their involvement in student governments, these student delegates better understand school regulations, Taiwan's education system, and how to interact with the authorities. They have also learnt how to use student grievance mechanisms to resist school discipline, such as filing a complaint to the municipal or county education bureau or revealing their concerns on mainstream or social media or through NGOs to seek public attention and generate social pressure. They have also become actors with a higher human rights consciousness. As previous studies have found, they are now more capable of identifying potential violations of student rights due to unreasonable school policy (Jerome & Ors 2015).

## No "Rights" Talk at Non-Democratic Schools

Contrary to the democratic environment, non-democratic school governance indicates an almost unchallengeable, ostensibly hierarchical, top-down power relationship that exists between and is actively maintained by teachers and students in the school. Teachers may even exclude students from participating in school affairs; their intervention could start as early as the election of student delegates. One of our respondents, the student government president at his school, was asked by the Office of Student Affairs regarding his potential policy proposals during his campaign: "The teachers wanted to know if my proposals would contradict school policies and tried to convince me to give up those that would" (Respondent A). In A's scenario, he defended his proposals by referring to the student government's regulations, arguing for the legitimacy of his policies that should not be changed.

The teachers in a non-democratic school environment might not directly reject students' participation in public affairs, but they employ various methods to hinder their substantial participation. These methods include refusing to provide information, delaying responses to students' requests, and scolding students for disrespect. Respondents B and C once argued with teachers about their school's newly launched student clubs' evaluation policy. The evaluation outcomes would have affected a club's budget and the number of new members it could recruit in the new year. Our respondents recalled that the responsible officers continuously delayed providing information regarding the policy. When the policy was announced, the administration even planned to implement it without consultation. Respondent B commented:

The evaluation measure was obviously problematic and potentially violated students' rights. For example, the standards for evaluation were not transparent. What punishment would the president receive if a student club rated at the bottom of the review? After we raised our concerns, the director of the students' association office finally decided to postpone the implementation of the evaluation, but we're still arguing with the teachers about amending it (Respondent B).

Another method teachers utilize to interfere with the student government's operation is by controlling its budget. Student governments often require large sums of money to organize student activities, such as the prom or holiday party. While some student governments can raise funds by selling tickets and self-designed souvenirs, others were prohibited from engaging in profit-making activities and could only rely on school funding and space. In the democratic context, teachers tend to provide assistance and resources for the student government with reasonable conditions, such as budget supervision and monitoring and maintenance of the space and facilities. In the non-democratic context, however, teachers review the student government's fees and limit its budget items and funding sources in advance to control what the student government can or cannot do.

One teacher strategy that the students generally found hard to negotiate is the discourse regarding the more significant impact of academic performance than "temporary" school life—particularly often seen at private high schools, which are well-known for their stricter regulations and disciplining system for strong academic reputation (Chou & Ching 2012). Respondents M, N and O, all coming from a famous private high school in Taipei, reported that the director of the Student Affairs Office forbade student delegates from participating in school council meetings. The director was "worried" that letting

student delegates participate would “provoke” the principal and parent delegates, thus hoping that they only express their opinions through indirect communications. Protested by the student government, the director argued that students should focus on studying instead of paying too much attention to school affairs. “You’re going to be here for only three years,” said the director, “the good or bad of this school has little impact on you. What has the greatest impact on you is the university you attend and the future direction of your life.”

Students in non-democratic schools, rather than resisting teachers’ counterarguments and fighting for their right to participation, tend to accept, even though at times ambivalently, the legitimacy of teachers’ discipline and limited involvement. Most private school students tend to agree that the strict regulation was exactly what attracted them to enrol in the first place. These students and their parents are willing to pursue stable and anticipated better academic performance at the cost of limited free time and freedom. Student delegates in this context were forced to employ various discourses in their struggles. Instead of talking about student “rights” (thus implying obligations) and risking irritating the authority, they often reframe the issue based on student “benefits” (up to the authority’s understanding and kindness) to negotiate with the teachers.

I view student rights as a privilege, not a fundamental right. Our teachers don’t support student rights. If we talk to them about “rights” every time, our communication will turn into a fight, and they will reject us. Therefore, I tried to explain to them non-offensively—it’s not about what the law says but about what the school can do to benefit both teachers and students. I learned from this school that it’s easier to promote rights if we don’t talk about rights (Respondent M).

## [E] CONCLUSION

In this study, we have identified that the internalization (incorporating international law domestically) of the UNCRC has influenced relevant actors’ (such as the Government, NHRC, NGOs and child delegates) contested ideas of the aims of education. While the Government dominates the formulation and reform of educational policy, it has considered the observations and recommendations from other actors, particularly the IRC, composed of international child rights experts. By reframing and discussing school issues in the human rights language, we have argued that school students have gradually become recognized as human rights-holders under the UNCRC and other international human rights treaties.

We have further witnessed the impact of human rights discourse on teachers and students, as well as the relationships between them. Teachers in democratic schools have realized the significance of respecting and promoting students' participation in school affairs and empowering them to actively participate in striving for students' rights. However, a few students from non-democratic schools are still deprived of their right to participate and be heard. Teachers have employed various strategies to reassert their authority and control, and students, especially those not involved in student governments, are "convinced" to accept limited participation. This phenomenon represents a tension between the international child rights standards and local educational institutions in Taiwan. However, student delegates have voiced concerns about this issue, and the Government should consider addressing it.

This study has demonstrated how students' involvement in school and public affairs equips them to express opinions and inform them of a future where they can feel relevant and responsible in decision-making. Factors such as school governance may influence education as a means of making agentic citizens, resulting in a gap between aims and practice. Despite legal requirements regarding necessary assistance from schools, non-democratic school governance persists, suggesting inequalities in exercising the right to participation among schools and, hence, between students. Some students are more prepared to become active citizens, whereas others lack the opportunity to engage in politics. Considering the nexus between education and citizenship-in-the-making (Pashby 2011), the right to education should be weighed alongside other civil and political rights (eg the right to equality and the right to be heard). With multiple actors involved in "realizing" children's rights in Taiwan, strategies that can close the gaps between norms and reality and between institutions require close attention.

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## Legislation, Regulations and Rules

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Gender Equity Education Act 2004 (性別平等教育法)

Implementation Act of the Convention on the Rights of the Child 2014  
(兒童權利公約施行法)

Protection of Children and Youths' Welfare and Rights Act 2003 (兒童及少年福利與權益保障法)

Senior High School Education Act 2013 (高級中等教育法)

Special Education Act 1984 (特殊教育法)

United Nations Convention on the Rights of the Child 1989