



Social Justice and Human Rights: A Case of Blended Learning in Higher Education

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Abstract. The necessity of providing all people with an affordable, high-quality education is underscored by the fact that the right to education is a fundamental human right that is universally recognised. Blended learning has become a potential strategy to improve educational possibilities and address numerous issues in the education sector in recent years. Blended learning incorporates technology and digital resources into the learning process by combining traditional face-to-face training with online learning techniques. This paper investigates the link between social justice and blended learning in higher education. It examines how access, equity, and inclusive participation could enhance learning outcomes through blended learning in higher education. Blended learning also allows customised interactive learning experiences that increase learner motivation and engagement. Technology in blended learning makes the utilisation of multimedia resources, interactive exercises, and collaborative tools possible, improving the caliber and efficacy of instruction. Issues, including the digital divide, infrastructure restrictions, and training requirements, must be addressed to guarantee social justice in higher education. In summary, incorporating social justice in higher education blended learning can significantly advance the realisation of the right to education.

Keywords: Access, Equity, Blended Learning, Human Rights, Inclusive Participation, and Social Justice

1 Introduction

The Universal Declaration of Human Rights adopted in 1948 (UDHR) declared the right to education as a fundamental right and affirmed by international Conventions. These instruments include the UNESCO Convention against Discrimination in Education (1960), the International Covenant on Economic, Social, and Cultural Rights (ICESCR) of 1966, the UN Convention on the Rights of the Child (CRC) of 1989, and

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the African Charter on the Rights and Welfare of the Child (African Children's Charter). These Conventions recognise and affirm the importance of education as an inherent human right and establish the entitlement to fair and justifiable opportunities for attaining higher education. Nevertheless, there appears to be a dearth of scholarly investigations that establish a connection between social justice and human rights when it comes to implementing blended learning in the context of higher education. According to Medina [1], there is a lack of preparedness among educators in higher education to effectively address access-related challenges that could promote academic achievement in the context of blended learning in higher education.

A just society must prioritise the defense of human rights and the pursuit of social justice in the complicated global environment of today. Fostering an awareness of these fundamental ideas is not just important, but critical in the context of higher education. The emergence of blended learning—a seamless combination of online learning resources and traditional classroom instruction—offers a ground-breaking chance to increase students' understanding of these important topics. This paper examines how social justice and human rights intersect with blended learning in higher education. We explore this ever-changing environment to find cutting-edge teaching strategies that enable students to become change agents both inside and outside of their communities. Blended learning extends beyond traditional classroom settings by providing various interactive learning opportunities and channels via which knowledge can be shared. With the help of this diverse approach, students will have access to a wealth of resources, such as online forums, multimedia content, and group projects, which will help them gain a deeper understanding of human rights and social justice concerns. As we begin this investigation, we will look at how blended learning can help students develop their critical thinking, empathy, and advocacy abilities. Through the utilisation of technology and inclusive teaching approaches, our goal is to develop a new generation of socially conscious leaders who are prepared to tackle the intricate issues confronting our modern society.

2 Literature Review

This right obligates states to make higher education accessible to all without discrimination. Human rights constitute a just and equitable society, ensuring everyone is entitled to fundamental liberties and opportunities. Access to higher education stands as a critical component in realising these rights. It empowers individuals with the knowledge and skills needed to participate fully in society, enabling them to contribute to their communities and the world. When education is universally accessible, it dismantles barriers of discrimination, fostering inclusivity and diversity [2]. It paves the way for a more enlightened and informed citizenry capable of engaging in meaningful civic discourse and effecting positive change. Moreover, access to higher education is a powerful catalyst for personal and societal transformation. It opens doors to new perspectives, nurturing critical thinking and intellectual growth. It equips individuals with the tools to challenge the status quo, fostering innovation and progress. Education transcends socio-economic boundaries, leveling the playing field and providing opportuni-

ties for upward mobility. This benefits individuals and strengthens the fabric of societies by reducing inequalities and enhancing overall well-being. The transformative potential of higher education extends beyond the individual, influencing communities and nations [3]. It ignites a learning cycle as educated individuals become educators, passing on knowledge and skills to future generations. This ripple effect amplifies the impact of accessible education, creating a legacy of empowerment and enlightenment. Human rights and access to higher education are symbiotic forces, intertwining to create a more just, prosperous, and inclusive world for all.

However, many barriers, including economic, geographical, and socio-cultural factors, hinder realising this right for a significant portion of the global population. Blended learning, an educational approach that combines online and face-to-face instruction, has emerged as a promising methodology to address some of these challenges. Higher education institutions have been confronted by substantial environmental changes and emerging developments in technology-supported teaching and new approaches to curriculum design [4]. Worldwide, universities are examining their educational practices from a new perspective (a new pedagogy). Such a pedagogy is the so-called 'blended learning,' defined as an instructional methodology that influences technology to provide an approach that is more personalised to learning, providing control over time, pace, and path for students in their learning process [3]. However, blended learning is defined in different ways. Blended learning has attracted attention in educational technology and online learning in the early years of the 21st century [5]. In higher education, before the emergence of the term "blended learning," the term "hybrid course" was often used, and now the two terms are used interchangeably [6]. The traditional form of chalk and talk is substituted by pure online learning. Public universities have paid particular attention to e-learning, a process developed from distance education. However, e-learning must be combined with other learning modes, such as face-to-face learning. This combination results in blended learning [7].

Blended learning can occur at different levels within one institution, for example, at the activity level, course level, program level, and institutional level [7]. While many educational facilities, including higher learning institutions, prefer blended learning over conventional methods and online learning, some academics are still concerned about blended learning teaching. Various scholars interpret Blended learning differently [8]. According to Evans, "the move from the 'traditional tertiary education' to incorporate more educational technology and online learning is increasing in its everyday on-campus activities, and various forms of blending are an obvious choice" (2020:644). Universities such as the University of South Africa (Unisa) and the University of Johannesburg (UJ) are advanced in blended learning. Online learning has become an omnipresent part of the educational environment, and a fundamental element of student's learning experience is how teachers are motivated to build approaches to online teaching. Blended learning has broad and complicated meanings but typically includes a combination or blend of face-to-face, real-time learning and digital online tools [9]. Blended learning has developed in traditional campus-based universities across the world. Professional development for blended learning takes different forms and can be offered in different ways "including traditional face-to-face, online, and blended" [9].

Contemporary eLearning has grown and become established since the advent of the internet and student access to it in the 1990s.

In mainstream higher education, physical and electronic resources, instruments, and environments are rapidly incorporated. While blended learning is growing in different universities, some faculties do not identify themselves as teaching in a blended learning mode. This form of learning is characterised by “flexibility in the provision of learning resources; supporting learning diversity; and the enrichment of the e-learning experience” [2]. In the Caribbean, with the founding of the University of the West Indies Distance Education Programme (UWIDEC) in 2002, the University of the West Indies was at the forefront of leading the delivery of online education programs [10]. While awareness of blended learning is increasing, only a few studies provide guidance for higher education institutions to transition to enhanced blended learning. In South Africa and many parts of the world, the provision of higher education is threatened by the admission of many students, many of whom do not attend classes or afford traditional face-to-face tuition [11]. In higher education and corporate training contexts, technological advances and access to information and communication technologies (ICT) have facilitated the growth of blended learning. Everyday life permeates ICT: smartphones, personal computers or laptops, entertainment devices. The pervasive use of technology has led to a re-evaluation and redesign of traditional practices and attitudes, especially in the last decade, to explore the opportunities ICT provides and ensure that countries compete effectively and essential in modern society [12].

Different universities in South Africa have started implementing blended learning through e-learning. At various higher education institutions (HEIs) in South Africa, there are several creative blended learning methods, including flipped classrooms, the use of mobile devices through average Wi-Fi, e-mentoring services, tutorials, multilingualism help, and analytics for learning [13]. The use of blended learning has become commonplace at many institutions. A comprehensive list of all the applications is difficult to provide since, inside each HEI, blended learning frameworks are very context-specific. After operating long-distance programs from 1995 using video conferencing, broadcasting, and interactive, web-based courses, the University of Pretoria (UP) was among the first universities to take up eLearning in 1998.

Against the above background, this paper discusses human rights and access to higher education using the case of blended learning. This method eliminates regional restrictions and provides flexibility by fusing conventional classroom learning with online resources. It reduces socioeconomic inequalities and allows marginalised people to pursue education without being physically present. By accommodating various learning styles and capacities, blended learning promotes diversity. It encourages independence by enabling pupils to take their time studying. However, issues like unequal access to technology and a lack of digital literacy still exist. Governments and institutions must guarantee fair access to resources, close the digital divide, and guarantee a level playing field for all students to protect human rights.

3 Rationale

Blended learning (BL) is becoming more popular because it has proven to be effective in serving the needs of diverse students in higher education; at the same it improves the learning atmosphere by combining the benefits of online teaching resources and traditional classroom instruction. As a result, blended learning is experiencing rapid growth [14]. Blended learning can potentially improve access to higher education by providing greater flexibility and opportunities for remote learning [15]. This suggests that blended learning has a beneficial effect on the ability to assess students and educators in an adjustable approach [16]. Blended learning, when implemented to a greater extent, possesses the capacity to effectively tackle certain obstacles encountered in the realm of higher education. This attempt serves to foster equitable opportunities for accessing higher education and upholding the fundamental right to education for all students (UNESCO 22). The successful implementation of blended learning necessitates sufficient support and supervision from educators and higher educational institutions.

However, studies reveal that there are significant disparities in to access higher education through blended learning despite the existence of comprehensive legislation that guarantees the right to education [15]. Further, to access higher education without any form of discrimination and a commitment to promote access, equity, and inclusive participation in higher education through blended learning remain a disparities [3]. It is argued that blended learning poses a potential challenge to achieving equitable access and participation in higher education, particularly in settings characterised by persistent structural social inequalities, such as those related to class, gender, or territorial disparities [17]. The evidence shows that educators encounter barriers and challenges in accessing higher education through blended learning For instance, the lack of access to educational technologies and innovations is an essential challenge and a significant obstacle for students residing in remote and rural regions, and this can impede their ability to engage in blended learning initiatives. This confirms that students with low socioeconomic status cannot access higher education [18]. The study confirmed that access to higher education has numerous barriers which have the potential to impede the implementation of blended higher education Institutions [19]. Significantly, these differences exacerbate the disparity in access to higher education and impede the realisation and violation of the right to education.

4 The objective of this study

- a. To Investigate the Interplay Between Blended Learning and Human Rights Instruments:
 - Explore how blended learning practices intersect with key human rights instruments, particularly in relation to fostering inclusive access to higher education and upholding principles of non-discrimination and equality.
- b. To Assess the Impact of Blended Learning on Promoting Equitable Access to Higher Education:

- Examine how the adoption of blended learning approaches influences the accessibility and inclusivity of higher education, considering factors such as geographical barriers, socioeconomic disparities, and the rights of marginalised groups, as outlined in international human rights frameworks.

5 Research methodology

Employing a robust methodology, this study delved into the intricate relationship between blended learning and the fundamental human right to access higher education within higher education institutions. A comprehensive document analysis was at the core of this research approach, which served as the backbone for data collection. Central to this methodology was the integration of document review as a pivotal strategy for gathering pertinent information. The document review process was conducted with meticulous attention to detail, thoroughly examining and analysing published articles from diverse sources. Academic journals, newspapers, reports, peer-reviewed papers, and research articles were systematically scrutinised to extract relevant data. By employing this methodology, the authors aimed to uncover insightful information and formulate well-grounded judgments, thus enriching the research inquiry with a robust foundation of evidence. This methodological approach was carefully crafted to yield comprehensive insights into the complex interplay between blended learning and the fundamental human right to access higher education. By immersing themselves in the existing literature and scholarly discourse, the study sought to unravel the underlying principles and implications of blended learning within the context of human rights instruments. A rigorous analytical framework guided the document review process, ensuring that all relevant aspects of blended learning and its relationship to human rights were thoroughly explored [20]. This involved categorising, synthesising, and critically analysing findings from the selected articles, allowing for a nuanced understanding of the subject matter. Through this methodological lens, the study uncovered significant insights into how blended learning aligns with key principles outlined in international agreements and promotes values of tolerance, non-discrimination, and international understanding. By examining the intersection of blended learning and human rights, the study contributes to a deeper understanding of the potential of educational technologies to advance equity and social justice within higher education institutions. In summary, the methodology employed in this study represents a rigorous and systematic approach to investigating the complex dynamics of blended learning and its implications for human rights in higher education. By integrating document review as a central strategy for data collection, the study was able to generate comprehensive insights that shed light on this critical intersection between education and human rights.

6 Theoretical Framework

The article utilised a human rights-based approach (HRBA) grounded in the Universal Declaration of Human Rights and subsequent international human rights treaties. An HRBA draws attention to overall school culture, policies, and practices through the lens of human rights values. This paradigm is a pragmatic approach to advancing and safe-

guarding human rights within development and humanitarian efforts. Moreover, it necessitates the adoption of a comprehensive educational framework that embodies the universal and inseparable nature of all students [21]. HRBA highlights underlying principles and encompassing civil, political, economic, social, and cultural rights. Regarding the application of blended learning for accessing higher education, the human-based approach asserts that every student possesses distinct learning requirements. HRBA tailors the instructions to accommodate the unique demands of each student and foster the principle of access, equity, inclusive participation, and non-discrimination in higher education for all students, regardless of their individual status [22].

7 Results

7.1 Blended learning and its relationship to Human Rights Instruments

Upholding human rights is significantly impacted by blended learning, a dynamic educational technique that blends traditional classroom training with digital resources. In addition to improving access to high-quality education, this creative approach complies with important human rights instruments as discussed below. Blended learning breaks down barriers based on geography, socioeconomic class, and physical ability by incorporating technology. It gives students the freedom to exercise their right to an education regardless of where they live. In addition, it strengthens the values of tolerance and nondiscrimination by promoting cross-cultural dialogue and international understanding. We investigate how blended learning might spur the advancement of human rights on several fronts by examining this intersection.

7.1.1 The Universal Declaration of Human Rights (UDHR) of 1948

The Universal Declaration of Human Rights (UDHR) is an international human rights instrument which was adopted in 1948. However, it is not a binding document. UDHR asserts the principle of equal access to higher education for all individuals based on merit. Article 26 (1) states that “Everyone has the Right to Education”. Article 26 of the UDHR declares that ‘higher education shall be equally accessible to all based on merit’. UDHR explicitly declares that every person possesses the right to education. The right to education is universally recognised and protected by various international human rights instruments. UDHR emphasises that education should not be regarded as a privilege but rather as an inherent and essential human right that underpins the realisation of other human rights. The instrument mandates the states to eradicate obstacles hindering access to higher education, including financial, geographical, and social barriers. Furthermore, it is imperative to provide equitable opportunities for students who come from disadvantaged backgrounds to overcome their disadvantages and achieve success in engaging in higher education pursuits.

7.1.2 The Convention against Discrimination in Education of 1960

The Convention against Discrimination in Education of 1960 which was ratified by the United Nations Educational, Scientific and Cultural Organisation (UNESCO). The primary objective of the Convention is to address and counteract various manifestations of discriminatory practices within the realm of education, with the overarching goal of guaranteeing equitable chances for all students to enter and derive advantages from higher education (UNESCO, 2022). In recent times, UNESCO convened a global seminar to revise the framework about the right to education, considering the prevailing

trends and problems of the 21st century. The primary emphasis was placed on cultivating a lifelong learning methodology and revising the essence of learning and the learning environment. Due to its significance, the 1960 Convention against Discrimination in Education is presently regarded as an essential element of the Education 2030 Agenda, owing to the diligent endeavors of UNESCO. The primary objective of the 2030 Agenda is to guarantee equitable access to high-quality education for all students, leaving no one behind.

UNESCO, considering the dynamic trends and challenges, has proclaimed three principles by recontextualising the framework about the right to education (UNESCO, 2016). The first principle restates the right to an education as a fundamental human right, as well as an enabling right. Fundamentally, it emphasizes fairness in education, which entails the guarantee of equal access to high-quality education and lifelong learning opportunities for all students, irrespective of their socio-economic or cultural backgrounds. Further, it advocates for the recognition and resolution of structural disparities while implementing specific interventions to guarantee that every student has fair and equal opportunities to pursue higher education through the utilisation of blended learning methods.

A second principle reaffirms education as a public good. It relates to the concept of inclusion in education, which is predicated upon the fundamental notion that every student possesses the entitlement to be encompassed within and derive advantages from the sphere of higher education. The approach recognises the varying needs and capabilities of learners and strives to establish inclusive learning environments that help all students in higher education through the utilisation of blended learning. Moreover, it emphasizes the incorporation of individuals with disabilities, marginalised populations, and students from socioeconomically challenged backgrounds. The principle guarantees equitable participation and prevention of the exclusion or marginalization of students from higher education (UNESCO, 2016).

Finally, the third principle prioritises gender equality and inclusion in education as a global initiative for future years (UNESCO, 2016). It pertains to the significance of inclusive participation in education, highlighting the provision of quality education that is tailored to meet the requirements of students. Moreover, it equips the students with essential skills for future endeavors (UNESCO, 2016). Likewise, to guarantee that blended learning educational systems are responsive and successful in addressing the requirements of students in higher education (UNESCO, 2016).

In essence, the agreement acknowledges that the act of discriminating against students in the realm of education is a violation of their fundamental human rights. The convention forbids the practice of engaging in any form of explicit discrimination, exclusion, or limitation and hinders the progress and equitable opportunities for students in higher education. (UNESCO, 2016). The Convention compels higher education institutions to implement suitable measures to eradicate discrimination and guarantee that the blended learning education system does not infringe upon the right to access higher education. Consequently, it is incumbent upon higher education institutions to offer equitable access to higher education, eradicate segregation, foster inclusive education, and guarantee equal opportunity for all students to engage in blended learning educational initiatives.

7.1.3 The International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR)

The International Covenant on Economic, Social, and Cultural Rights, adopted and ratified by the United Nations in 1966, acknowledges the fundamental human right to education. According to Article 13(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the provision of higher education should be made accessible to all students equitably considering their abilities, using various suitable methods, and by gradually implementing free education. Article 13(2)(c) outlines that higher education should incorporate the fundamental aspects of availability, accessibility, acceptability, and flexibility, universally applicable to higher education across various formats and educational tiers. The Convention mandates that higher education must be accessible to all students without any form of discrimination and must adhere to acceptable quality requirements. The convention posits that blended learning in higher education should possess a level of adaptability that accommodates the varied requirements and situations of students. Therefore, it is incumbent upon higher education institutions to guarantee the accessibility, inclusivity, and high quality of higher education, to foster the holistic well-being and advancement of students within these institutions. The International Covenant on Economic, Social, and Cultural Rights (ICESCR) acknowledges the significance of the right to higher education in facilitating the comprehensive growth of individuals' character.

7.1.4 The Convention on the Rights of Persons with Disabilities 2006 (CRPD)

The primary objective of the Convention on the Rights of Persons with Disabilities (CRPD) is to safeguard and advance the rights and inherent worth of students who possess disabilities. Article 5 of the Convention on the Rights of Persons with Disabilities (CRPD) establishes a comprehensive prohibition on discrimination because of disability across all domains, encompassing education. Article 9 places significant emphasis on the need to establish an environment that is both inclusive and accessible for individuals with disabilities. The responsibility of higher education institutions is to address and remove the various hindrances and challenges that impede the involvement of students with disabilities in blended learning educational frameworks. This includes the provision of easily accessible physical infrastructure, transit systems, information, and communication technology, as well as various facilities and services. In the context of blended learning, students with disabilities must be afforded equitable access to inclusive and high-quality higher education, ensuring parity with their non-disabled peers. Institutions of higher education must ensure that students with disabilities are afforded equitable chances to pursue higher education through enhanced accessibility and accommodations.

As per the stipulations outlined in Article 15 of the Convention on the Rights of Persons with Disabilities (CRPD), it is mandated that students with disabilities shall not face any exclusion or segregation. Equally, the students shall not be denied entrance to higher education institutions. It is imperative for institutions of higher education to prioritise the accessibility of learning resources, including assistive technologies, and use inclusive instructional practices. Blended learning has the potential to offer an educational experience that is inclusive and accessible to students with impairments. When

examining the implementation of blended learning as an educational model within higher education, higher education institutions need to adhere to the guidelines outlined in Article 24. This article emphasises the necessity for these institutions to integrate several concepts such as accessibility, reasonable accommodations, Universal Design for Learning (UDL), educator training and support, and cooperation.

By incorporating these principles, higher education institutions may effectively foster an inclusive environment that promotes equitable access to quality of higher education. This initiative has the potential to provide students with disabilities an equitable chance to engage in and benefit from higher education, thereby enhancing their individual growth and academic achievements. The right to education is a fundamental right that serves as a crucial mechanism for attaining social inclusion, empowerment, and complete engagement within higher education institutions. As a result, institutions of higher education must implement suitable strategies to guarantee that students with disabilities are provided with equitable access to information, communication technology, support services, and physical accommodations. In conclusion, it is imperative for institutions of higher education to fulfill their legal obligation of providing equitable educational opportunities to students with disabilities, ensuring their equal access to higher learning alongside their peers.

7.1.5 The Convention on the Rights of the Child 1989 (CRC)

The Convention on the Rights of the Child (CRC) was established in 1989 by the United Nations General Assembly. CRC outlines the rights of students and establishes benchmarks for safeguarding their welfare and safety. The CRC recognises the right of every child to education. Significantly, blended learning has the potential to contribute to the realisation of the right to education in higher education within the context of CRC. Whereas blended learning can afford marginalised and disabled students to access higher education in higher education institutions. It is essential that blended learning is implemented in a way that respects the rights of students. This includes safeguarding their privacy and data protection, ensuring equitable access to technology and internet connectivity, and considering the specific needs and preferences of each student.

7.1.6 The African Charter on the Rights and Welfare of the Children 1981(ACRWC)

The African Charter on the Rights and Welfare of the Child of 1981 (ACRWC) stipulates the guidelines for safeguarding the rights and well-being of students in the African region. The African Charter serves as a mechanism for the promotion and protection of students' rights, particularly their entitlement to access a high education. For instance, Article 17 (1) compels the state to safeguard against infringements upon the right to education and promote principles of justice, equity, non-discrimination, responsiveness, equality, and accountability. The Charter recognises right to education as an inherent entitlement for students, acknowledging the imperative of ensuring equitable access to high-quality education for all those pursuing higher education. Higher education institutions must ensure that access to higher education is not violated when implementing blended learning. Further, the integration of access, equity, inclusive participation, non-discrimination, and the cultivation of a culture of continuous learning in blended learning approaches in higher education can augment the fundamental right to education.

Therefore, international human rights instruments recognise higher education as a fundamental right within education. Accordingly, it is incumbent upon the states and higher education institutions to fulfill their obligation to promote and protect the right to education. Similarly, both states and higher education institutions must fulfill their legal duty in ensuring accessible and inclusive higher education, which promotes freedom of expression and facilitates the full involvement of students. In addition, it is imperative for states to commit sufficient resources, encompassing financial, human, and infrastructure aspects, to effectively promote the fulfillment of the right to education within the realm of higher education (UDHR, 1948). Finally, educational institutions must confront and rectify any discriminatory practices or obstacles that impede equitable access to higher education, including but not limited to racial discrimination, gender-based discrimination, and discrimination against students with disabilities.

7.1.7 The 1996 Constitution of South Africa

The 1996 Constitution of South Africa explicitly guarantees the right to primary education for all students. It also recognises the right to further education, which the state must make progressively available and accessible. The Constitution recognises the importance of ensuring access to higher education as a fundamental right. Human rights are inherent entitlements universally applicable to all individuals, irrespective of their origin or personal attributes [23]. These rights encompass a range of fundamental entitlements, such as the right to life, equality, dignity, freedom of expression, and education. An illustrative example can be found in Section 29(1)(b), whereby it is stipulated that every student possesses the entitlement to pursue further education. The state, by rational actions, is obligated to provide and ensure the accessibility of such educational opportunities gradually. It is unjust to subject students to discrimination or exclusion from higher education because of characteristics such as race, gender, religion, or socio-economic background. The incorporation of blended learning methodologies within the context of higher education is consistent with the fundamental constitutional values of educational accessibility and equality. Addressing the problems encountered by students, including geographical boundaries, limited resources, and time limits, proves to be beneficial. From this perspective, it is argued that the Department of higher education and higher education institutions have a crucial responsibility to safeguarding the right to education and facilitating students' access to high-quality educational opportunities. In general, the South African constitution is committed to protecting human rights and placing significant emphasis on ensuring universal access to higher education for all students.

8 Discussion

8.1 Blended Learning in South Africa: Advancing Inclusivity and Equity in Higher Education Access

In South Africa, realising the right to access higher education through blended learning represents a significant stride towards inclusivity and equity [3]. One notable case is the implementation of open educational resources (OER) in several universities. By providing freely accessible course materials online, institutions break down financial barriers, enabling students from diverse socio-economic backgrounds to engage with quality educational content. This approach empowers learners to study at their own

pace, reducing the pressure of costly textbooks and opening doors for a broader demographic. Furthermore, partnerships between universities and industry players have facilitated the development of blended learning programs tailored to specific job markets. For example, in the field of information technology, collaborations between universities and tech companies have led to courses that equip students with practical skills alongside theoretical knowledge. This alignment with industry needs not only enhances employability but also ensures that education remains relevant and responsive to the demands of a rapidly evolving job market. Moreover, the advent of virtual classrooms and online tutorials has extended the reach of South African universities, particularly to remote and underserved areas. Through initiatives like digital learning centers and community outreach programs, institutions extend their educational resources beyond campus borders. This not only addresses geographical disparities but also fosters a sense of national unity as learners from various regions converge in virtual spaces to pursue higher education. In these cases, the right to access higher education through blended learning emerges as a beacon of hope, tearing down traditional barriers and fostering a more inclusive, knowledge-driven society.

8.2 South African cases

South African universities have embraced blended learning, combining traditional in-person instruction with online resources to enhance educational experiences. One exemplary institution is the University of Cape Town (UCT). UCT employs a sophisticated Learning Management System (LMS) that facilitates seamless integration of digital tools with face-to-face classes. This approach allows for flexible learning schedules, accommodating diverse student needs. Stellenbosch University, another leading institution, has effectively implemented blended learning. Through their pioneering use of multimedia resources and interactive online platforms, students can access a rich array of materials to supplement their coursework. This innovative approach enhances comprehension and engagement while fostering independent learning. The University of the Witwatersrand (Wits) stands out as well. By leveraging technology, Wits has created virtual labs and simulations, ensuring students gain practical experience even when on-campus facilities are inaccessible. This initiative not only maintains educational quality during unforeseen disruptions but also expands opportunities for hands-on learning. Rhodes University has excelled in creating a supportive online learning community. Through discussion forums, virtual workshops, and collaborative projects, students have ample opportunities for peer-to-peer interaction. This social element enhances the learning experience and fosters a sense of belonging, even in a digital environment. These South African universities showcase how blended learning can successfully transform education. By leveraging technology to complement traditional teaching methods, they empower students with versatile and practical learning experiences, preparing them for a rapidly evolving world.

In response to the changing educational landscape, the University of Fort Hare (UFH) has demonstrated an admirable commitment to embracing online learning. The university has made significant attempts to integrate into the virtual world using digital technologies. They have invested in cutting-edge learning management systems to give students simple access to readings, homework, and interactive content. Additionally, faculty members have received substantial training in online pedagogy, ensuring a superior

learning environment. The institution also made technology accessible to students who needed it, encouraging inclusion. Fort Hare is making a solid effort to adapt to the digital world while ensuring that education is accessible and efficient for everyone.

The University of Johannesburg (UJ) and the University of South Africa (UNISA) have exemplified a transformative approach to education, championing the right to education through innovative blended learning methods. By seamlessly integrating online platforms with traditional classroom experiences, they have widened access to quality education. This dynamic approach caters to diverse learner needs, accommodating busy schedules and removing geographical barriers. Through adept utilisation of technology, both institutions have fostered a global community of learners, promoting inclusivity and cultural exchange. The success of this blended learning model is evidenced by increased enrollment, improved retention rates, and enhanced learning outcomes. It stands as a beacon of hope, showcasing how modern education can catalyse societal progress and equity.

8.3 Implications of blended learning in the context of access to higher education

Distinctively, blended learning is flexible as it allows students to learn in their own space because of their geographical and physical distance, which is a significant barrier for them to access higher education. Further, blended learning is diverse; it affords students a wide range of instructional models that combine face-to-face teaching with online components. The diversity comes from the various ways in which these components are integrated and the different approaches used to teach [24]. BL results in improvement in student success and satisfaction [18][25] as well as an improvement in students' sense of community [26] when compared with face-to-face courses. In blended learning, human rights implications primarily revolve around ensuring equal access to education and protecting individuals' rights to privacy and freedom of expression. Additionally, blended learning can be adapted to accommodate different learning styles, allowing students to learn at their own pace and in ways that suit their needs. The online platforms afforded students the flexibility to learn in their own space using technology [27]. The literature indicates that Blended learning has the potential to improve accessibility by surmounting geographical limitations and offering educational opportunities to individuals who lack access to conventional educational establishments. For example, implementing blended learning enables students in higher education to remotely access educational resources and engage in coursework, thereby obviating the necessity for physical closeness to institutions of higher education. Blended learning offers students the opportunity to acquire knowledge and skills at their convenience, enabling them to strike a balance between their educational aspirations and other commitments. This approach liberates students from various limitations and restraints.

On the contrary, blended learning requires careful planning and implementation to ensure that the quality of instruction is maintained. The lack of access to educational technologies and innovations continues to be a challenge with novel educational technology [18]. Further evidence reveals that students must have educational devices to participate in blended learning programs. The students who are from marginalised backgrounds with no reliable internet connectivity are disadvantaged and not be able to participate in the learning experience.

9 Recommendations

The authors wish to make the following recommendations:

- Higher education institutions must adhere to social justice and human rights principles to meet the needs of all students in particular the marginalised students. Blended learning should be designed in a way that ensures equal access to higher education for all students, regardless of their socioeconomic background, disabilities, or other barriers. Higher education institutions should provide students with the necessary resources and digital divide [28].
- Higher education institutions must support the academic staff about working tools. Further technology in blended learning should align with ethical principles and human rights standards for security and professional reasons. This includes avoiding discriminatory algorithms, addressing biases in artificial intelligence tools, and promoting responsible use of technology to prevent harm or infringement on individuals' rights [28].
- Higher education institutions need to ensure that online components meet the same standard as traditional face-to-face platforms and focus on addressing learning losses and preventing dropouts, in particular from marginalised students [18].
- The government and higher education institutions need to collaborate to remove the technological barriers and introduce digital infrastructure [18].

10 Conclusion

This paper underscores the critical importance of ensuring access to quality higher education as a fundamental human right. The right to education, enshrined in international agreements, is the cornerstone of a just and equitable society. Blended learning, the fusion of traditional face-to-face instruction with online resources, emerges as a transformative force in realising this right. It addresses barriers such as economic, geographical, and socio-cultural factors, making education more accessible to diverse populations. In South Africa, where challenges to higher education access persist, institutions have made significant strides in implementing blended learning. Open educational resources, digital learning centers, and industry partnerships have played pivotal roles in breaking financial and geographical barriers. The exemplary cases of institutions like the University of Cape Town, Stellenbosch University, the University of the Witwatersrand, Rhodes University, the University of Fort Hare, the University of Johannesburg, and the University of South Africa demonstrate the effectiveness of blended learning in enhancing educational experiences. However, it is crucial to acknowledge that challenges remain, including unequal access to technology and digital literacy. Addressing these issues is imperative to ensure that blended learning truly levels the playing field for all students. Governments, institutions, and stakeholders must collaborate to provide the necessary resources and support for effective blended learning models. In conclusion, advancing the right to education can be significantly aided by incorporating blended learning into educational systems. To establish and support effective blended learning models that prioritise inclusion, quality, and equal access to education for all people, policymakers, educators, and stakeholders must work together. The

transformative potential of blended learning, when harnessed effectively, can create a more just, prosperous, and inclusive world for all.

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Legislations

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