

Reframing human rights: the global network of moral conservative homeschooling activists

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Abstract *In this article, we investigate the composition and actions of a principled issue network within the field of human rights that uses rights-claims to pursue traditionalist goals: the moral conservative pro-homeschooling network. We analyse the rising importance of homeschooling within the global moral conservative movement and examine the transnationalization of pro-homeschooling advocacy. We show that the transnational homeschooling advocacy network, while not successful in court cases, has managed to establish home education as part of a global conservative agenda and has made incursions into redefining the terms of the debate within international organizations. Moral conservative homeschooling advocates use a vocabulary of rights and freedoms, and even of moral pluralism, but in the conservative reading human rights are reframed and used to defend a pro-family agenda that establishes the patriarchal family as the ultimate source of authority and the primary carrier of rights.*

Keywords HOMESCHOOLING, HUMAN RIGHTS, MORAL CONSERVATISM, NETWORK ANALYSIS, TRANSNATIONAL ADVOCACY NETWORK

In 2009, a German family from Baden-Württemberg filed for – and received – political asylum in Tennessee based on the allegation that Germany’s prohibition of homeschooling violated their human rights as parents (Robertson 2010). The asylum decision was eventually reversed (Beougher 2014), but the case, known as *Romeike v. Holder* (2014), reached all the way to the American Supreme Court. This case represents only one among several examples of strategic litigation by moral conservative actors with the aim of establishing homeschooling as an international human right. Almost ten years later, in 2018, hundreds of homeschooling advocates from all over the world met in Moscow in what was so far the biggest conference of this kind ever. Among them were many public figures known for their staunch moral and religious conservatism

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and their intolerance towards homosexuals and other minorities. They discussed the latest case law, promoted online curricula, exchanged research findings, and mobilized grassroots organizations. Taken together, these events reflect the emergence of a new political phenomenon that has so far largely gone unnoticed: the rising importance of homeschooling within the global moral conservative movement and the transnationalization of pro-homeschooling advocacy.

Who are the key players in the transnational network of morally conservative advocates for homeschooling and through which actions and claims do these actors pursue their objectives? And why has homeschooling become such an important element within the global moral conservative movement? While there are studies that analyse the relationship between homeschooling and moral conservatism (Dowland 2015: 78–108) or even religious fundamentalism (Kunzman 2010), this literature has so far focused exclusively on the USA, ignoring the transnational element of homeschooling advocacy and its role in the rise of a global moral conservative movement. With this article, we aim to fill this gap. It is based on a mixed methods approach that combines network analysis with qualitative research including interviews, non-participant observation, and the analysis of primary documents (statements and papers by pro-homeschooling advocates as well as legal materials). Through this mixed methods approach, we are able to explore the actors and actions of transnational homeschooling advocacy, expose its moral and ideological foundations, and analyse its strategic functions for the global moral conservative movement.

Although homeschooling might at first seem like an issue of minor importance, it is in fact a crucial element in a broader dispute over values and human rights. Both right-wing and left-wing activists view schools as a key site for inculcating values that in turn directly affect views on more prominent issues including LGBT rights, same sex marriage, abortion, in vitro fertilization and gender roles. In order to theorize these ideological disputes as they play themselves out surrounding the topic of homeschooling, we take an analytical approach that draws on the recent but growing field of research known as the sociology of human rights, which studies the social and political processes by which historically and geographically specific meanings of human rights are formed and contested (Nash 2012: 444; Stoeckl 2020). Further, we also draw on and contribute to recent scholarly work that seeks to explain and describe the rise of a new global conservative movement. This new movement is characterized by its transnational reach, its ability to bridge across religious denominations, and its strategic engagement with liberal institutions and norms (Stoeckl 2017).

In terms of actors and networks, our research shows that international homeschooling advocacy is driven by a small and highly interconnected network that is tied to a larger conservative network focused on the defence of the natural family. The repertoire of action of actors within the homeschooling network is broad, and while they have not yet succeeded in international court cases, they have succeeded in establishing home education as part of a global conservative agenda and have made incursions into redefining the terms of the debate within international organizations. They use a vocabulary of rights and freedoms, and even of moral pluralism, but in the conservative reading human rights are reframed and used to defend a pro-family agenda that establishes the patriarchal family as the ultimate source of authority and the primary carrier of rights.

We start by laying out our analytical framework, then provide some background on the rise of moral conservative homeschooling before moving on to the network analysis and the analysis of the claims raised by the actors within it, which is followed by the conclusion.

Analytical framework: the sociology of human rights and the global culture wars

The sociology of human rights

The theoretical framework for this article derives from political sociology and a social constructivist approach to human rights. According to such a perspective, human rights are social and political: they are socially constructed and they are sustained through political action. This perspective differs from a ‘naturalist approach’ to human rights, which sees them as the necessary answer to human vulnerability and as corollary to citizenship rights in a globalized world (Turner 2013). As a matter of fact, human rights today do not, or not exclusively, work as a fallback where citizenship rights do not apply. Human rights principles often foreground citizenship rights, namely states change or implement national citizenship laws on the grounds of human rights commitments they have entered into through international treaties. In this process, usually referred to as ‘legal constitutionalism’, laws are made or changed through constitutional courts, frequently in response to a supranational court such as the European Court of Human Rights, which seeks to eliminate forms of discrimination and violations of human rights that are often still present in national laws.

The terminology and wording of human rights documents requires definition and interpretation. The interpretation of human rights in view of their implementation in concrete political contexts is a discursive and political process. It is largely in the hands of human rights institutions, politicians, lawyers, judges, and activists, who are charged with giving concrete meaning and practical implementation to established human rights norms or with creating new norms in response to grievances hitherto not recognized as human rights violations. In the past two decades, the focus of human rights has shifted away from negative obligations of the state vis-à-vis individual citizens (for example, the prohibition of torture) to positive obligations of the state (for example, to ensure the adequate implementation of the right to education) (McCrudden 2014: 5). In addition, violations of rights pertaining to sexual orientation and gender identity have become recognized as relevant human rights issues, and areas of law formerly regarded as ‘private’ and firmly within the sphere of national sovereignty have now moved into the focus of international human rights law (Davidson 2019; McCrudden 2014: 6).

Nevertheless, from a political sociology perspective, there is nothing inherent in the notion of human rights that makes progress in this direction inevitable. Rather, we agree with recent scholarship that ‘the rights available at a particular time and place reflect a transient and conditional balance, pivoting on the political question of who can enforce a duty on another’ (Bob 2019: 11). Indeed, as the discourse of human rights has become more and more hegemonical in international politics, actors from all political traditions have started adopting the language and strategies of human rights to pursue their political aims, often in direct contradiction to one another (Perugini and Gordon 2015).

Moreover, the legal implementation of ever more fine-grained human rights norms through constitutional courts is often contested between promoters of universal human rights and those who argue that human rights have to be realized – and thus relativized – according to specific religious, cultural, and political contexts (Alston and Goodman 2012; Lenzerini 2014). For universalists, usually associated with a politically leftist and progressive stance, such legal constitutionalism is a positive outcome; for contextualists, usually associated with a politically rightist and conservative stance, it is an undesirable and problematic process. However, this categorization does not always capture the political dynamics at play. In an article studying the politicization of human rights by the Spanish progressive party Podemos and the British conservative Tory party, Nash (2016) has demonstrated that both left-wing as well as right-wing politics can oppose legal constitutionalism. She has thus made a case refuting the commonly held assumption that left-wing parties generally support human rights universalism and progressivism and legal constitutionalism, whereas right-wing actors oppose it.

In this article, we want to complicate the picture even further by studying the politicization of home education and by showing that right-wing, conservative political actors may also appeal to human rights universalism and use legal constitutionalism in order to advance their goals. Our case-study to exemplify this point is the battle for the recognition of a human right to homeschooling. With the case-study we want to show that homeschooling advocacy is one of the strategies employed by moral conservative actors worldwide to frame human rights in a way that reflects their religious and cultural worldviews and sensibilities and to oppose human rights progress in the area of sexual orientation and gender-identity. To do so, we draw on recent scholarship on moral conservatism, culture wars, and the global right-wing.

Globalizing the culture wars

In a now classic text of international relations published over twenty years ago, Kathrin Sikkink (1993) described the emergence of a ‘principled issue-network’ in the field of human rights composed mainly of transnational nonstate actors and ‘driven primarily by shared values or principled ideas’. These early insights were crucial in shifting the lens of international relations away from a purely statist perspective and recognizing the importance of transnational advocacy networks in promoting international norm change against the vested interests of states. What this scholarship did not foresee, however, was that, even within the field of human rights, there might be not one but multiple principled transnational advocacy networks involving actors that hold contrary sets of values and fight each other in the international arena.

Only very recently have scholars turned their attention to the ways in which conflicting rights claims are brought forward by rival advocacy networks and how certain movements use rights claims to pursue right-wing policies. Political scientist Clifford Bob has been one of the pioneers in the study of the ‘global right-wing’. In his books, Bob (2012, 2019) calls attention to the existence of a transnational advocacy network *against* the spread of international human rights that is guided by principled actors moved by moral and ideological motives, much like their progressive counterparts.

In the domestic context, the idea of new ideological cleavages arising out of clashing public moralities had already been put forward much earlier by the sociologist James Hunter (1991). Hunter argued that the old division in US-American society between Protestants, Catholics and Jews had been superseded by a moral cleavage that cut across religious divides and pitted all moral conservatives against all liberals, regardless of their denominations. He termed this the American ‘culture wars’.

The novelty in Bob’s account was to recognize that the culture wars as described by Hunter had now acquired an international dimension. He described how global right-wing activists were actively ‘exporting’ the US-American culture wars to other domestic contexts and vigorously participating in normative struggles within international organizations. His case study in this respect was the battle for/against gay rights at the United Nations, where starting in the 1990s a transnational alliance of moral conservatives that cut across civilizational and denominational lines was created with the aim of defending the traditional family (what he called ‘The Baptist-burqa coalition’) (Bob 2012: 36ff.).

Further evidence of a morally conservative transnational network in the field of human rights can be found the battle over the ‘Traditional Values’ resolutions introduced by Russia at the United Nations Human Rights Council in 2009, 2011 and 2012. As legal scholar Christopher McCrudden (2014: 7–10) shows, this dispute was largely perceived by liberal actors as a conflict between a Western universalist position and a Southern contextualist position seeking to limit the scope of application of human rights norms throughout the world. However, McCrudden is critical of this interpretation, pointing out that the new traditionalist agenda spearheaded by Russia should not be seen as a mere attempt to limit human rights, but rather to assert a different reading of existing human rights norms.

Sociologists Kristina Stoeckl and Ksenia Medvedeva (2018) deepen this insight in their investigation of the conflict surrounding the ‘Protection of the Family’ resolutions at the United Nations Human Rights Council of 2014. They show that although the aim of this resolution was clearly to curb the expansion of human rights to sexual minorities, it was portrayed by its advocates in universalist terms. Russia and its traditionalist allies argued that there was a universal understanding of the family that was being threatened by the West in its quest for recognition of non-traditional ways of life. It thus portrayed the individualist egalitarian approach to human rights as elitist and sectarian, while arguing that the traditional understanding of the family was the truly universal position.

The case-studies of the ‘Traditional Values’ and ‘Protection of the Family’ resolutions show that a rhetoric of universalism does not always go together with progressivism, nor does it always imply a claim for expansion of the existing human rights framework. They add an element of norm entrepreneurship to the literature on the emergence of a transnational advocacy coalition for moral conservatism, showing that the emergence of such a coalition has the potential to unsettle established interpretations of norms and reframe longstanding ideational cleavages along different lines.

The international campaign for the legalization of homeschooling is another example of such a norm-driven conservative transnational advocacy coalition in the field of human rights. In the following, we will use the homeschooling case to add another stone to the mosaic of the moral conservative assault on the liberal egalitarian

understanding of human rights. We will show that the moral conservative strategy of engagement with (and reframing of) international human rights standards includes not only adopting universalism but even a certain form of global constitutionalism, as moral conservatives now fight for the establishment of a new human right, namely the human right to homeschooling. And we will reveal the network that stands behind this strategy.

Background: the rise of morally conservative homeschooling

When the homeschooling movement originated in the 1960s and 1970s, it was mostly driven by anti-establishment thinkers such as John Holt, who advocated homeschooling (or later: unschooling or de-schooling) from a children rights' perspective, criticizing the school system for being too coercive, constraining creativity, putting children under pressure and not taking children's individuality into account (Gaither 2008a: 117ff.; Holt and Farenga 2003). Even today, one part of the homeschooling movement is motivated by countercultural, ecological, humanist and libertarian ideals. Nevertheless, starting in the 1980s in the USA, conservative evangelicals began to appropriate the homeschooling agenda (Gaither 2008b). Since the late 1960s, conservative evangelicals had been fighting (and losing) a political battle to instil a Christian worldview into school curricula and ensure the legality of prayer and devotional Bible readings in public schools. From the mid-1980s onwards, the Christian right shifted its tactics and started advocating homeschooling as the best model for conservative Christians to educate their children and fight the evils of secularism, moral relativism, defiance of authority and libertinism that in their view assailed the public school system (Dowland 2015: 78–108). By the early 1990s, through a mixture of lobbying and strategic litigation, homeschooling advocates managed to achieve the liberalization of homeschooling in all US states (Gaither 2008a: 175–200).

On a worldwide scale, homeschooling is a relatively marginal educational phenomenon, but it has been growing in importance both socially and politically. Even in the USA, which has the largest homeschooling population worldwide, less than four per cent of all school-aged children are educated at home (McQuiggan and Megra 2017). In Europe, homeschooling is most widely practiced in England, but even there the proportion of children educated at home is less than one per cent of the school-aged population (Foster 2019: 5). In some countries, the practice of homeschooling has experienced a sharp increase in recent years. For example, according to the BBC, the number of children being homeschooled in the UK has increased by 40 per cent in the last three years (Issimidar 2018). Nevertheless, even in countries where homeschooling remains a negligible social phenomenon, a strong surge in political and mediatic attention can be observed due to the influential lobbying activities and legal actions initiated by the pro-homeschooling movement. A case in point is Germany, a country where homeschooling is prohibited and the number of families affected minimal, but the political attention to the topic is high given sustained hostility by the international homeschooling lobby (Deutscher Bundestag 2009: 5).

Although parents choose to homeschool their children for many different reasons, today a very significant part of the homeschooling movement worldwide is made up of

religiously motivated moral conservatives (Gaither 2009). In the USA, according to the National Education Survey, over 50 per cent of homeschooling parents declare ‘a desire to provide religious instruction’ and 67 per cent declare ‘a desire to provide moral instruction’ to be an important reason for choosing to homeschool (McQuiggan and Megra 2017: 19). Recently, the moral conservative appropriation of homeschooling has been gaining momentum and political clout beyond the borders of the USA. In Brazil, for example, the newly elected government led by far-right president Jair Bolsonaro has made the legalization of homeschooling one of its key priorities for the first 100 days in office (Federal Government of Brazil 2019). In Russia, a few conservative Orthodox parents have started to practice homeschooling following American models and, in 2018, Russia hosted a large Global Home Education Conference. These developments are remarkable given the fact that homeschooling is only practiced by a small number of families in these countries, thus providing an indication of the high level of coherence within the moral conservative agenda worldwide.

The transnational moral conservative homeschooling network

Even more remarkable than the growth of homeschooling in specific domestic contexts is the fact that the conservative battle for the legalization and acceptance of homeschooling has now gone transnational. Following the growth of the conservative homeschooling movement that started in the USA in the 1980s, and the successes of advocacy groups in pushing for policies of liberalization and de-regulation of homeschooling in several US states, some key organizations within the movement such as the Home School League Defense Association and Alliance Defending Freedom started turning their attention to the situation of homeschooling abroad and addressing international legal forums for adjudication on matters related to homeschooling from a human rights perspective. These organizations have then formed links with national homeschooling organizations in different countries – sometimes also helping to establish such organizations in countries where there were none – and creating new transnational organizations to bring together morally conservative homeschooling activists from all over the world, which in turn have fashioned more or less formal links to existing pro-family networks such as the World Congress of Families.

In this section we investigate the actors and organizations that make up the transnational moral conservative homeschooling network. An interactive version of the network graph is available at: <https://www.uibk.ac.at/projects/homeschooling/>. The interactive graph allows the reader to click on each individual node to see its name, links, organizational ties, and other information. In the discussion below, whenever an actor or organization is mentioned the text that is also present in the network, we have linked the name to the respective node in the interactive graph.

The Global Home Education Exchange

The starting point for our research is an organization called Global Home Education Exchange (GHEX). This organization holds regular conventions that bring together the key players advocating for moral conservative homeschooling worldwide. Based in

Canada and founded by the Chair of the Canadian Home School League Defense Association, Gerald Huebner, the primary aim of GHEX is the organization of international homeschooling events. GHEX describes its goals as ‘advocacy, outreach, and research’. Its events have taken place in Berlin (2012), Rio de Janeiro (2016), Saint Petersburg and Moscow (2018), with a future conference scheduled for 2020 in the Philippines. The objective of these conferences, according to one of the organizers, is ‘to reach parents that are interested in home educating, to reach out to decision makers and legislators, and regulators that are involved in educational parental rights discussions as well as researchers’ (Interview with Gerald Huebner, 19 May 2017).

Even though GHEX conferences present their program as open to different forms of homeschooling, the moral conservative and religious background of the organizers is dominant. The advocates we had the chance to interview during our fieldwork presented themselves as a minority inside a larger homeschooling universe due to their Christian convictions (Interview with anonymous homeschooling congress participant, 18 May 2018). Homeschoolers from a leftist-progressive spectrum generally do not participate in these events. If they participate, they ensure that they clarify their position as motivated by different priorities (Interview with André Stern, 19 May 2018).

GHEX has a truly global reach, and the choice of locations for GHEX events is strategic: ‘We went to Berlin’, one of the organizers explained, ‘because Berlin is a ... very oppressive place, [homeschooling] is prohibited and we wanted to influence that’ (Interview with Gerald Huebner, 19 May 2017). Rio de Janeiro was chosen because ‘there was very large growing interest in the country and very large population to reach out to’, and Russia became a host because of ‘the interest in the family by both the Russian government and the Russian Orthodox Church’ and as ‘a way to reach not just to Russia but also the former Soviet Union countries’ (Interview with Gerald Huebner, 19 May 2017). GHEX has also organized or participated in smaller regional conferences in South Africa, Japan, Dubai and again in Moscow in 2019. In doing so, GHEX is contributing to the creation of homeschooling groups in countries where home education is still relatively unknown.

The GHEX conferences have been growing in size and the 2018 conference in Russia was, according to the organizers, the ‘biggest ever’ homeschooling event. It brought more than one hundred international homeschooling parents, policymakers, organization leaders, academic experts, and researchers from over thirty countries to Saint Petersburg and Moscow. The American organizers even went as far as to ‘predict Russia will become the second largest homeschooling population after the United States’. (GHEX 2018; HSLDA 2018) The Russian partner-organization for all these events was the Russian branch of the World Congress of Families.

The World Congress of Families (WCF) is a global network of pro-family groups founded in 1997 by conservative scholar Allan C. Carlson and his Russian partner at the time, Anatoly Antonov. It has recently been merged with the International Organization for the Family (IOF), which is a Washington-based NGO directed by Bryan Brown and dedicated to furthering the Christian Right’s agenda by opposing abortion, same-sex marriage and legal protections on the basis of sexual orientation around the globe. The connection between the homeschooling network and the WCF is so strong

that the latest meeting of the WCF in Verona in March 2019 was considered as a regional event of GHEX.¹

Besides networking, the repertoire of action of GHEX also includes the publication of international declarations, which are published in multiple languages and serve as a guide for advocates all over the world. The Berlin Declaration (2012) and the Rio Principles (2016) compile international treaties and human rights norms that the organizers interpret to recognize the role of parents and the family in education. The stated aim of the documents is 'to support home education in becoming globally recognized as the valid form of education that it truly is' (GHEX 2012). Through these declarations, the homeschooling activists map the discursive space of international human rights law, locate their claims in relation to specific articles in the human rights documents and treaties, and develop a consistent strategy and terminology in which to present their claims. In doing so, they follow a known strategy used by both left and right-wing activists in the field of human rights as a form of promoting a particular understanding of existing human rights standards or promoting a new norm. One example of a similar non-binding declaration can be found in the Yogyakarta Principles issued by LGBT advocates as discussed by Bob (2012: 55).

Global homeschooling events in the last years have also regularly included a research track. GHEX issues academic calls for papers, which invite the presentation of academic research – 'supportive or critical' – on homeschooling as a growing global social and educational movement. Researchers who submit proposals and papers can win prizes and travel grants to GHEX conferences. The organization also oversees the publication of papers presented at GHEX in a scholarly peer-reviewed journal, *The Journal of School Choice*, which sustains a libertarian, free market approach to questions of education (Maranto and Bell 2016). A central figure in the GHEX research track is Brian Ray, president of the National Home Education Research Institute (NHERI) in the USA and author of numerous studies in support of homeschooling. Although supposedly written from a neutral perspective, his research has been strongly criticized as biased (Gaither 2012) and even as deliberately misleading (McCracken 2014). Indeed, most of the research sponsored by GHEX and NHERI blurs the lines between academia and advocacy and is intended to improve the image of homeschooling by using the veneer of science to increase its legitimacy as an educational alternative and social practice.

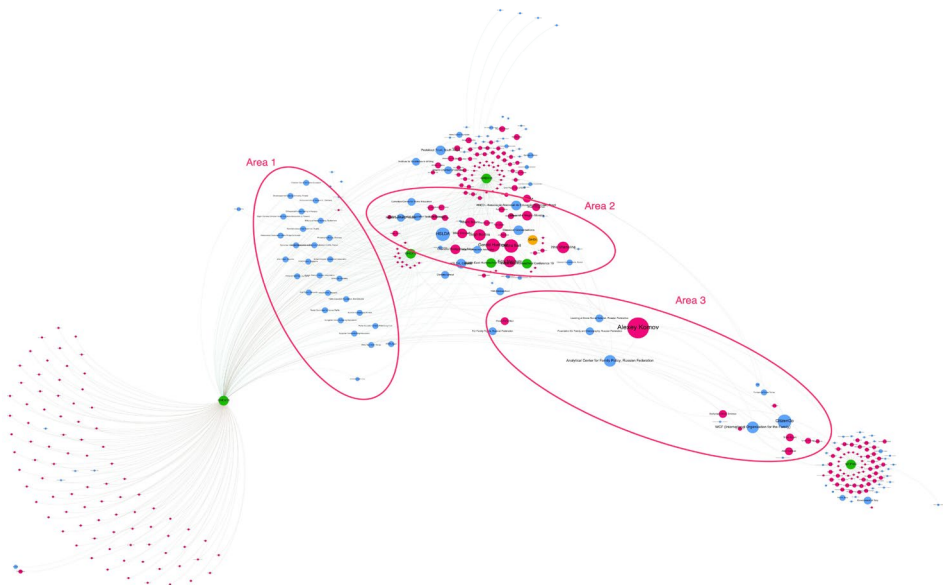
In sum, GHEX is more than a simple grassroots or advocacy organization. Like its partner organization WCF, it is a coalition of actors sharing the same agenda that organize themselves through the GHEX meetings into a transnational advocacy network and simultaneously use these meetings as a platform to promote their worldview and gather new members in different parts of the globe. Against this background, we chose GHEX as a starting point to visualize and analyse the transnational moral conservative homeschooling network as constituted through the participants in its international events.

The network: key actors and relations

To visualize the network, we have systematically collected data of every major international and regional event either organized or sponsored by GHEX. We gathered every

speaker, sponsor, and organizer's name of each one of the aforementioned events from the conferences' websites, then we visualized the data as an undirected network made of 390 nodes and 593 ties using the open source software Gephi (Bastian et al. 2009). The goal was to picture participants and organizations that connected the events. In the network, there are three types of nodes represented: events (green), persons (red), and organizations (blue). The ties between the nodes are shown as grey lines. Ties may be of different types (for example, speaker in, founder of, director of) but to reduce complexity, we are treating all ties as being equivalent for the purpose of this analysis. The size of each node is determined by the number of ties it has to other nodes. The larger the number of ties, the bigger the node is. An exception was made for nodes representing events and for the node representing GHEX: their sizes are constants because they were our starting point for data collection.

Figure 1: Visualization of the network



Three areas of the graph stand out as particularly interesting for our analysis and have been highlighted in the picture.

Area 1: In this area we can see several blue nodes forming a column between GEHX 18 and GEHX 12. These nodes are connected to all three global events but are not connected to other nodes in the network. They represent national homeschooling organizations from all over the globe that get connected through the GHEX events, confirming the importance of GHEX as a transnational networking platform.

Area 2: This area shows a cluster of persons and organizations that appear in a central position and that have a high number of ties. These are the pink and blue dots displayed in the space between GHEX, GEHX 12 and GEHX 16 and the smaller

regional events. They connect all events to each other and are otherwise also connected to at least one more node in the network. Within this cluster we find three types of organization: The Home School League Defense Association (HSLDA) and its subsidiaries, certain particularly well-connected national homeschooling organizations, and some online curricula.

The HSLDA is the single most important US-American organization promoting homeschooling for reasons of moral and religious conservatism, with over 80.000 members. It is based in Purcellville, Virginia (US) and was founded in 1983 with the aim of promoting the legalization of homeschooling in the USA and offering legal support to homeschooling families facing prosecution. More recently, the HSLDA has become a transnational actor as well. Its international activities include accepting international memberships and publishing reports on the homeschooling situation in several countries, helping to organize global conferences, offering legal advice and support for international homeschoolers facing prosecution, providing support to lobbying initiatives abroad, and helping in the establishment of national homeschooling associations outside the USA. The director of Global Relations, Mike Donnelly, has been one of the speakers and key figures in the global homeschooling conference held in Moscow and is reportedly also active in legislative lobbying to legalize homeschooling in Brazil (Donnelly 2016) and other countries. Since 2017, one of HSLDA founders, Michael Farris, also acted as the CEO of the Alliance Defending Freedom (ADF), one of the biggest and most important conservative Christian legal advocacy groups in the USA with a budget of over 55 million dollar per year.

The national organizations present in this cluster are the ones most embedded in the network. Some represent countries that have hosted a global or regional event, such as Brazil and South Africa. Others, such as the Swedish Association for Home Education ROHUS have a central status for particular reasons. Homeschooling is prohibited in Sweden, and the president and founder of ROHUS, Jonas Himmelstrand, lives in exile in Finland after being faced with large fines from the Swedish government (Newman 2012). In 2013, the HSLDA and the ADF sought to bring Himmelstrand's case to the ECHR, but the Court refused their application (Kiska et al. 2013). Three of the four attorneys representing the Himmelstrand family are present in our network: Roger Kiska (ADF), Mike Donnelly (HSLDA) and Michael Farris (HSLDA). HSLDA and ADF, represented by the same attorneys, had already tried to bring another Swedish homeschooling case – the Johansson case – to the ECHR in 2009 and again in 2016, but the Court rejected these applications (Harrold-Claesson et al. 2016; Kiska et al. 2010). Kiska and Donnelly were furthermore the attorneys of the Wunderlich family in the case against Germany brought by ADF and HSLDA before the ECHR (Kiska and Donnelly 2015), which will be discussed in more detail below. This collaboration shows the strong interlinkage between these two organizations and their crucial role within the transnational pro-homeschooling advocacy coalition.

Within this cluster we also find the board members of GHEX who occupy a central position because they are linked not only to the events and to their own organizations but also to GHEX itself. The board of GHEX is composed of 16 individuals representing different countries and organizations. Of these 16, 8 are included in the list of the

10 persons in the network that have the most links: Alexey Komov (Russia), Edric Mendoza (Phillippines), Alberto Solano (Mexico), Alexandre Magno Moreira (Brazil), Irina Shamolina (Russia), Debra Bell (USA), Gerard Huebner (Canada), and Mike Donnelly (USA). These people are particularly important to the network and they tend to stand behind more than one organization.

Area 3: This area represents the connection between the homeschooling events and the 13th World Congress of Families (WCF) in Verona. The figure shows quite clearly that the GHEX and the WCF are two distinct networks that are tied to each other by the few nodes appearing in between. The main node connecting GHEX and the WCF is Alexey Komov, who is the central figure behind a number of organizations that connect both networks: Classical Conversations – Russia; Foundation for Family and Demography; Analytical Center for Family Policy; Learning at Home Social Network. Alexey Komov is one of the main ideologues of the pro-family and pro-homeschooling network. As the representative of the WCF in Russia, the founder of several pro-family organizations and the owner of his own online curriculum, Alexey Komov and his wife Irina Shamolina emerge as the key bridge uniting all different corners of the transnational moral conservative homeschooling network. Komov is a former employee of Russian oligarch Konstantin Malofeev, who is the object of US sanctions for his role in the Russian–Ukrainian conflict and is known for his devotion to the Russian Orthodox Church and for having close ties to Putin. Malofeev is often suspected of financing far-right parties and conservative actors throughout Europe (Shekhovtsov 2017).

The second main node linking both networks is Citizen Go. Citizen Go is a conservative Christian organization founded in Spain that now claims to have over nine million supporters in more than 50 countries. It operates primarily through online petitions pursuing anti-LGBT, anti-abortion, and anti-gender goals, although it occasionally also uses more visible types of campaigning such as the controversial ‘free speech bus’ displaying slogans against transsexuals that toured the USA and Spain and was met with vehement protests by LGBT activists (Political Research Associates 2018). Citizen Go’s founder, lawyer Ignacio Arsuaga, is also the founder of another controversial right-wing Spanish organization called Hazte Oír, and is known to have links to an ultraconservative and violent Mexican Catholic organization (Fitzgerald and Provost 2019; Gálvez and Costantini 2017; Whyte 2017).

Fringes: Besides these three main areas, it is also interesting to have a closer look at some of the less connected nodes surrounding each of the global events portrayed in the graphic. At the fringes of each of the events, one finds famous politicians and representatives of governments. For example, the Brazilian conference was attended by Eduardo Bolsonaro, who is one of the sons of the current Brazilian President, Jair Bolsonaro, and is himself a member of parliament. The WCF in Verona was attended by Matteo Salvini and other members of the Italian government. These politicians are not central to the network; they are usually connected only to the event in their own country. Nevertheless, they are present within the network, showing that at least in specific national contexts the conservative pro-homeschooling advocacy coalition can reach out to those in power. The presence of powerful politicians within the network can help promote homeschooling directly and indirectly – for example if politicians

promote homeschooling-friendly policies and appoint sympathetic bureaucrats, or simply by increasing the visibility and respectability of the homeschooling movement.

In sum, this analysis confirms the following about the transnational moral conservative homeschooling network: (i) it is a network of ultraconservative Christians; (ii) the network is cross-denominational, uniting conservative Evangelicals, Catholics and Orthodox Christians; (iii) there are a few key persons and organizations who are particularly well connected and central to the network; (iv) despite a strong US-American influence, the network is truly global in scope; (v) there is connection between this network and certain right-wing parties and government representatives.

Homeschooling as an element of moral conservative ideology and strategy

We have now seen who stands behind the transnational moral conservative homeschooling network. But the question still remains: How does a practice that was libertarian and counter-cultural in its origins and, above all, focused on child autonomy and individual non-conformity, fit within a moral conservative worldview? In this section, we analyse the claims advanced by conservative advocates of homeschooling. Based on the qualitative analysis of primary documents, interviews, and non-participant observation in GHEX events, we show that morally conservative advocates use three types of argumentation to raise their claims to a human right to homeschooling: an ontological, a legal, and an instrumental ‘liberal’ type of argumentation.

The ontological argument: the language of nature

The key to understanding how the homeschooling agenda fits into the broader universe of moral conservatism is the concept of ‘the natural family’. Conservative homeschooling advocates consider the family as a unit that precedes the state and society and is ontologically separate from it. They see the family as a ‘natural’ unit by contrast to the state and society which they see as ‘artificial’ human constructs. They cite the UDHR article 16(3) ‘The family is the natural and fundamental group unit of society and is entitled to protection by society and the State’ in support of this understanding. WCF-founder Allan Carlson published a manifesto on the ‘Natural Family’, (Carlson and Mero 2007) which defines family as follows:

The natural family, not the individual, is the fundamental unit of society; ... While we acknowledge varied living situations caused by circumstance or dysfunction, all other ‘family forms’ are incomplete or are fabrications of the state. ... We affirm that the natural family is prior to the state and that legitimate governments exist to shelter and encourage the natural family.

This understanding of the family contrasts with a broad range of human rights provisions developed over the last two decades that have progressively emphasized and recognized the rights of individual family members rather than of the family as a group. Women, children, individuals who identify as lesbian, gay, bisexual, transgender or queer (LGBTQ), and other marginalized or discriminated groups have been singled out

as subjects of human rights protection in landmark conventions and conferences such as the UN Convention on the Rights of the Child 1990, the UN Conference on Women in Beijing (1995), and, in the European context, the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence (2011). All these are indicative of a general trend in international human rights law towards the recognition of the rights of individual members of a family, rather than of the family as a collective unit; notwithstanding the definition of the family as a ‘group unit of society’ in article 26(3) of the UDHR. Conservative actors reject this individualist turn in human rights law and insist on the family as a collectivity (McCrudden 2014; Stoeckl and Medvedeva 2018).

Recently, human rights law has been extended to the issue area of sexual orientation and gender-identity to combat the discrimination and of gay and lesbian people. As part of efforts to reduce discrimination, many countries have introduced gender-mainstreaming policies, including in education. Conservative actors are against gender-mainstreaming in education, which in their eyes undermines the patriarchal understanding of family and traditional gender-roles of the ‘natural family’. Quite frequently, conservative actors would even go so far as to claim that introducing gender-mainstreaming ideas into public education is ‘totalitarian in nature’ and turns children into ‘creatures of the state’ (HSLDA 2010).

The notion of the natural family is also related to a whole conception of the good society that involves elements of nativism and the idealization of rural, self-sufficient, isolated family units. This conception of society shares some common elements with libertarianism, since it also assigns a very weak role for the state. But it differs from libertarianism in two counts. First, it is the family which is the unit to be liberated, not the individual. Second, the moral conservative view of the natural family does not fit into a pure capitalist view of the world because it is strongly patriarchal. In the words of Carlson: ‘The family gets in the way of the efficient allocation of labor’ (Interview with Allan Carlson, 15 May 2018). Homeschooling fits into this picture because it is one of the ways to ‘re-functionalize the home’ (Interview with Allan Carlson, 15 May 2018) and to make families independent from the state and from the market, while maintaining a gendered division of labour and strengthening patriarchal structures of authority within the family.

That the essence of the natural family is patriarchal and homeschooling a tool to preserve it becomes particularly evident in the presentation given by Irina Shamolina in the 2018 GHEX Conference in Moscow. In this presentation, entitled ‘Homeschooling in Russia’, Shamolina compares the functioning of the natural family with the Russian Orthodox Church.² One of the slides proclaims: ‘[The] Church defines the family as a home church, where [the] father acts as a priest, [the] mother as a deacon and [the] kids are the disciples. For [the] Orthodox Church, the natural family is a patriarchal family.’ The next slide then goes on to say that when children spend most of the time outside the home and the mother is ‘engaged with other social institutions’ instead of caring for the children and the husband, the ‘natural patriarchal role of the father is undermined and the home church cannot function’. The rest of the presentation reflects the widespread view among moral conservative homeschoolers that God has

bestowed upon parents the exclusive responsibility for educating their children, and that schools are sites of moral decline from which children should be protected. The conclusion that follows is a logical one: ‘Only at home children can learn family values and be raised as Christians.’ In other words, homeschooling is necessary in order to reproduce patriarchy and produce a particular form of religious observance.

The legal argument: the language of rights and freedoms

When addressing international organizations such as the European Court of Human Rights or the Council of Europe, homeschooling advocates adopt a rights-based argumentation that is in sync with the legal culture of the institutions they are addressing. They base their claims for a positive right of parents to home-educate their children on provisions contained within human rights treaties. In the Universal Declaration of Human Rights, in particular, this is article 26(3), which speaks of the ‘right of parents to choose the kind of education that shall be given to their children’. In the European Convention of Human Rights, the equivalent is article 2 of the First Protocol, which states: ‘The state shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.’ Based on these human rights clauses, homeschooling advocates argue that homeschooling is a human right and should thus be a constitutional right in every country bound by international human rights treaties (Donnelly 2016).

In doing so, conservative political actors appeal to human rights universalism and progressivism, and use legal constitutionalism to advance their goals. The clearest example of this can be found in the official documents of the court cases brought before the European Court of Human Rights (ECHR) by conservative human rights activists. The most recent and most important of these cases is the *Wunderlich* case, brought before the ECHR by ADF and HSLDA. In this case, a strictly observant Christian family that refused to comply with the German law on compulsory schooling was faced with several penalties, including temporary loss of custody of their children. As the attorneys of the Wunderlich family write in their application to the Court: ‘the Applicants contend that home education is a right that ought to be protected by the Convention and that the contracting party has violated this right by preventing the Applicants from educating their children at home in accordance with their religious and philosophical convictions.’ (Kiska and Donnelly 2015: 6–7). The advocates contend further that the fact that homeschooling is formally recognized as a right in the vast majority of countries that are party to the convention means that earlier decisions of the Court that considered Germany’s policy of compulsory schooling to fall under its margin of appreciation ‘should now be revised in light of present day circumstances’ and that ‘the margin of appreciation should be narrower and a more searching scrutiny applied in light of the weight of the right asserted’ (Kiska and Donnelly 2015: 8). This is a clear example of an argumentation strategy that builds on human rights constitutionalism, universalism and progressivism.

Homeschooling advocates also use the language of fundamental freedoms to claim its status as a human right. In the Rio Principles issued by GHEX in 2016 two more

articles of the UDHR are invoked in support of the homeschooling cause: article 26(2) ‘Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms’ and article 18 ‘Everyone has the right to freedom of thought, conscience and religion; this right includes ... freedom, either alone or in community with others and in public or private, to manifest his religion ... in teaching.’ The legal claim here is one of freedom of choice and freedom from state interference in choosing and acting upon one’s beliefs. Any state interference with freedom of conscience is condemned as totalitarian: ‘As demonstrates the dramatic history of the 20th century, lack of such respect easily leads to the abuse of state power, transforming compulsory education into compulsory totalitarian ideological indoctrination which destroys rather than develops human personality’ (GHEX 2016). Freedom of education is, in other words, defined as freedom *from* the state, which means that not only homeschooling should be legal but also that homeschooling parents should be subject to as little regulation as possible.

Although homeschooling advocates build their arguments upon the notion of fundamental freedoms – including freedom of conscience – they always portray the family as morally and religiously coherent. There is no space within the morally conservative line of argumentation for children and young adults to develop a different moral or religious conviction than the one endorsed by the (head of the) family. For this reason, conservative homeschooling advocates are mostly silent with regard to children’s rights. They thus ignore the clear tension that exists between what Daniel Monk (2004: 579) calls the ‘liberty rights of parents’ to educate their children as they wish and the ‘claims rights of children’ for the state to protect them against parental abuse, ensure that their right to education is being properly exercised and protect their right to freedom of conscience.

The instrumental ‘liberal’ argument: the language of moral pluralism

Perhaps the most striking argument made by moral conservative advocates is the claim that homeschooling ought to be legalized in the name of moral pluralism. The use of the ‘defence of moral pluralism’ trope is an example of a purely instrumental appropriation of liberal norms and argumentation strategies by value-conservatives in their engagement with international organizations. The argument is that education is never neutral, and that public schools, in particular, are not neutral but rather espouse one particular moral vision, and since this moral vision goes against the beliefs of some people, the educational system is in fact working to the detriment of moral pluralism. As the HSLDA’s Director for Global Outreach Mike Donnelly tells us in an interview:

Education, generally, is not a morally neutral activity. Because you cannot separate knowledge from morality. And so public education systems are often based on a particular world view and moral framework. ... Evolution vs. creation is a great example. So, in the public schools, evolution as a theory is mandated to be taught. Well, it’s not taught as a theory, it’s taught as a fact, right? But creationism is not permitted to be taught at all. ... So for parents who

believe in a Biblical moral view, in that particular area, their children will be taught a totally contrary view that is antithetical to their moral view. Without any sort of mention or any credence given to the view that they believe.

(Interview with Mike Donnelly, 18 May 2018)

The claim to moral pluralism in this line of argumentation makes direct reference to a key norm of political liberalism, namely that all conceptions of the good are equally valid and ought to be given equal respect. Furthermore, in postulating that education can never be a morally neutral activity it also appeals to a post-structuralist epistemology that many critical liberals would share. From this critical perspective, knowledge always reflects relations of power, and therefore true neutrality is impossible. Rather, in order to achieve fairness, one should admit the biases implied in every dominant cultural or knowledge system and open up spaces for the silenced or minoritarian views (fairness as even handedness). When moral conservatives base their claims for homeschooling on the idea that the school is not neutral and that the moral conservative view is not represented in the dominant (liberal, secular) institutions of society, they are arguing along the same lines as many critical liberal advocates of multiculturalism and fairness as evenhandedness would.

However, the claim to moral pluralism articulated above stands in stark contrast to the concomitant claim that homeschooling is necessary to shield children from the negative influences of being exposed to alternative worldviews in the school. One example of this parallel line of argumentation can be found in the work of American conservative writer Rod Dreher, who has placed homeschooling at the centre of the conservative educational agenda in his book *The Benedict Option* (Dreher 2017). He advises his American readers to either start their own classical Christian schools or to home-educate. What is striking about this conservative educational agenda is that Christian private schools as they widely exist in many countries are not considered valid options for Christian education. ‘Don’t kid yourself about Christian Schools’, Dreher warns his readers, because ‘even in many Christian schools, Christianity ... is not strong enough to withstand the onslaught of secularism’ (Dreher 2017: 158). Christian education, in other words, should not only shield children from harmful defects of public schooling, but it should protect them from exposure to secular society, characterized by a pluralism of values, faiths and lifestyles, as such.

The concomitant use of these two contradictory lines of argumentation to justify and promote homeschooling – one based on moral pluralism, the other deeply anti-pluralist – indicates that the engagement with liberal forms of argumentation in the moral conservative discourse surrounding homeschooling constitutes a strategic move by conservative advocates to achieve their goal of legalizing this form of education. Indeed, in another context, Mike Donnelly – the same representative of the HSLDA that we quoted above arguing for neutrality and pluralism – has been very explicit about this need for strategic adaptation. While giving a speech to a group of German pro-homeschooling advocates on the topic of ‘Homeschooling: pluralistic freedom, not parallel society’, Mr Donnelly (2007) offered the following insights into the importance of strategic translation for transnational advocacy:

Let me say one thing about being persuasive. Politicians may be a little different in America, but politicians are politicians. And if you want to influence them you have to speak their language. You have to find out what influences them, and then you have got to use that information to influence them. This may mean being very careful in the words you select and understanding that it is very important to communicate a message that they can understand and agree with. It might not be the message that you want to communicate, but consider carefully the message you do communicate and insure that at the very least it will not harm your cause.

Conclusion

In this article we described the composition and actions of a principled network within the field of human rights that uses rights-claims to pursue a traditionalist agenda: the moral conservative pro-homeschooling network. Following the analytical framework suggested by Nash (2015: 6), we have identified the actors involved in transnational homeschooling advocacy, mapped them onto the organizational universe of moral conservatism and investigated their claims in the transnational arena.

We have shown that pro-homeschooling advocacy can be interpreted as one element in the context of a broader effort to reframe human rights in a way that reflects a morally conservative worldview. Homeschooling is particularly interesting to actors pursuing this endeavour because it is a door to achieve a number of other goals. Homeschooling is not only about homeschooling. It is about asserting parental rights as the key value for decisions about family issues. Therefore, it functions as a first step into inverting the order of priorities in terms of whose rights have precedence and thus achieving a general reframing of human rights and a consolidation of a particular understanding of the family within human rights jurisprudence and legislation.

We have also shown that the moral conservative pro-homeschooling network functions as a classic advocacy coalition – meaning a group of actors ‘composed of people from various organizations who share a set of normative and causal beliefs and who often act in concert’ (Sabatier 1988) – just as any other in the field of human rights. The actors that raise claims to a human right of homeschooling are advocacy groups, NGOs, and individuals who have a vested interest therein – be it private, political or business. These groups and individuals engage in a series of actions to promote their agenda: strategic litigation, transnational networking, policy lobbying and academic research. The organizations homeschooling actors try to advance their claims through are national and international courts, in particular the European Court of Human Rights, civil society, national and international political institutions such as domestic parliaments or the Council of Europe, and through universities and research institutes.

What is particularly interesting about this advocacy coalition is that, notwithstanding it being active in the field of human rights, this advocacy coalition is composed of highly conservative actors generally associated with an *anti*-rights agenda (anti-gay rights, anti-women’s rights, anti-children’s rights). Despite being based on shared values and beliefs that stand in sharp contrast to the dominant interpretation of human

rights as being attributes of individuals, they are firmly anchored in the international arena, disposing of a wide (and non-contentious) repertoire of action, being fully accepted as legitimate players within international institutions, and adopting a language of rights and freedoms that resonates with the legal framework of these institutions.

Furthermore, the conservative homeschooling network is striking because it shows the extent to which this advocacy coalition has become transnational and interdenominational, uniting moral conservative actors from all over the world, from the United States and Canada over Europe, Russia and Asia all the way to the Global South. Although this remains a primarily Christian network, it is by no means merely evangelical, as one might assume from the example of the United States. On the contrary, in the transnational pro-homeschooling network certain groups of conservative Catholics and Russian Orthodox play a major role.

Parents worldwide choose to homeschool their children for many different reasons and on grounds of different convictions. In this article, we have not discussed individual reasons for homeschooling, nor its benefits and downsides from a pedagogical or education perspective. Instead, we have looked at homeschooling advocacy as a strategy employed by moral conservative actors. In doing so, we have given further evidence that moral conservatism is developing into a transnational ideology (Uzlaner and Stoeckl 2017) and have shown that homeschooling is one topic that creates coherence and cooperation among moral conservatives from all over the world.

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Notes

1. <https://ghex.world/outreach/regional-events/>.
2. The slides of this presentation have been photographed by the authors and can be made available upon demand.

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