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Children's Rights and Educational Psychology

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Abstract: Psychology aims to be descriptive but depends on norms and values to guide both research and practice. Educational psychology, as a sub-discipline and applied branch of psychology, focuses on describing processes of teaching, learning, and development. This article aims to connect notions of human and children's rights with concepts of educational psychology to illustrate the interdependence of normative and descriptive frameworks. We use Martha Nussbaum's capability approach as an operationalization to move from a normative legal framework toward concrete research topics and practices within educational and school psychology. According to the Convention on the Rights of the Child, children have the right to feel safe, learn, participate, and form an identity. We argue that educational psychology can help to specify these normative postulations of the CRC and aid the implementation of positive rights. The phenomenon of school bullying is introduced as a specific area where children's rights are affected. After a brief characterization of its major features from an ecological-systemic perspective, we draw on research on bullying prevention and the creation of positive learning environments to illustrate the aptness of educational psychology for realizing children's positive rights. We conclude that educational psychology is not only able to prevent human rights infringements but also to promote children's rights and capabilities, especially in reference to competencies, participation, and identity.

Keywords: educational psychology, children's rights, positive development, bullying prevention, political mindset

The Convention on the Rights of the Child (CRC) by the United Nations General Assembly (1989) does not only state protection rights of children against the state but also formulates rights which require active provision. The CRC includes the rights for education, active participation, identity, and self-development (§2, §8, §23, §28, §29). Human rights in general are increasingly seen as requiring provision by governments, institutions, societies, and even individuals instead of being "mere" protection rights (e.g., Clark & Ziegler, 2014; Nussbaum, 2011). Health has been increasingly conceptualized as multidimensional and involving more than the absence of illness (WHO, 2014, p. 1). The considerable development of the field of positive psychology indicates that this shift has also reached the discipline of psychology (e.g., Brown, Arnold, Fletcher, & Standage, 2017). In educational research the discussion and promotion of competencies has led to a shift away from constructs conceptualized as stable such as intelligence at least since the 1970s (McClelland, 1973).

In this paper we will take up the discussion and examine children's rights within a framework of educational psychology as a sub-discipline and applied branch of psychology. Psychology in general, as an overarching discipline, aspires to study the human mind and behavior. As a descriptive science it does not carry an inherent goal but aims to describe lifelong human development. However, it intends to do so without judging morally or making normative statements about individuals. This aim is impossible to fully realize. Conceptualizations such as Bronfenbrenner's ecological approach (1989) do not free researchers from their socialization but do offer a tool to view individuals (and research) within different levels of context, such as student, school, and culture (Atkins, Hoagwood, Kutash, & Seidmann, 2010). Within psychology, the sub-discipline of educational psychology basically refers to the study of human learning: "Educational psychologists apply theories of human development to understand individual learning and inform the instructional process" (American Psychological Association, 2018, para. 4). More specifically, educational psychology, as a theoretical, empirical, and applied branch of psychology, addresses issues of human maturation and development, learning in school and further educational settings, teaching–learning methods, guidance, and the evaluation of aptitude and progress using standardized tests (cf. Merriam-Webster online, 2018). Accordingly, it is concerned with the study, description and promotion of learning processes, their determinants, and outcomes in all areas of learning (academic, social, emotional, practical, etc.) involving all ecological levels of the educational system and its related agents (students, teachers, school staff, parents, etc.). The conceptualization of educational psychology in this article refers not only to academical, but also

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practical, on-site work on various levels of the educational system, such as the involvement in the preparation and training of teachers. We offer a general outline, with subsequent analyses having to translate and specify it for particular conceptualizations and role descriptions in a given national and professional context.

While the non-normativity of psychology as a descriptive science makes it possible to study human functioning from a more objective perspective that is largely free from doctrinal constraints and inclinations, it engenders also some serious drawbacks. One drawback refers to the danger of instrumentalization. A science which aims to describe can easily be instrumentalized if it lacks a normative foundation. Such an instrumentalized psychology could lose its freedom of defining its own research directions. Moreover, it is capable of causing great harm. Indeed, psychology has already been criticized for enhancing neoliberalism (Sugarman, 2015) and even torture (Mausfeld, 2009). The ethical development of psychology as a discipline has been as longstanding as its clinical function and spans through the history of the Nuremberg Trials and their consequences for research and practice (e.g., Golann, 1970). The discussion relating to professional ethics and research ethics has been alive ever since (e.g., as reflected by the ongoing discussions of the Milgram studies; Miller, 2009).

One way to escape instrumentalization is the critical engagement with normative frameworks such as human rights and the capability approach. We deem the capability approach as especially helpful to engage with normative notions in the context of *educational* psychology. Nussbaum (2011, p. 65) does not conceptualize human rights as protection rights against governments but claims that "all liberties are positive (...) and all require the inhibition of interference by others." At its best, psychology in general and educational psychology in particular can help us to operationalize and realize these provision rights. Equality in education, also regarding the provision of equal resources, is often not enough to provide equal opportunities. The capability approach is sensitive to contexts and social inequalities. Different groups of people may depend on differential prerequisites for their development of capabilities. For example, basic reading competencies are a prerequisite for many forms of participation. A "one size fits all" approach may be hurtful for many children, compromise their capabilities, and therefore injure their rights. A confident and responsible (educational) psychology needs to reflect on the foundations of its effects and take part in discussions on fundamental rights and their protection (British Psychological Society, 2003).

The capability approach, although first formulated for adults, can be applied to children. Nussbaum and Dixon (2012) argue that children are different from adults due to their vulnerability and developing cognitive abilities, and that human rights therefore need to be implemented adaptively to enhance the development of capabilities. While the capability approach is focused on individual agency, it does not subscribe to a notion of individualism (Saito, 2003). Accordingly, it is a useful tool for the analysis and critique of social and educational arrangements which aim to foster positive development and agency (Robeyns, 2006; Smith & Seward, 2005).

There are two large areas where psychology as an overarching discipline is already contributing to the enhancement of human rights: The first role of psychology lies in its commitment toward preventing (psychological) harm. The second, younger part concentrates on positive development, competencies, and health. This second area promotes research on successful identity formation, participation, efficacious citizenship, and the development of an appreciation of diversity, all of them aspects which enhance the cohesion of society and enable peaceful cooperation and reciprocal support (Christie, Tint, Wagner, & Winter, 2008). Both aspects of psychology need not be seen as separate, especially as they both contribute to the promotion of human rights.

Relationship Between Educational Psychology and Human Rights

Before we proceed to discuss possible benefits of educational psychology within and in interaction with human rights, we will briefly discuss its relationship with human rights. Few new arguments have emerged since the exchange between Olssen (1993a, 1993b) and Schwieso (1993a, 1993b) which focused on criticism concerning positivistic and (more importantly) individualistic approaches in educational psychology. Educational psychology was claimed to be blind for structural components and therefore unable to address the roots of inequalities. This criticism of individualism evolved into a criticism of a neoliberal ideology within psychology, especially regarding positive and educational psychology. This is relevant for the discussion of human rights, as these approaches may be seen as ways to prevent individuals and societies from acquiring critical perspectives through education as well as the motivation and opportunities to wield their positive rights. While advocates of competence-oriented international large-scale assessments stress the importance of the concept of competence for evaluating and improving educational systems (Weinert, 2001), critics lament an overly strong emphasis on the individual's responsibility (Lederer, 2014, pp. 524–535; Sugarman, 2015). There are concerns that interventions within positive psychology decrease political engagement, because individuals are taught to focus on their individual

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well-being and competencies and thus withdraw into the private sphere.

This critique withstands scrutiny only poorly. The WHO conceptualizes good mental health as an important precursor of civic engagement and participation (Friedli, 2009). Depression in particular seems to decrease political participation and efficacy (Ojeda, 2015). The positive relationship between positive development and political engagement does not seem to be restricted to privileged individuals; members of marginalized groups often need to overcome internalized negativity in order to engage in activities leading to social change (e.g., Cass, 1984).

But we do not only want to approach the topic on an empirical, but also on a theoretical level. Arguments against psychology in general often stem from a social model of pathology, where diagnoses such as (dis)ability, depression and happiness, degree or lack of competencies are seen as primarily socially constructed, while psychologists continue to attach these same attributes to individuals. Thus, psychologists stigmatize others while at the same time impeding their opportunities to develop their capabilities. According to Shakespeare (2010) the social model of disabilities differentiates between disability and impairment and declares that disability is purely socially constructed. Supporters of this position generally ask for societal solutions for impairment (such as building ramps for wheelchair users) and criticize individual based approaches, be they medical or psychological, as stigmatizing. To put it simply: This argument implies that if social inequalities are addressed at the individual level (e.g., the psychological), the development of equal opportunities cannot be realized.

While the social model is empowering for some people with disabilities, it is criticized by others as too simplistic. In contrast, the biopsychosocial model aims to integrate the perspectives of different disciplines, that is, medicine, psychology, and sociology (Bartolo, 2010; Shakespeare, 2010). Each discipline is uniquely equipped to approach topics of human rights infringement and basic needs. Bartolo (2010, p. 573) notes that "[psychologists] are indeed very well placed to understand the impact of prejudice and discrimination on the lives of individuals and groups." Psychologists are experts for change within individuals and groups (in contrast to societies) and have to be aware of the barriers within contexts and societies. The biopsychosocial model, by aiming to integrate perspectives from medicine, sociology, and psychology, may be especially useful both to overcome stigmatization and to enable individualized aids for positive development (Bartolo, Borg, Cefai, & Martinelli, 2010).

Within educational psychology, the influence of context on individual learning and functioning has always been recognized. International large-scale assessments like PISA, TIMSS, and ICCS allow the usage of multi-level models and thus permit the statistical separation of different social levels, thereby offering insights how structures can be changed instead of just changing individuals (e.g., Best et al., 2013).

However, not all initiatives within educational psychology were directed toward social justice (see e.g., Richards, 1997 on racism and eugenics in psychology). The drive toward assessment and categorization carries the danger that such categorization might be abused. Still, as will be expanded in the next section assessment and categorization can also be used for the analysis of processes and inequalities, thereby providing information on avenues for positive development for individuals and educational systems. Close exchange with neighboring disciplines such as educational sciences and sociology are fundamental for analyzing challenges related to human rights from multiple perspectives. No single discipline can fulfill the promise of equal capabilities in isolation.

Prevention in Educational Psychology

School bullying has been conceptualized as a violation of human rights in general and of children's rights in particular for two decades now (e.g., Cornell & Limber, 2015; Lansdown, Jimerson, & Shahroozi, 2014; Olweus & Limber, 2010; Smith, 2000), indicating that an incorporation of human rights into relevant areas of (educational) psychological research and practice is both feasible and necessary. Educational contexts in which bullying occurs will not be able to foster capabilities. Very basically, classrooms, playgrounds, and schools where bullying occurs are no longer safe places (e.g., Cornell & Limber, 2015; Waasdorp, Pas, Zablotsky, & Bradshaw, 2017). The physical and psychological safety is a fundamental aspect of both children's rights (CRC §3) as well as the capability approach. A safe environment is an important prerequisite for learning and positive development. To better understand why school bullying harms children's rights, we first need to address the specifics of the phenomenon from an ecological perspective. Afterward, we will identify some of the core rights of children affected by bullying and discuss the crucial role of teachers in protecting and, in case these rights have been violated, re-establishing these rights.

Bullying is a serious problem, as it negatively affects the social and learning climate in classrooms, impedes classroom management, has grave psychosocial consequences for bullies, victims, and witnesses, and impairs students' academic achievement (e.g., Cook, Williams, Guerra, Kim, & Sadek, 2010; Cornell, Shukla, & Konold, 2015). This does not only hold for so-called Western cultures, but has

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been confirmed by a growing body of research in Asian, South American, African, or Middle Eastern countries as well as by comparative studies including data from a large number of countries. An example is the study by Elgar et al. (2015) involving adolescents from of 79 African, American (North, Middle, and South), South East Asian, European, and Eastern Mediterranean countries. Bullying is characterized by a certain repetitiveness and an imbalance of power between bully and victim (Olweus, 1991). Aggressive acts against the victim are intentional, may be direct (physical, verbal, etc.) or indirect (isolation, relational aggression, etc.), and often include humiliating elements (Perren, Gutzwiller-Helfenfinger, Malti, & Hymel, 2011). The term "bullying" denotes the (more) active part of the process, whereas "victimization" (or bullying victimization) refers to the passive, enduring role (cf. Swearer, Siebecker, Johnsen-Frerichs, & Wang, 2010). Cyberforms of bullying and victimization include the use of electronic media as an additional element (e.g., Sourander et al., 2010). As there is a high degree of overlap between cyber and traditional (or offline) forms (see e.g., the meta-analysis by Modecki, Minchin, Harbaugh, Guerra, & Runions, 2014 or the study by Perren & Gutzwiller-Helfenfinger, 2012) we will mainly present results from studies involving traditional bullying and victimization.

Bullying can be observed already in preschool (e.g., Alsaker & Gutzwiller-Helfenfinger, 2009; Godleski, Kamper, Ostrov, Hart, & Blakely-McClure, 2015), indicating that children's safety and well-being are being jeopardized early on. Bullying is a group phenomenon, with everyone present and/or belonging to the group participating, even if indirectly as bystanders (e.g., Cornell et al, 2015; Rodkin, Espelage, & Hanish, 2015). If a child or adolescent is harassed at least once per week or harasses a peer at least once per week, s/he is considered a victim or bully, respectively (e.g., Perren & Alsaker, 2006). For example, the meta-analysis by Modecki et al. (2014) based on 80 international studies indicated that 35% (traditional) and 15% (cyberforms) of adolescents aged 12–18 years were involved in bullying as perpetrators or victims. In the case of elementary children, Jansen et al. (2012) found that one third were involved in bullying as perpetrators or victims.

Victims of bullying suffer discrimination by being treated as inferior group members (CRC, §2, §30) based on arbitrarily selected (personal) characteristics like ethnicity, personal appearance, sexual orientation, body weight, and so forth (Oliveira et al., 2015). Overweight children, for example, suffer regular stigmatization in many domains of their lives which over time leads to pervasive victimization (see e.g., the review by Puhl & King, 2013). They are being excluded, ridiculed, and subject to stereotypes such as being lazy, stupid, ugly, selfish, and so on. As victims of school bullying are often not heard or taken seriously by teachers (e.g., Kochenderfer-Ladd & Pelletier, 2008; see also below), they cannot express their views or tell about their negative experiences. Moreover, as they are de facto excluded from participation by having no voice, they cannot acquire the self-esteem and confidence necessary to empower them for challenging these abuses of their rights (cf. Lansdown et al., 2014). This large body of research illustrates how educational psychology can help to identify especially vulnerable groups and advocate for their health and safety, enabling the promotion of their capabilities to learn and explore their identity.

There is a vast international body of research documenting the grave psychosocial consequences children and adolescents involved in chronical bullying suffer from (see e.g., the meta-analyses by Gini & Pozzoli, 2009, 2013; Nielsen, Tangen, Idsoe, Matthiesen, & Magerøy, 2015; van Geel, Vedder, & Tanilon, 2014). Victims suffer especially from internalizing behavior problems like low self-esteem, loneliness, poor academic performance, school anxiety, depressive symptoms, and suicide ideation (e.g., Gini & Pozzoli, 2013). All these aspects have been identified as being linked to core capabilities such as health (Nussbaum, 2011). Perpetrators show mainly externalizing behavior problems like an increase in aggressive behavior, affiliation with aggressive peers, (later) substance abuse and delinquency (e.g., Gini & Pozzoli, 2009). Bystanders display both internalizing and externalizing problems like school anxiety, increased risk of school dropout, academic difficulties, and depression (e.g., Blazer, 2005). This is not surprising, as they realize that school is no longer a safe place. Therefore, the psychological (and physical) wellbeing of all children involved in bullying is impaired (CRC, §19), even that of "mere" bystanders. Furthermore, children's right to protection and care to enable health, wellbeing and flourishing (CRC, §3) is violated, as the psychosocial consequences affect them both in the short and in the long term (e.g., Ttofi, Bowes, Farrington, & Lösel, 2014).

School bullying is an indicator of toxic social relationships (cf. Lencl & Matuga, 2010) and is negatively associated with classroom and school climate (e.g., Cornell et al., 2015; see also the reviews by Hong & Espelage, 2012; Thapa, Cohen, Guffey, & Higgins-D'Alessandro, 2013). Consequently, children and adolescents in classrooms where bullying occurs suffer from a negative learning climate and are deprived of basic learning opportunities (e.g., Quesel, Möser, & Husfeld, 2014). Their opportunities to actively participate in shaping school life and making decisions (CRC, §12.1) are compromised because part of the students (victims, helpers of victims, passive bystanders) live in fear of the bullies and their supporters, who themselves have become powerful enough to undermine equity and equality in classrooms and schools. Indeed, some scholars see school bullying as a form of anti-democratic behavior (e.g., Lundström,

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2004, cited in Ahlström, 2010) undermining equality and equal rights of some of the students.

Because bullying and the accompanying deprivation of rights does not occur in isolation but in a given, structured context, we need to more closely examine that context to identify core actors responsible for promoting children's rights at school. Research has identified the critical role of adults', especially teachers', appropriate intervention and of their preventive actions in successfully tackling bullying (see e.g., the review by Hong & Espelage, 2012, or Dedousis-Wallace, Shute, Varlow, Murrihy, & Kidman, 2014). Both the attitudes (e.g., Kochenderfer-Ladd & Pelletier, 2008) teachers hold and the reactions they show in the context of bullying and aggression (e.g., Bauman & Del Rio, 2006; Dedousis-Wallace et al., 2014) are co-determinants of the establishment and chronification of bullying. This is especially true when teachers have a very narrow conception of aggression as referring only to direct, physical forms (Bilz, Steger, Fischer, Schubarth, & Kunze, 2016). As school bullying does not simply stop or vanish on its own but often becomes chronical in the absence of adults' (especially teachers') intervention (cf. Bauman & Del Rio, 2006), teachers are among the primary stakeholders within the school ecology responsible for preventing and intervening against bullying. Given the educational role teachers are invested with, the amount of time they spend with students, as well as the moral and ethical basis of their professional teaching practice (Campbell, 2003), it is most likely that the reactions they show in cases of bullying will directly impact their student's behavior. In line with socialization theories (Bandura, 1986; Dodge, 2002) children's experience of significant others' beliefs and attitudes will contribute to modeling their own set of cognitions and consequently influence their behavior. Teachers are likely to play a fundamental role in affairs that mainly involve peers, as they send direct and indirect messages on the (in-)acceptability of bullying through their own behavior, even if only by ignoring it. Accordingly, if bullying is conceived of as a violation of several of children's rights, it follows that schools are responsible not only to maintain children's rights, but to re-establish them in case they have been violated. This illustrates the importance of conceptualizing rights not only as protection rights against the state.

Teachers as state representatives have to take action in order to provide the positive right of safe development as stated in the capability approach. This in turn makes it necessary for teachers to be sufficiently sensitized regarding bullying both in its own right and as a violation of children's rights; to command the necessary skills in addressing bullying; and to know about effective and sustainable measures to tackle bullying and both establish and maintain a positive climate in their classrooms. Indeed, a positive school and classroom climate promoting mutual respect and acceptance has been shown both to reduce and to prevent bullying (e.g., Guerra, Williams, & Sadek, 2011). Recent research by Cornell et al. (2015) suggests that an democratic school climate characterized by respect, support, and positive discipline, is conducive to lower bullying and peer victimization. This example shows that educational psychological research attends to the role of contextual factors, that is, both the school and the peer ecology and helps identify relevant stakeholders responsible for establishing and of protecting children's rights.

Protecting children's rights at school and in the classroom does not only refer to preventing harm, but to actively fostering a positive social and learning climate. Educational psychology aids both the analysis of problematic situations and the development of options to improve social cohesion in classrooms. As the social ecology of bullying includes all levels of the system, these levels need to be included in anti-bullying work (see e.g., the review by Card & Hodges, 2008; the meta-analysis by Ttofi & Farrington, 2011; or the study by Cornell et al., 2015). Apart from individual teachers and teacher teams, this includes further school personnel (and associated educational support professionals) like headmasters, school social workers, and school/educational psychologists. Recent research indicates that staff connectedness, that is, the degree to which individuals in the school environment (students, teachers, administrators, educational support professionals) feel connected to each other is related to their willingness to intervene in bullying situations(O'Brennan, Waasdorp, & Bradshaw, 2014). Moreover, the availability of resources, being trained in the school's bullying policy, and involvement in bullying prevention were associated with staff's comfort in intervening against bullying. Hence, both the protection and the re-establishment of children's rights (here in the context of school bullying) are the responsibility not only of teachers but of the whole school staff, including educational support professionals like school/educational psychologists.

The specific role of educational psychology includes the reception of up-to-date research findings on bullying prevention and intervention as well as the translation of these findings into educational practice, for example by summarizing and explaining them at school and teacher conferences. As O'Brennan et al. (2014, p. 876) conclude: "This line of research has considerable relevance for educational psychologists interested in improving conditions for learning and engaging school staff in prevention efforts." Educational psychologists are not part of the "core" school staff and therefore hold the perspective of an interested, related "outsider." Thus, they are not subjected to the same expectations, policies, rulings, and so forth on the part of school administrators as for example teachers are. This enables them to observe educational practices at school from a less involved viewpoint and offers them the opportunity

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to compare the *actual* effects of those practices to those intended by the underlying pedagogy. Teaching is a highly complex process involving not only a multitude of tasks but also an ever-present degree of uncertainty (e.g., Floden & Clark, 1987) as well as inherent antinomies and tensions (e.g., Helsper, 1996). Thus, it is not possible for teachers to fully monitor and reflect on their practices and on the impact of those practices on all levels of the teaching–learning process. The same is true for headmasters, who also face a multitude of tasks and expectations in a complex, not fully predictable environment (e.g., Davis, Darling-Hammond, LaPointe, & Meyerson, 2005). Having the support of educational psychologists working toward the same overarching goals of a positive school, classroom, and learning climate and of protecting children's rights contributes to schools' empowerment toward reaching these goals. Here, educational psychological analyses help us to understand what teachers, school staff, and teacher educators need in order to provide students with the opportunity to learn in a safe environment without any infringements on their mental or physical health. We argue that psychological research and practice offer a core contribution toward sensitization, knowledge and skill building, as well as the promotion of agency on the part of students, teachers, headmasters, and further relevant stakeholders at school, in the educational system, and society in general. In this way not only students' capabilities are promoted, but the whole staff can be supported in forming a climate of nonviolence. Finally, tackling school bullying requires concerted actions and programs on the school, district, and state levels (e.g., Piscatelli & Lee, 2011), which in turn necessitates a sound empirical foundation to base these efforts on.

The specific role of psychologists in general and both educational and school psychologist in particular is twofold: On the one hand, they can take a critical perspective in examining pedagogical principles and actions from a vantage point relating to children's rights. On the other hand, they can act as advocates of youths' welfare, health and wellbeing, or, generally speaking, of their thriving. Due to their perspective of an interested associate, they can add a counterweight to the hierarchical structure of school which places students in a position of relative powerlessness and dependence, and consider students' welfare and wellbeing from a unique perspective. As educational psychologists are not subject to the normative, pro-bullying attitudes (i.e., positive attitudes toward bullying) students and teachers often hold and share in the absence of a more informed view (e.g., van Goethem, Scholte, & Wiers, 2010), they also add a counterweight to detrimental normative attitudes and related practices. Moreover, based on their expertise in both conducting research and interpreting research findings, educational psychologists bring an informed knowledge base into their professional cooperation, which helps school staff develop a deeper, up-to-date understanding of the phenomenon, its characteristics and ecological embeddedness and discard pro-bullying attitudes by relating back to their educational responsibility. In the case of teachers, such in-depth understanding inspires their pedagogical ethos (Gutzwiller-Helfenfinger, 2018).

Promotion in Educational Psychology

Promotion in a broader sense can be linked to the concept of flourishing, referring to individuals, groups, and societies. Flourishing, as based on the ancient Greek notion of Eudaimonia (i.e., the good life; Cloninger, Salloum, & Mezzich, 2012) entails more than (mere) survival or gain in wealth or power. Instead, the optimal realization of one's potential, that is, leading a meaningful life and enjoying positive social relationship, is actualized from a position of care toward others, nature, and humankind. Physical, mental, social, and emotional aspects of health and wellbeing are seen as connected (Cloninger et al., 2012).

A psychological formulation for the positive notions of participation can be found within self-determination theory (Ryan & Deci, 2000), in which competence, autonomy, and relatedness are linked to growth and motivation as well as positive development. Motivated participation relies on a safe environment, as discussed in the previous section. If a secure environment is created, experiences of competence, autonomy, and connectedness can foster positive development. Ryan and Niemiec (2009, p. 270) state that the "opposite of freedom and capability is voicelessness and powerlessness: an absence of autonomy and competence to achieve one's aims." The theoretical notions of capabilities can be translated into the language of self-determination theory and become accessible for quantitative analytical approaches. Self-determination theory does not close the gap between the tension of paternalism and participation, but provides a theoretical framework for operationalizing children's participatory rights; It can help to recognize children as social subjects endowed with agency (Liebel, 2014), to determine when and what forms of participation are healthy and helpful for psychological and motivational development, and thereby enhance children's current and future capabilities.

Large-scale assessments such as PISA, TIMSS, and ICCS employ theories of educational psychology to assess the capacity of educational systems in fostering competence and important attitudes. One consistent finding has been that educational systems are very differently equipped to

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foster competence in students with few socioeconomic resources (Weinert, 2001). Such assessments can therefore be seen as indicators of how well educational systems enable *all* children to receive basic education (CRC §24(e), §28); such education is a de facto prerequisite for individuals to (politically) participate in their respective cultures (e.g., Hoskins, Janmaat, & Melis, 2017). The International Civic and Citizenship Education Study (ICCS) by the International Association for the Evaluation of Educational Achievement (IEA) is not only focused on civic competencies, but also on opportunities and intentions to participate, attitudes, tolerance, and identity (Schulz, Ainley, Fraillon, Losito, & Agrusti, 2016). The interaction of these aspects can be described as the political mindset of students, which itself is a useful tool to analyze both student's civic development and the preparational capacities of educational systems (Abs, Hahn-Laudenberg, Deimel, & Ziemes, 2017).

Participation can be used to foster development, but not all activities and methods that are labeled as being "participatory" provide stimulating contexts. Opportunities to participate can be brought into a hierarchical order based on the degree to which they realize some principles of participation within schools. Hart (1992) uses Arnstein's (1969) concept of the ladder of citizen participation to differentiate between multiple levels of participation, ranging from manipulation and tokenism (non-participation), consulted and informed participation up to child initiated shared decisions with adults, and connects them with the notion of children's rights to participate. Civic participation offers emerging citizens the opportunity to escape boredom, form relationships, identifications, and reflect upon norms (Larson, 2000). Work in community organizations is linked to identity exploration, prosocial norms, and linkage to the community itself (Hansen, Larson, & Dworkin, 2003). It is not only important for emerging citizens, but also for the respective societies children and adolescents are already part of. Participation can enrich and improve projects and societies (Lansdown et al., 2014), and societies ultimately depend on their members' support, illustrating the interconnectedness of human rights, capabilities, and societal needs.

Participatory structures can also enhance identity formation, which is both an important developmental task for adolescents and an aspect of their political mindset. Exploratory behavior can be employed constructively in educational contexts (Waterman, 1989). The protection of the child's identity is explicitly stated in the CRC (§8, §29c). Identity formation is fundamentally important for personal development and individuals' relation to their environment (Erikson, 1959/1994). Identity formation is also a good example for the psychological connection between different aspects relating to human rights. In a longitudinal study, Crocetti, Garckija, Gabrialavičiūtė, Vosyli, and Žukauskienė (2014) found that identity styles and civic participation were reciprocally connected, although the predictive power of identity on participation was somewhat stronger. Identity, especially in developmental psychology, is connected to tolerance and respect (Ziemes & Abs, 2017). Fostering tolerance and positive attitudes toward gender equality and different ethnic groups has its foundation in the CRC (§29). Those attitudes are not just connected to identity, but also to competencies. Attitudes toward migrants and especially attitudes toward gender equality were found to be connected to civic competencies in European countries (Ziemes & Jasper, 2017).

Conclusions for Research and Practice

School environments have the capability to aid the fulfillment of human rights, and (educational) psychology has a role in co-constructing the environment in ways which enhance the opportunities to fulfill requirements of human rights (British Psychological Society, 2003). Psychologists in general and educational psychologists in particular can help to foster learning, participation, and identities. All participating professionals, including educational scientists, should incorporate notions of human and children's rights within their mindset and learn, teach, and advocate them at the appropriate (ecological) level. While some interventions are effective at the individual level, others may be more appropriate at the classroom or school level. Multilevel analyses can aid to separate the levels statistically. Political work therefore can and should be part of this endeavor as well (Lansdown et al., 2014). Thus, despite not being a normative discipline per se, educational psychology is called upon to incorporate both human and children's rights as a normative framework into their own professional self-understanding and practice. Notwithstanding, it is both desirable and valuable that educational psychology aims to be descriptive rather than normative. Educational psychology can offer theories as tools to analyze how human rights can be positively realized. To achieve this, professionals need to take a critical look at processes such as bullying within classrooms. The critical potential of psychology lies not primarily on the level of societies but on concrete, operationalizable processes. Operationalization can make norms visible and foster valuable discussions.

Some practical implications for practitioners can be derived from our deliberations regarding the example of bullying as a violation of several of children's and adolescents' fundamental rights. Practitioners at school need to be aware that bullying is harmful, violates children's rights, and inhibits positive development. Further, they need to recognize that no stakeholder in the various educational

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contexts stands outside the ecological frame, and that their very own attitudes and actions can prevent or promote bullying. What is especially dangerous is the normalization of bullying behaviors by practitioners, for example by holding pro-bullying attitudes. According to our view, it is not appropriate to see children's rights as inborn or inherent. Children are not in a position to ensure, guarantee, implement, or re-establish their rights in the hierarchical context of school. Rather, staff and stakeholders in schools and the larger educational system are responsible to create environments that incorporate and foster children's rights. Educational psychologists can assist schools and educational systems in critically analyzing and – if necessary amending – conditions and practices with respect to children's rights.

We further expanded some theories on positive development. By fostering positive relationships, identity formation, and participation within the classroom, the positive formulation of children's rights can be realized to a certain degree. The capability approach and the notions of positive development can be aligned with each other, providing researchers and practitioners with a framework to approach problems and find solutions. Competencies, identity formation, and participation are good examples for the role of educational psychology in fostering capabilities and the rights of children.

There are important limitations to our analyses and transfers. First, not all human rights can (or need to) be operationalized within the framework of capabilities, and not all (psychological) needs need to be included in human rights agreements. While it is insightful to analyze human rights through a psychological lens, we must not underestimate their political and juridical foundation and scope. While human rights are often described as inherent or inborn, declarations, theories, and research are the results of social co-constructive processes, therefore never inherent, but conceptually different and consequently useful for different ends. Constructs are easier to adjust to new insights and results; they hold the potential to translate rights into interventions and lived experience. Translations can never be objective and are always in part interpretations. Objectivity can be strived for, but never fully achieved.

In this paper, psychology in general and educational psychology in particular was labeled as a descriptive science which aims not to reify nor reproduce cultural bias. Even though categories can be used in the best interest of providing interventions for positive development, we need to be aware of the stigmas which are connected to categories and diagnoses and thus often lead to forms of discrimination (Hinshaw, 2005). Psychologists are not immune to these processes. While we support the aim of descriptiveness, we also recognize the impossibility of actually achieving it. Psychologists, and this of course includes the authors, are always part of the ecologies they want to study and therefore never truly objective nor neutral. As previously discussed, we do not need nor want (educational) psychologists to be neutral, but dedicated to positive development of individuals and groups, especially those who are disadvantaged. Therefore, we must treat all (educational) psychological research and resulting categories as preliminary parts of a discussion of theory, data, and human rights considerations in close cooperation with all stakeholders, especially the vulnerable and disadvantaged.

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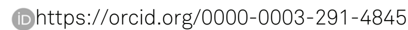
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