

APPROACH TO HUMAN RIGHTS IN THE LAW DEGREE AT A PARAGUAYAN UNIVERSITY

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ABSTRACT: The general objective of this research is to analyze the curricular inclusion of human rights education in the Law degree of the National University of the East, in the academic project of the year 2020. It is a qualitative work, case design, documentary type. As a data collection instrument was used a documentary observation guide in order to identify the content referring to human rights contained in the study programs, considering the following categories of analysis: definitions related to human rights; human rights principles and issues related to human rights. The results show that, in most study programs of proffessional subjects, the approach to human rights-related content is incipient, with a predominant focus on definitions, while in-depth exploration of principles and issues is limited. These findings lead to the conclusion that teaching follows an academic tradition, prioritizing theoretical content and excluding a more realistic perspective. This highlights the urgent need to integrate human rights education into the education system, promoting the participation of all sectors of society.

Keywords: Human rights education, law, academic project, higher education, legal education.

INTRODUCTION

Currently, human rights education poses a challenge to achieving development, equity, and peace among nations. Thus, in the international arena in the last seventy years, several international treaties have been concluded to promote training in this area, with specific

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characteristics, defined purposes, contents, and methods (Instituto Nacional de Derechos Humanos [INDH], 2014).

Human rights education encompasses a series of activities conducted in the classroom to develop attitudes, behaviors, and practices that aim to protect and promote respect for the dignity of all individuals. Within this framework, this training aims to consolidate the full development of the individual and his or her participation in a democratic state, gender equity, the promotion and maintenance of peace, among others (Naciones Unidas y Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura (UNESCO), 2024).

Given its importance, the Conferencia Mundial de Derechos Humanos (1993) called on countries and organizations to incorporate human rights as curricular content at all levels of education and in all modalities.

It should be noted that the World Program for Human Rights Education, in its second stage, has placed special emphasis on training in this area in universities (Naciones Unidas and UNESCO, 2024).

It is only since the 1990s that education in and for human rights begins to be incorporated through public policies and regulations in response to the claims of the world community regarding its inclusion and before the proclamation of the United Nations (UN) as the decade for training in this area and the promotion of respect for all people, between the years 1995 - 2004 (Rodríguez, 2018).

In this context, in 2001, the Declaration of Mexico (UNESCO, la Oficina de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos (OHCHR) and Gobierno de México, 2001) recommended the development of content at all educational levels, including higher education, as well as the promotion of research on the subject to understand the origins of human rights violations and contribute with proposals to eradicate them.

The importance of the subject matter made it possible to find a large number of essays, theoretical reflections, and international literature reviews. To a lesser extent, we also found some scientific research on the phenomenon under study, especially in elementary education.

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In this regard, research on human rights education conducted in Chile analyzed 35 subject programs of university careers, concluding that the issues are scarcely addressed since they do not reach 50% in the analyzed programs (INDH, 2014).

On the other hand, the work carried out by Aguilar (2019) on curricular content in education careers in Central American countries analyzed the curricula of 166 careers in five countries of the region. The study showed that the contents in the area are scarce, finding in 68 careers some explicit contents and activities related to human rights. On the other hand, in 43 degree programs, no components related to the subject were found.

At the national level, it was not possible to access published research on the subject despite its relevance and the need to know the situation at the higher education level in Paraguay. However, as far as basic school education is concerned, it was possible to observe a 2012 study by the Ministerio de Educación y Cultura (MEC), entitled: "Aproximación a un diagnóstico de la educación en derechos humanos en el MEC" (Approach to a diagnosis of human rights education in the MEC). As a general conclusion, the study points out that, in recent times, the MEC has been developing several experiences with the purpose of achieving its inclusion in the curriculum (MEC, 2012a).

Another report carried out in the country addresses the state of human rights in different areas. In one of its chapters, it makes a brief reference to education in that area, pointing out its importance and stating that no progress is observed regarding its inclusion in public policies (Coordinadora de Derechos Humanos del Paraguay [CODEHUPY], 2019).

Similarly, mention can be made of the article by Núñez (2016), which aimed at analyzing the modifications of legal regulations related to higher education in the 1990s and identifying the insertion of human rights standards in the legislation of the National University of Asuncion. The study concluded that the legal framework requires the effective incorporation of human rights.

The research referred to above allows, in a certain way, to understand and expose the situation of human rights in higher education.

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Despite the relevance of human rights education, Salvioli (2009) points out that the university is the one that has come the least far due to various situations external to this field, such as the lack of concern of governments regarding the contribution of universities to the development of plans and strategies for the benefit of society.

Although in Paraguay there is a document in force that defines educational actions in the field of human rights, prepared by the Ministerio de Educación y Cultura (MEC, 2012b), with specific reference to university education, it does not contemplate any line of action in this area, despite the commitments assumed by the country with the signing and ratification of international treaties that enshrine the right to training in this field.

In this regard, Portillo and Corvalán (2018) point out that human rights education constitutes the pedagogical translation as a political project of the right to education, but that, so far, this vision has not found a place in Paraguayan public education. Likewise, CODEHUPY (2020) points out that in Paraguay, there is possible to evidence of the lack of an education strategy based on the protection and respect for the dignity of the human being.

As expressed by Salvioli (2009), a comprehensive university education is necessary to contribute to the creation of a society founded on justice and democracy through the instruction of new generations of professionals, whose practice will have an impact on the community.

It is worth mentioning that the Ministry of Education in Paraguay has been working for a decade on integrating human rights education into the curriculum. Thus, its treatment is proposed as cross-cutting and as specific content, in addition to some complementary topics: peace education, sustainable development, multiculturalism, citizenship education, and values education (MEC, 2012a).

However, the challenge remains the explicit treatment of the subject matter throughout the Paraguayan educational system, especially in universities based on a critical curriculum focused on intervention and the generation of transformations from praxis (Yepes, 2005); in addition to teaching that facilitates the acquisition of tools and develops critical capacities in

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students to exercise their autonomy, to bring about social transformations and changes in the organizational forms in force (Cubillos-Vega, 2020).

On this point, Magendzo (2015) points out that the curriculum should be characterized by assuming an approach oriented to discussion and debate, raising the skills, attitudes and behaviors to be developed in students.

The context described led to the formulation of the following question: What is the curricular approach to human rights education in the Law program of the Universidad Nacional del Este in the 2020 academic project? For this purpose, an analysis was made of its inclusion in the curriculum of the aforementioned career.

DEVELOPMENT

Learning levels of human rights education

Cubillos (2018) summarizes the learning levels of human rights education in three areas: knowledge, attitudes, and action. These three levels form a unit whose purpose is oriented to each person acquiring knowledge concerning human rights and being consistent with them in their actions (Mihr, 2017).

In this sense, Cubillos (2018) emphasizes that the area of knowledge, also called the first level, aims for people to obtain information to apply it practically in everyday situations. For Mihr (2017), this component involves knowing the origins of the rights of the human person, their history, the causes of transgressions such as racism and genocide, as well as the mechanisms and bodies that monitor the realization and fulfillment of these rights.

On the other hand, a second level is distinguished that comprises values, emotions, and behaviors or "emotional/conscious" dimension (Mihr, 2017, p. 35). This level is considered the most difficult as it involves the problematization and practical application of cognitive knowledge and seeks mainly to reach people's feelings by addressing the affronts to human dignity (Mihr, 2017).

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Finally, the third level mainly seeks to carry out actions aimed at safeguarding and propagating fundamental rights by addressing different forms of violations such as racism, torture, and discrimination. This phase is closely linked to the previous two and aims to mobilize attitudes through specific didactic methodologies (Cubillos, 2018).

METHODOLOGY

The research adopted a documentary-type case design because it focused on the review of the academic project of the Law degree. The work sought to collect descriptively qualitative information not reflected in numbers through the analysis of documents (Cebreiro and Fernandez, 2004, as cited in Jimenez and Comet, 2016).

To determine the contents in the curricula of the Law degree, the subjects that belong to the professional training cycle in the academic project were considered as units of analysis, due to the fact that they address contents specific to the degree, essential for the training of every professional lawyer. To this effect, 15 subjects were used, considering the affinity or relationship they show with the topic addressed in this research.

Table 1

Programs of study analyzed

Subject	Course
1. Environmental Law	
2. Civil law - persons	Second course
3. Integration law	
4. Public international law	Third
5. Criminal Law I	course
6. Constitutional Law	
7. Criminal Law II	
8. Criminal Procedural Law	Fourth course
9. Criminal Professional Practice I	
10. Civil Procedural Law - Part I	

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11. Law of childhood and adolescence (substance and form).	7101
12. Labor Law	Fifth course
13. Private international law	
14. Electoral law	Sixth
15. Professional criminal practice III	course

Note. Universidad Nacional del Este, School of Law (2020).

The technique applied was documentary analysis using a self-prepared guide that took into account the following categories:

- Definitions related to human rights: understood as propositions that describe general and specific characteristics of concepts related to the subject of study.
- Principles: "values on which human rights are based" (INDH, 2014, p. 10). Equality, freedom, justice, and dignity were considered.
- Problems: constant situations of transgression such as poverty, discrimination, wars, and situations of violation of human rights (INDH, 2014).

The work was based on the categories addressed in the report of the Chilean NHDR (2014), which emanate from the United Nations guidelines.

The documentary analysis guide applied went through a process of validation by expert judgment of three academic legal professionals and researchers in the area. It was carried out through the individual method, by which information was obtained from each of the experts without them having been in contact with each other. It was recommended to define the category "content" from the perspective of a theory or school in such a way that the indicators can be properly extracted. By the recommendation, the guide was adjusted by adopting the definition of the Chilean NHDR (2014) and its indicators to apply the instrument.

For the documentary analysis, the curricula were identified and located on the institution's official website. The academic project was provided by the Academic Direction of the faculty.

Next, the syllabi were organized by course groups and then analyzed with the academic project.

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In order to process the data collected through documentary observation, the documents were formally examined. Subsequently, a content analysis was applied to each of the programs in the sample according to the categories: definitions, principles and problems related to human rights.

RESULTS

In the analysis of the programs of professional subjects, it was identified that there are 12 subjects with content related to human rights, distributed from the second to the fifth year of the course, as can be seen in Table 2.

 Table 2

 Subjects with human rights content

Sul	Course			
1.	Environmental Law			
2.	Civil law - persons	Second course		
3.	Integration law	course		
4.	Public international law	Third		
5.	Criminal Law I	course		
6.	Constitutional Law			
7.	Criminal Law II	Fourth		
8.	Criminal Procedural Law	course		
9.	Civil Procedural Law - Part I			
10.	Childhood and Adolescence Law (substance and			
	form).	Fifth		
11.	Labor law	course		
12.	12. Private international law			

Note. Universidad Nacional del Este, School of Law (2020).

Specifically, three subjects were observed that do not include content related to human rights, namely: Criminal Professional Practice I, Criminal Professional Practice III and Electoral Law.

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 Table 3

 Categorization of contents in the study programs

N°	Subject	Definitions	Principles	Problem
1	Environmental Law	Not observed	Quality of life.	Global climate change; environmental damage; pollution. Environmental crimes.
2	Civil Law - Persons	Concept of person, names, and marital status.	_	Not observed
3	Integration Law	Not observed	Importance of Integration as an instrument for democracy and economic development.	Not observed
4	Public International Law	Protection of Human Rights. Concept. Nationality.	Nationality	Historical situations of human rights violations: World Wars I and II. International crimes. Types. Prisoners of war. Refugees.
5	Criminal Law I	Concept of pardon and amnesty.	Not observed	Not observed

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6	Constitutional Law	Concept of suffrage, constitutional guarantees, habeas data, habeas corpus, amparo.	Equality; labor rights; nationality.	War
7	Criminal Law II	punishable acts	Punishable acts against freedom, sexual autonomy, and the person.	· ·
8	Criminal Procedural Law	Not observed	Equal procedural opportunities. Procedural guarantees provided by the American Convention on Human Rights.	Not observed
9	Civil Procedural Law - Part One	Justice; treaties.	Not observed	Not observed
10	Child and Adolescent Law (Substance and Form)	Right to life.	Not observed	Not observed
11	Labor Law	Definition of Labor Law	Women's equality in access to work.	Not observed
12	Private International Law	Natural person; human life.	Not observed	Not observed

Note. Universidad Nacional del Este, School of Law (2020).

In relation to the categories used for the analysis, definitions were observed in most of the curricula. However, the absence of such definitions was identified in three subjects: Environmental Law, Integration Law and Criminal Procedural Law.

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The principles were not expressly observed in the programs, but rather, contents were found that in a certain way are implicitly related to them. Some evidence of this result is shown in the environmental law program in contents such as quality of life, in unit II and III, related to the principle of dignity. Likewise, in unit I, environmental rights are addressed as inherent to human beings.

On the other hand, with regard to the problems, there was a scarce approach to them, only in four subjects: Environmental Law, International Public Law, Constitutional Law, and Criminal Law II, as described in the table.

In Unit V, Civil Law - Persons, some contents related to principles were evidenced in the syllabus, such as: duties and rights of spouses and the consequences of the equality of spouses' duties.

In the subject Right to integration, it was possible to identify contents related to the principle of dignity. In this sense, in Unit I, the importance of integration as an instrument for social development is observed.

Likewise, in the subject of Constitutional Law, human rights principles related to equality were observed, identifying in Unit V, the following content: "On Equality (Articles 46 to 48). General principle". About the principle of dignity, the contents related to the right to nationality and citizenship (Articles 146 to 154 of the National Constitution) were identified. With regard to the problems, it could be evidenced that the contents are scarce.

On the other hand, in the subject of Criminal Law II, in Unit II, the approach of punishable acts related to the principle of freedom was evidenced, such as: Punishable acts against freedom (articles 120 to 127).

In the subject Criminal Procedural Law, the principle of equality was identified in contents such as: equality of procedural opportunities in Unit IV and related to the principle of justice in Unit I: Justice: B- Function. 1. Material: realization of material criminal law; personal protection and; restoration of legal peace and security. On the other hand, regarding the principle of dignity, procedural guarantees provided for in the CADH (Unit III) were observed in the content. Regarding the problems, some contents were evidenced in Unit VII

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of the aforementioned study program, such as genocide (Article 319) and war crimes (Article 320) of the Paraguayan Penal Code.

In relation to the subject of Childhood and Adolescence Law, it was possible to recognize contents related to the principle of dignity in Unit II of the study program, such as: Right to life, to prenatal protection, to health, to education, to identity, to have a name and surname.

In the subject of Labor Law, Unit XVII deals with equity in access to work for women, related to the principle of equality.

On the other hand, in the subject Public International Law, the content of problems covering historical situations of transgression affecting the dignity of the person was verified.

In the subject of environmental law, certain environmental problems were identified as issues specific to the subject, without being addressed from the perspective of human rights.

DISCUSSION OF RESULTS

The present research was able to identify 12 professional subjects with content related to human rights, distributed from the second to the fifth year of the degree program. This suggests that there is an effort to include these topics in the curriculum. However, it could be discussed whether this number is sufficient considering the importance that the theoretical framework gives to their inclusion in university education.

Although some contents were identified within the framework of the professional subjects taken as units of analysis, the work showed that, in many of them, these contents are addressed implicitly or superficially, contrary to what Magendzo (2015) refers in that the curriculum needs to be oriented towards discussion and debate, raising problematic contents and objectives alluding to human rights.

In addition, it has been observed in the development of the theoretical framework that human rights training should encompass knowledge, attitudes and action. The analysis conducted showed that most of the contents focus on definitions and principles (knowledge dimension), while less emphasis is observed on issues and practical applications (attitudes and action

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dimensions). This indicates an imbalance in the development of the three dimensions proposed by Mihr (2017) and Cubillos (2018), which limits learning outcomes.

From the above, it can be deduced that theory is not accompanied by practical application, in the sense that it is very important to study and address real situations at the regional level, such as violence, lack of access to education, exclusion, poverty, and violence. The analysis carried out highlights that the curriculum emphasizes the transmission of theoretical knowledge detached from practice by addressing human rights issues to a lesser extent. This contrasts with the theoretical framework on the importance of addressing cases of transgressions and promoting the use of knowledge in practice.

CONCLUSIONS

The research findings reveal that there is a weak approach to human rights content in the curriculum. In this sense, learning limited to theory reduces the educational proposal to a purely theoretical vision and excludes a look at reality. In the same way, it makes it difficult for students to achieve the competencies foreseen in the graduate profile of the law program, such as respect for the environment, tolerance, respect for democratic values, recognition, and respect for the rights of each person.

Similarly, it can be affirmed that there is an academic tradition in university education that prioritizes theoretical content and, on the other hand, a limited understanding of the educational approach to human rights among teachers, managers, and those responsible for the design and implementation of the curriculum.

In this sense, the results reflect the challenges mentioned in the theoretical framework on the effective inclusion of human rights education at the university level. However, while there is an effort to incorporate human rights content in the curriculum, there are still significant opportunities to improve and deepen this approach, aligning it more closely with the recommendations and theories presented.

The research carried out is relevant because of the exhaustive review of the selected documents and the data obtained about teaching in the university environment, even though

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it has been carried out from a single perspective, the documentary one, leaving aside the incorporation of interviews, student testimony, observations of teaching practices, as other sources of data that could broaden the research.

Another limitation is the difficulty in accessing the academic project, since it is not available on the institution's website.

Addressing the subject matter under investigation poses the challenge of articulation between the academic project, study programs, and lesson plans to strengthen and enhance the teaching of attitudes, behaviors, and practices in the institution studied, in line with international instruments and with the graduation competencies defined for the career.

In addition, the absence of content related to human rights in some subjects, such as Criminal Professional Practice I, Criminal Professional Practice III, and Electoral Law, could be considered an area for improvement, taking into account the importance of integrating these topics in all relevant areas of law.

This work provides elements to reflect on the transcendence of the subject, both within the framework of the academic project and in the classroom process. In this sense, it highlights the urgency of incorporating human rights education into the educational system, involving all social actors. Although Paraguay has signed and ratified international documents in this regard, the analysis suggests that there is still work to be done to achieve full compliance with the commitments made.

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