Children's rights in education
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CHILDREN’S RIGHTS IN EDUCATION:
AN INTERNATIONAL CONFERENCE
AND AN OPEN FILE

The articles included in the Open File of this edition of Prospects were selected to communicate some of the important themes, issues and trends that were considered at the recent International Conference on Children’s Rights in Education. The conference was held in Copenhagen, Denmark,
26–30 April 1998. The major purpose of the conference was to advance respect and support for children’s rights and the full development of children through education. In the first part of this introduction to the Open File, some information about the conference and the articles that follow is provided.

The conference provided a structured exchange among international and national experts on theory, research, policy and practices relating children’s rights to education. The United Nations Convention on the Rights of the Child, particularly education Articles 28 and 29, and Article 23 on children with disabilities, provided the fundamental framework for the exchange. (The convention is included with this edition of *Prospects.*) The Danish Ministry of Education was the primary organizer and sponsor of the conference. In presenting the conference, the Ministry had the cooperative involvement of the International Bureau of Education, Education International, the NGO Group for the Convention on the Rights of the Child, the International School Psychology Association and the Office for the Study of the Psychological Rights of the Child (School of Education of Indiana University-Purdue University, Indianapolis), as well as numerous Danish national organizations. Approximately 200 participants registered for the conference, including individuals from forty-nine countries spanning all major regions of the world and representing ministries of education, professional educators, educational psychologists, child advocates, parents and children. The conference venue was the Royal Danish School of Educational Studies.

The opening address of the conference was by Sandra Prunella Mason, Chair of the United Nations Committee on the Rights of the Child, which oversees the compliance throughout the world in implementing the Convention on the Rights of the Child. Her lecture on children’s rights in education included an overview of the convention and the manner in which the Committee on the Rights of the Child works with national governments to encourage the convention’s full implementation. The conference programme was divided into three major themes:

- the progress made thus far to achieve children’s rights in education;
- the rights of children with special needs; and
- the directions for advancing children’s rights through education.

Each theme was introduced by a keynote plenary presentation and followed by four simultaneously run presentations and working group sessions, each dealing with a major dimension of the overall theme. The keynote theme presentations on the topics (in the order indicated above) were by Gerison Lansdown (Director of the Children’s Rights Office in the United Kingdom), Lena Saleh (Director
of Special Needs Education, UNESCO, Paris) and Brent Parfitt (Deputy Ombudsman for Children of British Columbia). Twelve internationally respected experts from ten countries presented and facilitated presentations/working groups on the following topics: cultural issues; models for reporting on progress; possibilities for agreement among legislation, political decisions and practices; home and school co-operation; children’s experiences of their rights; inclusion and integration in education for students with special needs; rights of students and parents when receiving special needs support; financial considerations for special needs education; curricular guides and practices fostering rights and full development; education toward democracy; ways for students to express their views and achieve influence; and expectations and demands for teachers and parents. Selected youth from four countries participated throughout the conference, and presented their views in a final plenary session and in an eight-page newspaper they produced for the conference. Time was provided and well-used for informal discussions among participants. In addition to the more traditional presentations and discussion processes of the conference, approximately two-thirds of one day was devoted to visits to Danish schools. This allowed for opportunities to both observe school programmes and to interact with and interview students, faculty, administrators and school-community representatives.

Conference keynote speakers Sandra Mason, Gerison Lansdown and Lena Saleh have each provided an article on their presentation topics for this Open File. Additionally, the following conference presenters contributed articles on their conference themes. Lukas Scherer writes about the effectiveness of countries in reporting on meeting the international education standards of the Convention on the Rights of the Child and he presents an experimental model for improving reporting systems. Clark Power presents an orientation to education that can prepare children for full participation in democratic societies. Eugeen Verhellen challenges us to make schools and communities truly ‘child friendly’ through full inclusion in society and decision-making, legal protection, systematic children’s rights education policy, and the education of parents and teachers.

The rapporteurs of the conference provide a final article. It presents and clarifies the meanings of the sixteen guiding themes that emerged from the conference.

The conference was a genuine success. It achieved its major purposes—to advance respect and support for children’s rights and the full development of children through education. Participants considered a substantial amount of information about targeted issues. This led to the formation of a wide variety of formal and informal alliances between participants for the purpose of pursuing joint
educational projects. Genuine interest in and plans for advancing children’s rights to, in and through education were in evidence in the comments and work of participants. It is expected that the national leaders who attended the conference will apply the ideas, models and strategies relevant to the educational conditions and needs in their countries.

Because the conference offered a good base for guiding progress in children’s rights in education and made it clear that much more needs to be deliberated and accomplished, there exists a strong rationale for considering this conference to be the first in a continuing series. Initial steps in planning for a second International Conference on Children’s Rights in Education are presently underway. Brazil has been proposed for the site of this conference and negotiations have started to select a venue and date.

Those interested in the conference report should direct their requests to: Joergen Hansen, Danish Ministry of Education, H.C. Andersens Boulevard 45, 1553 Copenhagen V, Denmark, Tel. 45 33 92 5038, Fax. 45 33 95 5411, Email: joergen.hansen@uvm.dk

Some major guiding themes on children’s rights

The authors of this article were the rapporteurs for the International Conference on Children’s Rights. In this role, they collectively had the responsibility for attending each session and for being the careful listeners, interpreters and reporters of the conference. Their experiences enabled them to identify sixteen themes that were repeatedly given attention in conference presentations and discussions. The sixteen themes are:

- Each child is a bearer of rights;
- Education is a right of each child and not a privilege;
- Society is obligated specifically and generally to fulfil all rights of the child in and through education;
- The purposes of education embodied in Article 29 of the Convention on the Rights of the Child can and must be operationalized;
- The child’s participation and full development must be supported in all educational goals, settings and practices;
- Respect for the rights of the child should promote the present and future quality of life of the
child;

- Schools must respect the human rights of all persons in order to effectively achieve the rights of the child;
- Education and learning must be pursued in and beyond school settings in deliberate, coordinated ways;
- Existing identifiable barriers to implementation of the child’s rights to education can be overcome;
- Education and learning need to be reconstructed—better ways are emerging;
- Education must respect individual, contextual and cultural differences;
- Special needs and ‘inclusive’ schooling embody moral principles, realities and fantasies that must be understood;
- Long-term cost-benefit analyses of education must be applied by governments in prioritizing resource use;
- Teacher preparation, parent education and the ability of children to educate must be strengthened;
- Accountability must be assured in translating words to deeds, use of allocated resources and progress reports; and
- Rights require more than legal support—a moral imperative must be manifest at all levels of society (Denmark, 1998).

These themes might be considered to provide fundamental principles to guide future theory, research, policy and practice to advance children’s rights. Each theme is presented here with comment to clarify its meaning and significance. In some cases, the name of the conference presenter who emphasized a particular concept is identified.

**Each child is a bearer of rights**

This overarching theme recognizes the following points. Children are competent beings and curious researchers who need to be welcomed as full partners in governing schools and shaping their own education (Trond Waage). They should be considered as subjects, not objects, and as ‘already human beings’ entitled to full human rights, rather than ‘not-yets’ (Eugeen Verhellen). Given the
opportunity, children provide striking examples through their insightful comments and actions that they are bearers of rights (Brent Parfitt), not simply recipients of rights. They should be viewed at least as full partners in this enterprise, and in many cases the children are the teachers. Perhaps that is the greatest lesson to be learned.

**Education is a right**

International standards, beginning with those in the Universal Declaration of Human Rights and continuing with subsequent human rights treaties, and the activities of international bodies combine to establish the right to education as a universal norm. Nearly all of the countries in the world have pledged to uphold the child’s right to education under Articles 28 and 29 of the Convention on the Rights of the Child. At the World Summit for Children in 1990, Heads of State from approximately eighty countries signed the World Summit Declaration, which emphasizes the child’s right to education. Education has come to be recognized as the key economic resource and determinant for social and economic inequalities between individuals and nations (Lena Saleh). The right to education has achieved universal support through legal instruments. Now it requires fulfilment through international, national and local practices.

**Society’s obligation**

The Convention on the Rights of the Child, as international law, specifically obligates governments to provide a free primary school education for their young citizens, to make secondary and higher education available, to provide vocational information, to take measures to encourage school attendance, to assure that school discipline is administered ‘in a manner consistent with the child’s human dignity’, and to fully develop each child’s potential. These and the other standards specific to education are included in the education articles of the convention (28 and 29). Additionally, all the other rights included in the convention are to be respected in and through education. For example, in accord with Article 2, a child should not be subjected to unfair discrimination while being educated, and simultaneously, the child should learn to deal with others similar and different from him or herself in ways that are not unfairly discriminatory. National, local school system, individual school and classroom policy and practice should apply the standards of the convention explicitly and
The purposes of education (Article 29)

Article 29 provides the basic and long-range vision for the development of persons through education. It is the clearest statement in the convention defining the ‘best interests of the child’ and, in truth, of society, in terms of child development outcomes. Among the goals of Article 29 of the Convention on the Rights of the Child are development of: the child’s personality; respect for human rights; respect for the child’s parents, culture and others; respect for the natural environment; and preparation for life in a free society. All of these are susceptible to culturally meaningful and internationally credible operational forms. There is room for cultural interpretation and values. While some cultures place a high value on team action, others value independence of spirit, but all cultures view education as the medium for ensuring responsible citizenship. School curricula need to reflect community goals. It is essential that operational definitions for Article 29, including all strongly influencing cultural interpretations and applications, be developed and communicated openly so that they can be subjected to debate and their effects monitored.

Support for the child’s participation and full development

Children have participation rights from birth. They need to learn how, when, where and in relation to whom these rights can be expressed. Research on the social competencies of children has indicated, in general, that their capabilities have been underestimated. They can make choices, express opinions and understand relevant information at a tender age. Long-term, comprehensive perspectives are needed that support the learning of democratic principles and practices with applications beginning before the child starts grade school. Nursery schools and kindergartens have been able to establish basic democratic decision-making principles for children by the age of 3 or 4. Both formal and informal groups of young children have learned to take responsibility important to the group, enhancing their own feeling of being worthwhile. However, these competencies are often lost by the time children reach age 10 because they are not enhanced or used in elementary or secondary school systems. This may be because pre-school teachers generally learn about and emphasize the development of children, while secondary school teachers generally learn more about
subjects to be taught and how to teach them. Teacher preparation will have to change to provide continuity in the development of participation and democratic process competencies.

**Promoting the child’s present and future quality of life**

The meaning and fullness of life as a child should not be totally or even substantially sacrificed to the possibilities of a future state of development. A new child-image must be established that recognizes children as subjects, not objects. Research in developed countries has shown that when adolescence is treated as a holding or waiting period—a preparation period for the ‘real’ life to come later—the experience is closely related to youth culture problems. Children need the opportunity and richness of play, exploration, experimentation, fantasy and work meaningful to them. According to Buscaglia (1978):

Maturity is not a goal but rather a process … each stage of maturity is complete in itself and can be actualized independently of every other stage … life is always both an active state of being, and an ever-changing state of becoming.

Full actualization of each period of development must be assured if full development and maturity are to occur in later stages. Every moment of life is ‘real’ life. Children have a right to the present.

**Schools must respect the human rights of all persons**

Children’s rights are important, but their importance must not be exaggerated to the point of suggesting that they are the only rights of significance, more important than anyone else’s rights, or that they can be achieved regardless of whether the rights of others are respected (John Bennett). The ‘golden rule’, that we should treat others as we would like to be treated, continues to ring true. In the slang of today, the phrase ‘what goes around comes around’ expresses the wisdom of informed self-interest. Schools and the broader formal and informal educational environments for children should be places where there is respect for the rights of all persons—children, teachers, aides, clerks, administrators and parents. This will produce interpersonal learning environments composed of people who value themselves and each other and that will promote learning and growth for all.
**Education and learning in and beyond school settings**

School is not synonymous with education. A child’s rights to, in and through education extend well beyond the walls of the school building. Children can go to school and not necessarily get an education. They are also educated in settings other than school, such as in the family, peer groups, organizations, the local community, and both local and national media contexts. Some values and skills can only be learned within the close-knit, long-lasting relationships of a family where children belong regardless of how they behave. For example, this is where children learn how to solve or live with conflicts between people they need and love and who love them. Some other skills can only be gained in relationships with peers. The influence of peers is increased for children living in small families with both parents working. In peer groups void of adult interference, children learn the ground rules for making democratic rules and decisions, and the conditions for being included in or excluded from a group where membership is not guaranteed. In the broader community, health, education and social services, and the wide range of child-focused organizations and community resources should be formulated and integrated in ways that protect the rights and serve the formal and informal education needs of the developing child.

**Overcoming existing barriers to implementation**

The most important factor in the failure to implement the child’s right to education may be inadequate funding. Sometimes this failure is the result of government policy in which budgetary allocations place education at the bottom of the list of priorities. At other times, failures may be subtler. For example, there may be an adequate number of schools and teachers, but not enough supplies or, in cases where children must supply their own books, parents may be too poor to buy them, thereby leaving children unable to study properly. Other interfering factors may include such things as: individual teacher or institutional ‘gender bias’; the competing need for some children to earn money or resources through work to survive and/or help support their family; undiagnosed disabilities of children; and inadequate teacher training. Successful strategies are being used in various parts of the world to help overcome each of these and other barriers. The relative priority of education among other national agenda issues must be raised to require governments to be
accountable to seek and apply strategies that will improve education.

**Education and learning need to be reconstructed**

The whole approach to learning and education needs to be reconsidered in the light of social, economic, technological and child development changes. Emphasis may have to shift to learning more about where and how to find relevant information when needed rather than to acquire facts that may be obsolete by the time children leave school. Evidence indicates that traditional compulsory schooling might be successfully completed by 14 or 15 years of age, thereby enabling students to choose paths combining identified interests and talents for continuing education. Creative thinking, flexibility and positive interpersonal skills and attitudes (e.g. tolerance) deserve more support as basics of education for all children. Numerous elements or components deserve serious consideration for incorporation in educational designs for the future, including the following: ‘constructivist theory’, pro-social skills and moral/ethical character programmes, peers as teachers, experiential and/or apprenticeship models, life-long learning approaches, and the Danish ‘class teacher’ model that fosters long-term relationships between children and adults in ways assuring children experience of trust, advocacy and mentoring. A more holistic perspective on school, education and learning should include closer collaboration between schools and parents, schools and community, schools and organizations for children and youth, and various arenas for learning. Such changes will bring win-win outcomes for all persons and their societies.

**Education must respect differences**

There is no one right way to honour the educational rights of all children. Differences in individuals, cultures and contexts must be considered in choosing among the substantial range of good and effective educational conditions and strategies to be applied. Many examples exist of situations in which disrespect or misunderstandings regarding cultural differences have limited educational opportunity. Children whose religions require that they keep their arms and legs clothed have been erroneously excluded from physical education and sports activities when all that was necessary to allow participation was good communication and tolerance for optional dress. Poor school attendance has been misunderstood to mean lack or interest or disrespect for authority when children
were simply following a traditional pattern of apprenticeship in their parent’s occupation; a misunderstanding that could be reconciled through home school co-operation.

Even within homogeneous ethnic, geographic or religious contexts, families and professional educators face great ‘cultural’ challenges in supporting children’s rights. For example, in both developed and developing nations, the needs of the ‘dropout’ or ‘pushed out’ student population must be addressed by co-operation between parents and educators. However, many parents are reluctant to even enter a school and talk to a teacher because of the negative experiences they had as students. Clearly, what is needed are new and better ways to build partnerships with these children and families, beginning by working with people in ways that emphasize points of agreement and existing strengths.

**Understanding the moral principles, realities and fantasies**

The most common conception of the special needs child is the child that has an obvious physical or mental handicap. In a broader sense, special needs can also be applied to those children for whom circumstances have made school impossible: children who work in sweat shops, children who are sexually exploited, or children who are living in extreme poverty or in a state of war.

Any child may have special needs, short-term or long-term, at one time or another. Refugee children who cannot speak the local language and hospitalized children while they are ill have special needs until these conditions change. Special needs can also vary in severity. A very short-sighted child will be helped with glasses and being seated close to the teacher, while a blind child will need special education and technical aids.

Many children with special needs can get what they need in an ordinary classroom, provided the necessary human and technical resources are provided. But inclusive schooling may not be the best option for all children. For example, deaf children will need to learn to communicate by lip reading or signing before they can learn in an ordinary classroom. Totally inclusive schools may be a disservice to some children, failing to support the individual child's development or right to learn. Respect for the parents’ and child’s right to choose is a related factor. If there is no choice, rights may be infringed. The best interests of the child must be the main consideration, requiring creative ideas, participation in decision-making and flexible solutions to provide properly balanced developmental conditions for each and every child.
Long-term cost-benefit analyses for setting goals and prioritizing resource use

Education is the best long-term investment that can be made in the life of a child and in the quality of life for a society. This maxim, broadly supported in the words of governmental leaders and societal planners, is rarely translated into action when priorities for expenditures are set. In a world of competing interests for financial resources, it is of critical importance that preferences and beliefs be translated into hard facts about costs and benefits. Education leaders and economic experts should collaborate to research and determine cost-benefit relationships between financial support at various levels for education and the economic impact on individuals and society. The available, though sparse, history of similar or related research indicates it can make a difference to policy setters and will be used to guide decisions about the allocation of resources. This kind of research is likely to provide strong justification to increase funding to education and to reduce ill-adviced cost-cutting, which ignores a long, predictable future of negative results. Good information, which provides accurate predictions about the short- and long-term costs and benefits to societies for educating their children, must be produced and applied in decisions to allocate resources.

Teacher preparation, parent education and the ability of the child

Rarely are parents engaged as full partners in the education of their children. Children are usually absent from the power base of schools. Although both teachers and parents communicate to students, the voices of children are seldom heard in a meaningful way. Schools will be more effective if parents and children, appropriate to their evolving capacities, become the second and third legs the ‘tripod partnership’ of effective schools (Trond Waage).

The Convention on the Rights of the Child mandates that we educate children and adults about human rights. Needless to say, that is a huge and ongoing task, demanding multiple strategies for multiple audiences. There is both an immediate and a long-term need to incorporate human rights education (and specifically children’s rights education) into the preparation of teachers and school administrators. For educators already in service, this requires an immediate large-scale effort to make high-quality continuing education materials and programmes available, drawing on the latest technology for distance education. To meet the needs of future teachers, colleges and universities
must incorporate into their degree programmes both coursework and guided practicum experience designed to prepare teachers to teach human rights and to implement human rights in their classrooms and schools.

Given the primacy of parents in the education and development of children, rights education efforts should be focused on parents and parents-to-be. The growing body of research attesting to the importance of a child’s relationships and learning experiences in the first three years of life demands this. New or prospective parents need solid, evidence-based information about how experiences even in the first months of life provide the foundation that allows a child to become a motivated, confident, persistent learner and a caring, responsible citizen.

To accomplish these advances, all available media should be used to inform and engage parents in the ongoing workings of the school. Personal outreach should occur through home visits or neighbourhood meetings, and student-produced newsletters should go to parents. Additionally, families should be drawn into the school by transforming schools into the focal point of community life. A related but separate supportive strategy is to maintain a focus on lifelong learning, based on the understanding that everyone has something to learn and everyone has something to teach. This affords an especially rich opportunity for children to become the teachers of their parents and elders.

Finally, with a long-term view of building a society that honours the human rights of each citizen, children should become full partners in educating themselves and others. In schools, we need to engage children as early as possible in being responsible for advocating their own rights and honouring the rights of their peers. We need to look for opportunities to engage older and same-age children as educators and mentors for their schoolmates.

**Accountability must be assured**

Nations, governments, non-governmental organizations (NGOs), special interest groups and the general citizenry should assume that ratification of the convention requires full implementation of the rights it includes. The good intentions expressed in words through ratification must be translated into actions that are sufficiently well designed and supported by the necessary resources. Monitoring and reporting of associated efforts and results are required to assure accountability.
Information should be available about the nature, level and source of resources, their application and effects. Funds originating from within or outside a nation should be allocated for specific designated purposes and their use should be closely monitored and reported to assure accountability (Joshua Malinga).

In a more general sense, accountability can be increased through establishing accurate, comprehensive, open and ‘user-friendly’ information systems for the reports prepared by governments and NGOs for submission to the Committee on the Rights of the Child. At the international level, the networks and services of the United Nations High Commissioner for Human Rights, UNICEF, UNESCO and a few other agencies and organizations provide some of the required information. Instruments for organizing and reporting data specific to education should be strengthened. (See article by Lukas Scherer in this issue.) The rapidly developing systems of technologically supported communication must be increasingly applied to meet this need. Ministries or offices of education and NGOs within each nation should have web sites that provide all relevant information about their reports on the education standards of the convention at both formative and summative levels.

**Rights require more than legal support**

The United Nations Convention on the Rights of the Child is an international legal instrument. Nations who ratify the convention either automatically include all its standards within the laws of their lands, or they move through some process that progressively adjusts and adds to existing law to achieve the equivalent of the convention’s standards. Laws at the international, national and local levels help make clear the formal commitments of governments to the rights of the child and set forth the essential interpretations, provisions of support, criteria and accountability mechanisms necessary for implementation.

However, laws are not enough to satisfy the spirit of intent inherent in the convention or the broader vision for children’s rights that led to its creation and nearly universal adoption, and which will shape future evolving standards and their interpretations. Examples abound of the inadequacy of law in achieving its intended goals. The driver of a car exceeds the speed limit and ignores a red light at an intersection. A friend brags about cheating the government by not paying the required taxes. A very real discrepancy exists in many cases between standards of law and actual human
behaviour, usually because prerequisite values or moral commitments are lacking. The spirit of the law will not be realized until such commitments are made.

The convention sets a ‘positive ideology of the child’ in front of the people of each nation and the world by establishing that children are rights-bearing persons and by guiding associated values, attitudes and actions. To achieve the rights proclaimed by the convention, organizations, agencies and people at each level of human development must progressively understand, accept, appreciate, commit to and act in support of those rights. The cognitive, affective and volitional capacities of persons must be activated to respect the rights of children.

Particular attention should be given to assuring that the interpersonal environments of schools manifest and foster a shared sense of ‘moral imperative’ to advance the human rights of children. School personnel are a society’s institutionalized child rearers who complement and supplement the roles of parents and who are expected to act in the best interests of society at large. Schools should be expected to champion the human rights and welfare of children to be true to their human development purposes and to counterbalance the denial of freedom of choice inherent in compulsory school attendance. Human rights values and practices learned and lived in school can contribute significantly toward better human rights conditions in society.

GUEST EDITOR’S NOTE OF APPRECIATION

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