Learning in Lockdown: Teaching Human Rights Practice During the COVID-19 pandemic

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Abstract

This article explores the authors’ university course on ‘Human Rights and Digital Technology’, designed to engage students in a holistic assessment of the application of international human rights law to the digital universe. In addition to the intellectual premises of our course, this article examines the notable shift in teaching practice during the start of the Covid-19 pandemic, as the authors moved from classroom to online instruction. We argue that during the pandemic many students experienced the loss of equal access to higher education based on merit or capacity, a human right guaranteed by the Universal Declaration and the International Covenant on Economic, Social and Cultural Rights. In fact, students recognized how online education, at least in this specific context, may have exacerbated social and economic differences. This article provides the analysis of a small survey of our students’ perceptions of online learning in the middle of a global pandemic. Based on the authors’ observations and survey results, our article points to three salient factors that affected the quality and fairness of online education during the lockdown period: the absence of in-person, experienced human feedback to hone critical thinking; access (or lack thereof) to functioning technology; and compromised student attention. We highlight several lessons learned from this experience, and how a human rights framework may help both professors and students identify the...
conditions under which online learning is more likely to be successful and to guarantee equal access to higher education.

Keywords: digital divide; higher education; online learning; student survey

1. Introduction

SARS-CoV 2 (Covid-19) has had an unprecedented impact on access to education. According to UNESCO, in early April 2020, 1.5 billion learners were affected, representing more than 91 per cent of total enrolled learners worldwide (UNESCO 2020). Students, from kindergarten through to graduate school, were forced to shift rapidly to online Internet platforms or radio and television broadcasts to continue their education. In some cases, the transition was heartening, in others frustrating.

As university professors, we believe something was lost in the transition to distance learning. Article 26 of the Universal Declaration of Human Rights (UDHR) proclaims that ‘higher education shall be equally accessible to all on the basis of merit’, and yet not all students had equal access to education during the Covid-19 pandemic. The students enrolled in our course on ‘Human Rights and Digital Technology’ experienced a double phenomenon: primed to analyse the interface between human rights and technology, they immediately noted how the compulsory shift to online learning enhanced their right to the ‘highest attainable standard’ of physical health (by protecting them from the virus), while potentially compromising their right to an education. Through the lens of a human rights framework, this article will point to three salient factors that we and our students were able to identify as having a disproportionate impact on the quality and fairness of higher education during the large-scale migration to distance learning: the absence of in-person, experienced human feedback to hone critical thinking; access (or lack thereof) to functioning technology; and compromised student attention in a digital learning environment, a phenomenon we have analysed extensively in previous publications (Perry & Roda, 2017; Roda, 2011b).

Our analysis is supported by the results of an online survey we organized at the end of the Spring 2020 semester for university students. These students form a pertinent cohort in that they benefited from half a semester of classroom learning, only to be abruptly sent home for six weeks of online learning under lockdown. The survey demonstrates that respondents did not consider distance learning to be a substitute for the classroom experience. Instead, our results show that a substantial majority of students considered the virtual classroom a significant restriction of their learning experience and their right to access higher education on the basis of merit.

This article will contribute to a better understanding of human rights education practice by examining, first, why the positioning of digital technology within a human rights framework is extremely pertinent for those born into a world of ubiquitous technology, particularly when their educational experience migrates online, and, second, how these ‘digital natives’ perceive online education as affecting their human rights (Prensky 2001). We will do so by explaining the ‘Human Rights and Digital Technology’ course in which many of our survey respondents were enrolled, and then describing our survey and providing an analysis of the results. We will synthesize course and survey by highlighting several lessons learned from this experience, in particular how a human rights framework may help both professors and students identify the conditions under which online learning is more likely
to be successful in guaranteeing equal access to higher education. While we recognize that well-designed online learning might enhance educational access and guarantee the right to an education in certain circumstances, we are concerned that distance learning is far too dependent on non-technological factors, such as an individual’s attention span or socio-economic and cultural capital, considerations which may mitigate the promise of universal access to education and the enjoyment of scientific progress guaranteed by articles 13(2c) and 15(1b) of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

2. The course

We view teaching human rights as a form of activism which often requires embracing and harmonizing conflicting approaches and methodologies. On the one hand, there is the detached perspective and long-term analytical insights of academic research, while on the other the engaged loyalty to a human right cause and the need for immediate relevancy and direct language of activist action. All these tensions and dilemmas are vividly illustrated by Dudai (2019) in his analysis of the ‘state of the art’ of human rights practice studies.

We have experienced these tensions when team-teaching three versions of the ‘Human Rights and Digital Technology’ course, two at the American University of Paris and one at the Institut d’Etudes politiques (Sciences Po Paris). Our course explores the application of a human rights framework in the roll-out and use of digital technologies. It emphasizes that the existing body of international human rights treaty law requires a balancing of fundamental rights and freedoms, an exercise which, when applied to technology, encourages students to evaluate and prioritize the ways in which they might use the machines that surround us in a more ethical fashion (Perry & Roda, 2017: 1). The course stimulates students to explore the interdisciplinary links between law and science, incorporating twelve learning units which aim to provide a clear understanding of the significance and limitations of international human rights law with respect to technology. The first version of our course was created under the auspices of a European Commission FP7 grant to develop educational tools on privacy-by-design (Perry & Roda, 2014). Our students produced videos, info-graphs and digital brochures to increase public awareness of the European Union General Data Protection Regulation (European Union 2018), which entered into force in May 2018. In response to student feedback and rapidly evolving technology, when we had the opportunity to teach the course again, we expanded it to include a broader range of ethical issues, human rights protections and technology use.

Our revamped syllabus features a blended learning environment—a hybrid classroom space that allows students and teachers to use technology in creative and singular ways that privilege classroom discussion and feedback, while providing access to materials and expertise that are physically out of reach. Technology use is both subject and medium for this collective intellectual exercise. We argue that technology cannot replace the central role of in-class exchanges and feedback in developing a critical approach to human use of digital tools (Perry & Roda, 2017: 165). These exchanges are essential in constructing the propositional thought that enables students to effectively apply a human rights framework to the digital universe. And yet, in the second version of our course, taught in Spring 2019 a full year before the onset of the Covid-19 pandemic, our students gave us pause. We asked them to design a smart classroom which incorporated technology that respects and enhances human rights. Fifteen undergraduate and graduate students presented all manner of
smart classroom ideas, with learning facilitated by robots, online platforms and digital archives—but, over half of the proposals had not a single living professor in sight. Rights such as privacy, physical integrity, equal access to education, respect for the disabled, or a clean environment (Perry, 2015) were guaranteed by machines programmed to provide an optimal learning environment with little human oversight. The majority of students at the time considered online learning to be a series of interactive podcasts, an individualized menu of human-device interactions that relied on machines to improve their educational experience with teachers at best represented by their avatar. Student use of technology was strictly recreational, and they associated online learning with fun, freedom and creativity. Only once we asked them, in a classroom setting, about the utility of a professor, did our students consider the possibility that blended learning—a combination of experienced professors and digital machinery—might provide them with the sophisticated feedback necessary to formulate a perceptive analysis of the interaction between human rights and digital technology.

In the third version of the course, taught in Spring 2020, we expanded our discussion of artificial intelligence. We noted that our class of twenty-six students was initially unaware of the extent of machine learning and big-data system impacts on individual rights and freedoms. We asked this class to analyse the effects of two AI technologies of their choice used in a university setting. The technology examples explored by students ranged from facial recognition technology that verified classroom attendance to online tutoring via machine-learning bots. While students remained optimistic about technology use on university campuses, they demonstrated a growing awareness of the ways in which machines might overtly or insidiously trespass on their right to privacy, freedom of expression or association, and freedom from discrimination. The midterm exercise was handed in just before the Covid-19 lockdown in France. This is of particular importance with respect to the survey discussed below because students were theorizing about fundamental rights and freedoms with respect to technology in education when the university suddenly closed and they were forced to continue the course through distance learning. All at once, the use of technology became a preponderant aspect of their own education and the practice of online human rights protection became a reality.

Throughout the second half of the semester, taught exclusively online with synchronous meetings, we noted an evolution in our students’ and in our own relationship to technology. As students beamed in from Asia, India, Europe, North and South America, they expressed frustration with our virtual classroom. A generation of ‘digital natives’ was experiencing online living with no alternative. What had once been recreational was now obligatory. All twenty-six students indicated that they missed the interactive collegiality of the physical classroom. For those students unable to return home and living alone under lockdown, the virtual classroom became their lifeline to the outside world.

The digital experience also raised a host of pertinent human rights questions, ranging from privacy protection to equal access:

- What would happen to recordings of their participation in online classes or their Chat comments?
- How might a faulty online connection in Mumbai or Barcelona affect their ability to participate?
- How could students who were in the wrong time zone engage in additional online discussion sessions, rather than asynchronous learning?
Likewise, our own relationship to technology changed. As specialists in online privacy protections and human attention in digital environments, we were forced to use a learning platform that sold user data in the midst of the Covid crisis and whose layout proved less than optimal for garnering quality attention or encouraging lively discussion. Since we had decided, in agreement with the students, that all final projects would be presented live online, we planned supplementary sessions at odd hours to accommodate different time zones. Students were asked to develop the curriculum for a course that addressed human rights and technology from a multidisciplinary perspective (one that was different from our course), while also integrating the use of technology in support of learning. Final projects were organized in virtual teams of two. Students worked together to design a syllabus and one class lecture addressing the challenges and opportunities for human rights protection in the context of current digital technology development; the syllabus could join any two disciplines. The results were striking. Students explored journalism, security studies, civic activism or literary dystopia; several of the projects bore the mark of a confined world, characterized by a loss of personal liberty and a learning environment where much human interaction took place online. Student awareness of human rights challenges seemed amplified, as they reflected on the impact a global pandemic might have on higher education or democracy writ large.

3. The survey

The sudden shift to online learning in response to the Covid-19 pandemic seemed to offer the perfect occasion to ask students to compare their online and in-class learning because students had experienced the two types of learning within the same course and with the same professors. We ran a short survey for the students in all of our classes, including the ‘Human Rights and Digital Technology’ class, aimed at assessing certain aspects of their online and offline experience. Generalization of our findings is of course limited by the specific context of the study. The conditions under which the students who took our survey experienced in-class and online learning were extremely different: students were in a ‘normal’ situation while studying in the classroom, whereas most of them were in an uncomfortable situation when online (for example, locked down in their homes or studio apartments and under stress due to health concerns). Moreover, the courses taken by the students were originally designed to be taught in a classroom and were only brought online due to the Covid-19 emergency. Finally, most professors and students were unprepared and inappropriately equipped for online teaching and learning. We believe, however, that the results of our survey in this particular context help highlight important characteristics of in-class versus online learning. In particular, we were able to identify a significant number of advantages and disadvantages of online versus in-class learning with respect to human rights. It should be noted that the strength of student preferences for in-class learning may have been significantly affected by the specific context of the survey.

Respondents were asked to think about all of their classes when answering, rather than just the one(s) taken with us. Forty-eight students responded (thirty-four female), thirty-three of whom had spent the Spring 2020 semester at the American University of Paris (AUP) and fifteen at Sciences Po Paris. Twenty-two of the students at the DODBR and all of the DODBR students were visiting students enrolled at another university. All but seven
had graduated from high school more than two years ago. Forty-four of the forty-eight students were or had been recently confined to their homes during national or local lockdowns. Prior to March 2020, the majority of our respondents (60 per cent) had only experienced online learning in the form of online videos and/or podcasts for personal information, while the remaining 40 per cent declared they had some previous experience with online courses (either credit or no-credit). The survey was completed around the time of the last (online) class.

Technical problems represented a significant challenge for students’ online learning. 67 per cent of the respondents declared that their experience with online learning during the COVID-19 crisis had been hindered by technical problems. Technical problems affected both students who had declared they had taken online courses before (74 per cent) and those who had no previous experience (62 per cent). This is particularly significant with respect to the promise of universal access to education and the enjoyment of scientific progress guaranteed by articles 13(2c) and 15(1b) of the International Covenant on Economic, Social and Cultural Rights (ICESCR). The technical divide between students, determined by wealth and/or connectivity meant that students without an updated personal computer or high-speed Internet connection were unable to enjoy regular online classes, thereby compromising their rights under articles 13 and 15 of the ICESCR.

When asked to compare their online and in-class experience, 73 per cent of our respondents declared that they definitely had a more valuable learning experience in class, 92 per cent declared that they definitely or perhaps had a more valuable learning experience in class, none found that their learning experience was more valuable online and only 8 per cent stated that it was about the same. None of our respondents found that their thinking was more stimulated online; 85.5 per cent found that their thinking was stimulated more in-class, either definitely (56.3 per cent) or perhaps (29.2 per cent). Additionally, 83.3 per cent of the respondents indicated that they retained more knowledge when learning in class, either definitely (50 per cent) or perhaps (33.3 per cent). The majority of respondents also found that their professors were more effective in-class, either definitely (54.2 per cent) or perhaps (27.1 per cent). Only one student responded that professors were more effective online, while the remaining 16.7 per cent felt that the professors were similarly effective online and in-class. Overall, students found they had a better learning experience in class (85.4 per cent), whereas none indicated that the experience was better online and only 14.6 per cent thought that the on-line/in-class learning experiences were about the same. These results suggest that the rights to freedom of expression and assembly, guaranteed by articles 19 and 21 of the International Covenant on Civil and Political Rights (ICCPR), are affected by online learning. Under these same articles, national governments may suspend freedom of expression and assembly for the ‘protection of public health’, in this case protection from a global pandemic. Nevertheless, the connection between these fundamental freedoms and the right to an education based on merit was highlighted by the survey. Our teaching experience indicates that student learning is more stimulated in class due to the configuration of group learning, where cues such as intellectual excitement or risk-taking are easier to see and feel than when meeting on a virtual platform. Thus, student responses suggest that the virtualization of classroom freedom of expression and assembly may have weakened their practice of these rights.

When asked what they found more satisfactory about online learning, students mentioned not having to travel to school (nine), the comfort of being at home (eight), easier time management (seven) and having access to lecture recordings (three). Some students
(five) indicated that they did not find anything satisfactory about online learning. One of them commented: ‘Like most, I miss the in-class format. I am not sure what I find satisfactory about online learning but admittedly, it has gone smoother than I first expected’. Two students mentioned the importance of synchronous interaction; one commented: ‘When there is live class it is fine it can work almost as well as in person. But when it is just a bunch of readings and assignments without live interaction not many things are satisfactory’. Two students said that they enjoyed having a distraction from lockdown. Another two students found it easier to ask questions online; one of them wrote: ‘the ability ... to use chat functions to ask brief technical questions/troubleshooting in class. I think I found this easier online as I felt that it would help the whole of the class more and so I didn’t feel like I was asking a stupid question’. Other elements of satisfaction included the opportunity to learn how to use online technology for meetings, the ease in meeting one on one with the professor, the effectiveness of oral exams, facility in taking notes, and the ability to access classes from anywhere in the world.

One student explicitly mentioned in the open question about satisfactory aspects of online learning his/her ‘ability to do other things while listening to a lecture’. In fact, 71 per cent of our respondents indicated that they tend to multi-task more online than in-class. Multi-tasking, however, does not appear to have an effect on other preferences (for example, students who declare that they multi-task more online are just as likely to prefer in-class learning as those who declare that they multi-task more in class).

When asked what they found more satisfactory about in-class learning, students overwhelmingly mentioned socializing or interacting with peers (twenty-six), interacting with professors (twenty-five), and the feel of being part of a class or class atmosphere (twelve), all of which imply the spirit, if not the precise language of article 15 of the ICESCR regarding the right to take part in cultural life and enjoy the benefits of scientific progress. They also emphasized that it was easier to stay focused in class (fifteen). Other elements mentioned include greater motivation (five), being held accountable (three), the home/school boundary (two), the ease in asking questions (one) and the ease in taking notes (one).

One comment, however, emphasized the fact that in-class learning might be associated with a more normal situation for some students: ‘It forces me to start working at a definite point in the day. It forces me to get up in the morning when I have morning classes. It forces me to take a shower and shave. It forces me to engage with other people. It makes it much easier to help other people’. Overall, lockdown had a strong impact on lifestyle and, in particular, on the time spent online on non-course-related activities. While only 4 per cent of the students declared that they spent more than five hours a day online outside of courses and course work when not confined, the percentage jumped to 45 per cent during lockdown.

We expected social interaction to be a strong motivation for an in-class learning preference, hence we hypothesized that the informal environment just before and after class would be missed by many students as they moved online. This hypothesis was not supported by the survey results. When asked about the few minutes between the time they entered a classroom and when the lecture starts, only 39.6 per cent of the respondents indicated that they were more comfortable in class, with another 39.6 per cent saying that online and in-class were about the same and 20.8 per cent being more comfortable online. Similarly, for the time between when class is finished and when students leave the room, 39.6 per cent declared to be more comfortable in class, 29.2 per cent thought it was about the same, and 31.3 per cent declared to be more comfortable online. However, when asked
to compare their online and in-class experience, 93.8 per cent of the students declared that they found it definitely (79.2 per cent) or perhaps (14.6 per cent) easier to interact with peers in an in-class environment, and 72.9 per cent found it definitely (58.3 per cent) or perhaps (14.6 per cent) easier to interact with professors. These results together may indicate that better social interaction is strictly associated with the physical class environment (what several students called the class ‘atmosphere’), rather than just the opportunity of being together in a classroom space.

Our final survey question asked students to provide us with their written opinion: ‘If you had to advise students about online versus classroom learning, what would you say and why?’ The answers placed great emphasis on the need for discipline, excellent time management skills, and an appropriate space in the case of online learning: ‘Set a schedule for yourself and try to maintain a routine’, ‘Keep up with homework in the online system’, ‘Write down your homework in an agenda’, ‘It’s important to have a separate space to do the online learning’, ‘making a detailed plan’, ‘Try to set up a study/class area’, etc. Whether stated explicitly or not, these strategies seemed aimed at sustaining motivation and focus which many students felt significantly harder to maintain in the case of online learning: ‘You must be very, very disciplined to keep yourself motivated [online]’, ‘You are more focused and learn more in class’, ‘It’s hard to concentrate in online learning’, ‘You will lose the ability to focus in your home’, ‘Online courses were difficult to focus and keep motivated with’.

Although the majority of students explicitly stated their preference for in-class learning and gave reasons similar to those stated above (‘I don’t know why anyone would rather take a class online than in person’, ‘I would tell them to avoid online classes, if possible. It just seems impossible to fully translate the aspects of in classroom learning to an online platform’), some students did mention conditions (other than lockdown) under which online learning may be desirable: ‘take advantage [of] the time online classes give you to study’, ‘I would say if students are motivated and interested in the subject they are learning about, more introverted and enjoy working independently, and have access to strong Wi-Fi, a computer and a quiet place to work, online classes should not be a problem and might even be preferable’. Finally, one respondent pointed out that online classes must be specially designed to be run that way: ‘If a class is made or designed to be online, then it will probably work out. I was always successful in them. But when the classes are meant to be in-person and then changed to be online, it is much better in person’. The fact that, during the COVID-19 crisis, courses were not originally designed to be run online is an additional confounding factor for our study.

4. Our reflections

In this section, we will place our survey results in the broader context of the right to access higher education based on merit (UDHR) or capacity (ICESCR) and consider the conditions under which online learning is more likely to be successful and to guarantee equal access to higher education. The necessity of classroom feedback to hone critical thinking, the importance of functioning technology, and the quality of student attention in a learning environment are of critical importance in delivering on the promise of a university education.

Given our students’ embrace of everything digital, we were pleasantly surprised to discover that 73 per cent ‘definitely’ had a more valuable learning experience in the physical classroom, a figure that rises to 92 per cent if we include those who ‘perhaps’ had a more
valuable learning experience. If we take into account that none found their learning experience more valuable online, our survey indicates a strong student preference for classroom learning within the context of the Covid-19 situation. The designated classroom space provides a geographic locale for animated, interactive discussion where human intelligence and emotion are not limited to what can be shared on a distance learning platform (Perry & Roda 2017: 165). Scholar Richard Lanham points to the rich mixture of style and substance that forms the cornerstone of Western culture and argues that we ‘toggle’ back and forth between them; he insists that only ‘when style and substance come together does originality emerge’ (Lanham 2006: 254). Technology, he argues, makes the toggling easier, while also encouraging a continual reflection on the mode of communication: ‘It is along the fault line of expression where oral and literate ... continually rub up against one another that digital expression is now working’ (ibid.: 110). We would argue that, for students and teachers, the ability to toggle between the oral, literary, and virtual traditions is an essential skill. As professors, we encourage our students to compare the resonance of propositional thought in a seminar classroom versus an online setting. This intellectual richness is lost if learning is relegated to a purely virtual experience. Our survey respondents agreed: 85.5 per cent found that their thinking was more stimulated in-class where toggling between oral, literate and virtual could happen in a deliberate manner. Moreover, the unprecedented nature of the combined pandemic, lockdown and ensuing economic crisis would have been particularly suited to animated, interactive discussion in a designated classroom space.

These same factors may have had an impact on our survey results in ways we cannot measure. For example, student stress in a time of uncertainty may have triggered a sense of nostalgia for the familiarity of the classroom learning environment. Certain students were alone during lockdown, far from their families and unable to socialize in person. Others returned home to be with families with whom they had not lived for several years. Many students knew of classmates who became ill with Covid 19. Medical evidence suggests that pandemics, including COVID-19, are associated with an increased risk of mental disorders and poor mental wellbeing (Campion et al. 2020). Thus, while students’ physical health was protected through lockdown and online learning, it is increasingly clear that their mental health suffered (Son et al. 2020). As highlighted by Gready (2020), policymakers have been faced with numerous trade-offs and the human rights framework may provide precious guidance in making complex decisions with regard to COVID-related restrictions.

Our survey also indicates that 67 per cent of students had to contend with technical problems, regardless of whether they had experience with online learning or not. These were students who owned a laptop but did not necessarily have access to reliable Internet connection off campus or once they returned to their home countries. During the global lockdown, the situation was far more challenging in low-income countries, where only 22 per cent of students had access to a combination of online, TV and radio broadcast learning during the period of school and university closures, compared to 87 per cent in high income countries (Vegas 2020). In addition to the digital divide caused by lack of hardware infrastructure and product affordability, some students faced a digital capital divide during lockdown. In general, those who cannot keep pace with the pervasiveness of digital technology progressively become de-skilled, disempowered and less knowledgeable. The precipitous migration to distance learning in Spring 2020 only exacerbated this tendency. In France, up to 30 per cent of first year university students never connected to online courses after the closure of universities (Protais 2020). According to professional educators, they either
lacked an Internet connection at home or came from a social milieu that made it difficult to adjust to distance learning (ibid.).

Our survey suggests that some students who experienced technical difficulties still possessed the social capital to adapt to online learning. For certain respondents, distance learning was an opportunity to learn how to use online technology for meetings, to meet one on one with the professor, to take better notes, and to access class from anywhere in the world. More striking was the sudden jump in time spent online. 45 per cent of all respondents declared they were spending more than five hours a day online outside of courses and coursework on lockdown; only 4 per cent of respondents reported doing so before lockdown. This increase points to a further expansion of digital skills and virtual connections, widening the distinction between those who have the technology and social capital to perform online and those who do not.

Students also stressed the need for appropriate space. It is clear from their comments that students who had the luxury of a comfortable and quiet study space could also report easier time-management during the online experience, because they did not have to travel to school and avoided any interruption due to location changes. On the contrary, some of our respondents, who had to share a room with siblings, lived in a noisy neighbourhood, or had to interrupt their work frequently to attend to household chores, emphasized how time management was difficult when away from the classroom. Online learning, often touted as a way to democratize education, appears to exacerbate certain problems related to social or economic disparities, at least in the context of our survey. This is in line with other studies that have highlighted how the COVID-19 pandemic has exacerbated and exposed discriminations and inequalities (Akerkar 2020).

Finally, the question of student attention is of capital importance for learning. 71 per cent of our survey respondents indicated that they tend to multi-task more online than in-class; some even considered their increased ability to multi-task a positive aspect of distance learning. We have argued previously that in order to access our right to an education and to scientific progress, we must first be able to pay attention (Perry & Roda 2017: 166). Our ability to appropriately allocate attention determines the success of our interaction with the world, our creative activities, and our learning and collaboration. Information and communication technologies strain our attention in two ways. First, they disrupt well-established communication rules by providing a continuously growing amount of information and communication streams in a manner that is ill-suited for human processing. Second, not only has digital technology increased demands on our limited cognitive resources, but it also transmits a pressing encouragement or obligation to attend to the ever-growing amount of information provided immediately (Roda 2014, 2019a,b). Student multi-tasking is a response to attention stress. University professors need to recognize that the networked, fast paced, multitasked operational style of our students inflects the manner in which we teach and mentor them.

A student’s ability to reflect and engage in critical thinking while listening to a university lecture is a hallmark of higher education. If 71 per cent of our respondents indicated that they tend to multi-task more online as compared to in-class, this has serious consequences regarding the performance of learning tasks and the potential increase in stress levels (Roda & Thomas 2006). In previous work, we have analysed several attentional-breakdown situations due to digital environments (Roda 2011a) and asked whether some other advantage, not immediately apparent, justifies the fact that students do multi-task, notwithstanding its negative consequences. We have considered the possibility, for example, that multi-tasking,
by generating off-task interruptions, may induce divergent thinking and thereby support creativity. However, in one study conducted to probe this hypothesis, we noted this is not the case; in fact, interruptions hinder creativity (Roda et al. 2013). In another experiment, we focused on the social aspects of students’ multi-tasking and found that scaffolding the learning of young children through a digital attention support system results in more positive feelings towards their teachers and their collaborators, than the responses of those of pupils in the control group (Molenaar et al. 2012). This seems to indicate that, although multi-tasking is often related to the need to continuously connect with peers, it is also likely to hinder peer-collaboration in the classroom. As educators, the management of student attention, in the presence of digital devices, is a critical issue. Many university professors, including one of the authors of this article, strongly encourage notetaking with pen and paper (rather than laptops) and insist that mobile phones be turned off while students are in the classroom. These small efforts to enhance student concentration become a luxury in the online learning environment where professors struggle to get students to turn on their cameras and unmute their microphones, resigning themselves to the fact that only a limited number of faces appear on the screen at the same time. It is hardly surprising that students are keen for one-on-one online learning sessions that are closer to the classroom relationship, creating an interesting, but time-consuming model for individually curated education.

And yet, there are moments of grace with online education. The critical role it continues to play in the global health emergency is remarkable and the virtual classroom certainly protects the right to physical health for students, faculty and staff. Online education, however, does not guarantee equal access to education. In order to do so, digitized distance learning must be re-tooled to enhance attention and intellectual engagement, ensure access anywhere in the world, adapt to students’ diverse social and economic contexts and take into account that not all students have the required digital capital to master distance learning. Online learning must assume its place as a tool that accompanies, rather than replaces, the face-to-face learning we consider a cornerstone for the development of critical thinking in the university environment. Using a human rights framework can help professors identify the conditions under which online learning is more likely to be successful in guaranteeing equal access to higher education. A suitable technological infrastructure; well-established digital capital; access to appropriate, quiet study space for all students; and faculty re-tooling to better manage student attention appear to be the pre-conditions for the success of, and equal access to, education in the case of online learning.

5. Conclusion

It is essential that we embrace the virtual as one of the traditions that, together with the oral and the literate, shape the learning of our students. This requires a deliberate effort by students and teachers to understand the impact that this new ‘tradition’ has on learning. Such an impact comes in many dimensions that range from ways of thinking and paying attention, protection of human rights, creation of new collaborative avenues for students and teachers, and the many other aspects we will observe as we continue to shape the university of the future.

Our teaching experience and survey results suggest that the positioning of digital technology within a human rights framework is a remarkably practical tool, one that provided our students with the means to assess the quality of their online learning in real time. For professors, the human rights ‘yardstick’ allows for a more nuanced evaluation of
whether online learning enables or compromises our students’ right to access higher education based on merit; issues such as protecting student privacy, encouraging freedom of speech and assembly, permitting fair access to scientific progress, and developing a student’s sense of dignity have been critical factors in assessing our own delivery of online education. If teaching human rights may be considered a form of activism, then we must vigorously promote awareness of the impact of the digital environment on student learning and access to an education based on merit.

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