

Article

Teaching Human Rights: Toward a Kingdom of Ends

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Received: 19 February 2020; Accepted: 9 April 2020; Published: 13 April 2020



Abstract: The author argues that the current practices of human rights education produce anti-educational orthodoxies that result from a divorce between human rights and human rights education and human dignity, moral autonomy, and the right to justification.

Keywords: human rights education; human dignity; moral autonomy; anti-educational orthodoxies; the right to justification; culture; education

1. Introduction

Human rights have become one of the most referenced ideas in global mainstream politics and international law. The idea of human rights bears a kind of urgency and is a moral, ethical, and political force. However, politicians and average citizens use the word differently and for different ends. The concept of human rights gained momentum and currency after the end of the Second World War, leading some scholars to refer to the age we live in as the “Age of Rights, [since] no preceding century of human history has been privileged to witness such a range of rights enunciation as ours” [1] (p. 142).

The discourses of human rights (HR) and human rights education (HRE) lack the philosophical nuance that is related to the importance of contextualizing HR, and consequently HRE. This paper is a philosophical exercise that displays some of the issues related to the discourse. In this paper, my argument is centered on establishing a philosophical framework to advance the cause of HR and HRE by highlighting the cardinal importance of some concepts related to HR and HRE: dignity, moral autonomy, and the right to justification. My argument advocates for the inclusion of the right to justification as a prerequisite for any discussion related to the disciplines. Such inclusion is perceived to be fruitful to remedy the issues and challenges the discourses face, because it builds bridges of understanding between and across culture(s).

At the outset, I seek to display the current paradigm of HR as not conducive to the spirit and language of HR through its heavy reliance on HR conventions and declarations to disseminate knowledge on rights to the exclusion of other cultural concepts of relevance to rights from the grand narrative to include one narrative that is based on the experiences of few countries. As a result of the current HR paradigm, some anti-educational orthodoxies, inconsistent with the language of emancipation, emerged. These orthodoxies include heaven and hell binary opposition, the one-way traffic paradigm, and the abolitionist tradition. It becomes clear that there is a disconnection between human rights and human dignity and moral autonomy which I seek to highlight by explaining the fundamental relationship between these concepts and HR, and the imperative of utilizing the philosophical framework of the rights to justification, an overarching idea, to address some of the challenges and issues that HR and HRE face. It is beyond the scope of this paper to either develop a methodological framework for HRE, although a detailed discussion is offered elsewhere (Al-Daraweesh, F., Snauwaert, D. *Human Rights Education Beyond Universalism and Relativism: A Relational Hermeneutic for Global Justice*. Palgrave Macmillan: New York, NY, USA, 2015.), or to discuss the

differences or similarities between the moral inquiry and the ethical one. In this regard, I agree with Forst's proposition that "both perspectives are integrated into a person's comprehensive practical identity" [2] (p. 33).

Ever since the first enunciations of human rights, HRE has developed a pedagogy that relies heavily on human rights declarations and conventions [1]. HRE has been the conduit of universal human rights that sources its legitimacy from the Universal Declaration of Human Rights (UDHR). Consequently, HRE has been standardized as a channel to transmit the UDHR among other human rights instruments. The process of standardizing the content of HRE is implemented through a unilateral conceptual model that relies on the UDHR as a curriculum, pedagogy, and source for virtually all HRE educational tools and needs [1]. The instruments, which are the results of declarations on human rights exemplified in UDHR, serve as a tool to standardize the means and the end of the educational process in HRE. Standardizing the HRE content from the perspective of the UDHR has subsequently limited the role of HRE to carry out the consensus of declarations and statements, which have been charted by international and regional governmental agencies. Those instruments have provided HRE with the impetus and urgency for dissemination, but the obsession with standardizing the content of HRE has led the discussion on human rights and HRE to be dominated by one side.

2. HR and HRE Challenges

Another central point is the lack of plurality in the way the discourse is presented, understood, and interpreted. The discourse seems to present a totally Western experience in crafting and trying to enforce a list of freedoms. Other traditions are rarely mentioned, unless there is a human rights violation. This point mirrors Baxi's in that "the discourse of rights ought to be pluralistic, according to equal dignity of all traditions of the world" [1] (p. 151). Galtung attests that what is Western about human rights "is not the content of the norms but the construction itself . . . this construction is expressed in a discourse of rights and duties from above rather than human compassion" [3] (p. 12). The use of the UDHR as a tool for HRE attests to the lack of pluralism in the formation of the discourse itself, or in the educational process that results from such a formation. The *contributions* of different worldwide cultural traditions on the idea of human rights have been marginalized. This marginalization testifies to a misunderstanding of the idea of human rights whose justification rests heavily on the concept of human dignity. Thus, the ideas of HR and HRE have been presented as a product of the Western hemisphere with a gospel-like manuscript with 30 articles directed to rescue other cultures, countries, and nations from human rights violations. Consequently, that HRE draws its legitimacy, currency, curriculum, and pedagogy from the UDHR is problematic and anti-educational, since the process of education takes more than transferring content knowledge about the subject of human rights.

Consequently, certain issues have resulted from depending solely on declarations as the content of HRE. This point is explained in two parts: first, the current educational paradigm is/has been turned into anti-educational orthodoxies and, second, the current paradigm of HRE marginalizes cultural agency and moral autonomy. As a starting point, it is important to define HRE, which, according to the World Programme for Human Rights Education, is

Education, training and information aimed at building a universal culture of human rights. A comprehensive education in human rights not only provides knowledge about human rights and the mechanisms that protect them, but also imparts the skills needed to promote, defend and apply human rights in daily life. Human rights education fosters the attitudes and behaviours needed to uphold human rights for all members of society [4] (p. 3).

This definition of HRE is based on international and regional human rights instruments such as article 13(1) of the International Covenant on Economic, Social, and Cultural Rights; article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination; article 26(2) of the Universal Declaration of Human Rights; paragraphs 33 and 82 of the Vienna Declaration and

Program of Action; article 5(1) of the Convention Against Discrimination in Education; article 29 (1) of the Convention on the Rights of the Child; and The Dakar Framework of Action [4].

The development of HRE has depended heavily on political instruments formed under the United Nations. Freeman argues that “there are now approximately more than 200 human rights legal instruments” [5] (p. 36), which build on the UDHR. Moreover, the UDHR itself is “treated as quasi sacred text by its supporters and a clumsy piece of bad philosophy by its critics” [5] (p. 34). The UDHR and its derivative instruments have delimited the content of HRE to the point that educators perceive the UDHR as an essential resource in standardizing HRE despite the compromised integrity of its philosophical foundations.

The definitional structure of HRE has developed to accommodate the provisions and instruments that were formed diplomatically or politically. The declaration serves as the foundation for HR, and, consequently, HRE. In this sense, the role of HRE is pre-defined by its association with the UDHR. This is problematic: since HRE is interdependent, its potential and promise are limited. The process of standardizing HRE to deliver the content of the UDHR exacerbates the problems already challenging it. In addition to standardizing the curriculum and pedagogy to transfer knowledge about the UDHR, practitioners have begun to advocate for the standardization of the content of HRE exercises. In this obsession with standardization, it becomes evident that a disjunction exists between HR/HRE and their respective moral justifications and the moral autonomy of other cultures.

As currently articulated, HRE lacks the potential conceptual diversity in its pedagogical formulation of the concept of human rights. Lohrenscheit argues, “the declaration [UDHR] itself can be seen as a curriculum in 30 steps of paragraph” [6] (p. 175). Lohrenscheit maintains, “the overall goals of any human rights education are raising consciousness and promoting an active respect for human rights as formulated by the Universal Declaration of Human Rights” [6] (p. 175). However, Lohrenscheit’s efforts of mapping the way towards “the active respect” of human rights have fallen short. Lohrenscheit has not elaborated on the 30 steps curriculum, or at least provided a pedagogy of HRE across cultures. Claude has posed an argument similar to Lohrenscheit, claiming education “functions as an instrument which is used to facilitate integration” [7] (Example 3, *Overview*). In this sense, HRE functions as an instrument to disseminate knowledge about the UDHR. My contention here is that HRE has been conceived and practiced in terms of education as an instrument to disseminate political and diplomatic declarations. The standardization of the educational process exacerbates the challenges that already face HRE, since the focus is on standardizing the processes by citing the UDHR as the single most important document in education and standardizing the outcomes of learning by the cultivation of knowledge as responsive to the UDHR.

As a result of its standardization, the current HRE paradigm has promoted anti-educational orthodoxies, such as the heaven and hell binary, the one-way traffic paradigm, and the abolitionist paradigm [8]. In the heaven and hell binary, mainstream human rights discourse splits the world into two communities, “the one ‘hellish’ and the other ‘heavenly’”—the one respectful of human rights and the other violative [8] (p. 566). Such orthodoxies can be seen as anti-educational because “the existing human rights corpus, consisting of all the international treaties and instruments, is too often conceived as heavenly and infallible”; it ought not to be challenged, is incontrovertible, and asserts a Gospel-like final set of truths [8] (p. 566). In contrast, constitutive texts that provide experiential meanings of human rights exemplified in other cultural traditions, such as Confucianism, Hinduism, African traditions, and Islam, are rendered irrelevant in the process of applying this binary typology. Consequently, scholars in the field seem to recognize that violations of human rights only occur in the hellish domain. This heaven–hell binary has impeded to the cross-cultural embrace of human rights and has alienated students of HRE from the human rights message, thus detracting from the legitimacy for the human rights project [8]. Furthermore, the heaven–hell binary contributes to the notion of absolutism that “hinders the cross-fertilization of human rights ideas and thinking across the Western-Third World” [8] (p. 575). For this reason, HRE, which is supposed to cultivate universal human understanding, splits the world into an old colonial text of the “savage” and the “civilized.”

Under these circumstances, the current paradigm becomes “not suitable philosophical posture for any human rights project that hopes to gain widespread legitimacy among historically skeptical Third World mass populations” [8] (p. 574).

This binary sets the norms and the standards for what is perceived as the permanent and unalterable construction of heaven and hell. Similar to the norm construction of gender as discussed by Butler (For more information on the construction of binary opposition see Butler, J. *Gender Trouble: Feminism and the Subversion of Identity*. New York, NY, USA, 1990.), the binary is based on one’s cultural, social, religious, etc. positionality within a certain context in relation to other global cultural, social, and religious contexts. The process draws on one’s own objective understanding of HR in conjunction with politicizing the “other” as non-compliant with enforcing and protecting HR. Once these norms and standards are established, they are linked to a centric view and rhetoric about the self and the “other”. As the HR discourse is espoused to centric views, a new language of rights emerge that focuses on security, policing, and portraying “others” as passive objects of human rights violation.

Additionally, the human narrative flows exclusively from the heavenly to the hellish in what Okafor et al. have called the “one-way traffic paradigm” [8] (p. 575). HRE scholars have employed this paradigm either consciously or unconsciously to transmit human rights knowledge from the heavenly to hellish global realms based on the goodness of the text of human rights, designed in the heavenly domain and supposed to bring about an uplifting effect on the hellish ground whenever it is applied. This paradigm has blinded some scholars in the field toward human rights violations in Western cultures and has perpetuated the idea that violations occur abroad in the hellish domain. The incoherence of this paradigm is apparent since “there is no infallible human rights heaven and there are no absolutely fallible human rights hells [8] (p. 581). Instead, “there must be a two-way traffic on matters of human rights—real dialogues”, a more authentic step towards human rights consensus rather than a monologue in which the “western view is uncritically proselytized without benefiting from” [8] (p. 575) other views on human rights and HRE. A genuine dialogue based on equality and respect between and among peoples of both divides will foster an appropriate paradigm that is inclusive and conducive to HRE. Okafor et al. wonder,

How can a people feel the kind of sense on ‘ownership’ of a human rights movement if they have had no input regarding the validity of the basic philosophical foundations of the human rights corpus, or as to the relevance of the priorities of the movement to their own lived experience? [8] (p. 582)

For a human rights project to work, it is important to engage learners and communities of learners by giving them a sense of ownership over not only the learning process but also activism towards what they learned. In addition to ownership, a dialogue could contribute to the “beneficial modification or enlargement of the human rights ethos and corpus” [8] (p. 582).

Finally, the abolitionist paradigm seeks the “abolishment of local practices that contravene the dictates of international human rights law” [8] (p. 584). In this context, culture obstructs HRE and human rights. Rather than identifying, contextualizing, or understanding cultural practices and how they complement human rights, scholars, educators, and activists work to abolish them. For example, in this view, women’s rights do not exist in non-Western customs or local practices, and must be substituted by national legislation or the regime of international human rights from which most local cultures have been excluded [8] (p. 584). In this final paradigm, human rights are portrayed as diametrically opposed to culture and cultural practices. Thus, HRE needs to be de-contextualized, since scholars and educators view “local practice and culture, both historically and non-contextually, as monolithic, static, ossified and generally incapable of being transformed by the local population themselves” [8] (p. 585). This logic perpetuates the binary opposition and marginalizes human agency in different cultures.

It becomes clear that this logic embodies the essence of global injustice since it exhibits a power relationship between the powerful and the powerless as it plays into the hands of the powerful to

dominate power. In this example, the powerful display their power by their claim to morality that the “other” lacks, since it represents the power dynamic in the binary schema of “us” and the “other”. Therefore, the powerless becomes a perpetual recipient of the blame for lacking the moral capacity, which adversely affects their standing in this the power dynamic, and which they lack the ability to influence.

These anti-educational orthodoxies are a result of using one particular narrative of rights that is focused on declaration and convention. The issue is not the declarations or conventions, per se, but rather the way they are used as the only tool or source for HR and HRE. In addition, educators expect learners across the globe to mirror not only these rights but also the liberal cultures in which they originated.

3. Human Dignity

These paradigms result from a disconnection between the concepts of human rights and human dignity. Human dignity is the foundational pillar for human rights. The concept extends dignity to all humans, which is premised on the claim that humans are morally equal. Morally equality is the basic concept that informs justice, rights, human dignity, and freedom. Human dignity is premised upon moral equality. Kateb states that the concept means “the equal dignity of every person” [9] (p. 1). Moral equality requires equal treatment of citizens because of their membership to a specific moral community or to the bigger global community. The concept is based on the fundamental worth and sanctity of all citizens regardless of how a society or a certain political structure labels them. Human dignity is the minimal condition required for leading a life within a certain polity.

Marcus Düwell distinguishes five ideal-typical models of human dignity, while also acknowledging the difficulty in identifying a meaning for human dignity by reference to terminology alone. The one that is of great relevance to our discussion, here, explains the meaning of human dignity as

Respect for the dignity of the individual human being . . . human dignity should be seen as an expression that signifies a status which other human beings and political institutions have to respect. This respect can be interpreted primarily in a sense of moral obligations or . . . in the sense of individual rights that can be legally enforced. And since this respect is of immanent importance from a moral point of view, it can be seen as a reason to understand the entire legal and political state and international order as based on the respect for the dignity and rights of each individual human being. This concept of ‘human dignity’ . . . is universal: it signifies a status that cannot be lost, and thus may provide a foundation of rights [10] (p. 27).

My discussion of human dignity builds on such an understanding of the concept and contextualizes its application on Kant’s notion of human autonomy and Forst’s notion of the right to justification.

In an effort to account for the foundational concept of human dignity, Hill explains, based on Kant’s principles,

the idea of human dignity is also a basic standard for personal relations. Kant expresses the first principle of a system of ‘ethical’ principles for individuals as follows: ‘[A]ct in accordance with a maxim of ends that it can be a universal law for everyone to have. In accordance with this principle a human being is an end for himself as well as for others, and it is not enough that he is not authorized to use either himself or others merely as means (since he could still be indifferent to them); it is in itself his duty to make man as such his end [11] (p. 218).

The Kantian notion of dignity is embodied in a governing pattern of relations between individuals through which all are treated with the same ethical, or/and moral weight; each person is perceived as an end in himself/herself. This duty constitutes an imperative in the way that governs human relations. It is crystal clear—and based on my previous discussion of the challenges that face human rights—that human beings are not sought as an end in themselves. Rather, human beings are used as means to an

end, highlighted in terms of power relations that most often see human rights victims exhibited as an incessant helpless product of a human-rights-unfriendly environment whose experiences never cease to be compared to a centric view of the self and the rest of the world constituting an endless binary of the self and the other.

Moreover, Govert den Hartogh adds a point of great practical relevance to the concept of dignity and to our discussion here:

If human rights are ‘derived’ from human dignity, our first duty is to respect human dignity, and refraining from intruding on human rights is only a way of doing so, possibly one way among others. Hence, if the duty to respect human dignity and the duty to recognize a particular human right conflict with each other, the former duty, being the foundational one, wins out. Protecting human dignity is therefore normally a good reason for constraining the exercise of human rights [12] (p. 204).

As I explained earlier, when one examines the issues and problems that surround human rights, it is quite easy to discern the disconnection between the discourse and the current trends and paradigms of human rights. Such a conclusion is based on the issues and anti-educational orthodoxies that stifle the cause of human rights. Although the discourse presumably is to promote and disseminate human rights, in some cases—as exemplified in the heaven and hell binary, one-way traffic paradigm, and power relation manipulation of knowledge—it contributes to the violation of human dignity of those whose rights are violated in the formation of the narrative about rights, and its espoused attachment to a Eurocentric view of the world. Based on den Hartogh’s take on dignity, what must be highlighted is that dignity is a foundational concept to rights, in the absence of the former, it is problematic to discuss the latter. Moreover, in order to realize the latter, then our mission, intentions, and tools need to be consistent with the former, which is hardly the case given the track the discourse is leading.

The concept of human dignity encapsulates different views of the worth of humans. It is employed to elevate the level of a human’s worth to a higher level of worth conducive to flourishing and consistent with justice, rights, and peace. There are certain ascribed and prescribed conditions that ultimately could lead to human flourishing. These conditions constitute one’s own conception of the good life that one chooses to pursue over time. The choice is an integral part of a human’s moral autonomy. Respecting the moral autonomy of individuals is an essential part of human dignity.

There are many references to the concept of human dignity in international declarations and covenants. One of the first references to the concept is found in the preamble of the UDHR: “recognition of the inherent dignity and the equal and inalienable rights of all members of human family is the foundation of freedom, justice and peace in the world” [13]. Kateb claims, “it almost seems as if the idea of human dignity is axiomatic and therefore requires no theoretical defense” [9] (p. 1). The concept exists in all cultures across the globe, secular and religious, and Western and non-Western, with some differences and similarities.

The idea of human dignity is recognized and revered in most cultures around the globe. Such a worldwide recognition has two implications. First, this recognition can serve as a justification to cultivate an agreement, based on an overlapping consensus, on the enactment, preservation, and the actualization of human dignity. Second, the global embrace of the concept could enrich our understanding of our shared humanity. In *Learning to Abolish War*, Reardon and Cabezudo explain,

We believe that such culturally varied and community relevant forms of peace education not only better serve the learners, but greatly enrich the entire field of peace education, increasing the possibilities of its being introduced into all learning environments throughout the world . . . While we argue for the universal need for peace education, we do not advocate the universalization and standardization of approach and content. We believe that peace education in whatever forms it takes must be a fundamental part of the socialization process in which education plays a major role [14] (p. 17).

Employing different culture-related forms to human dignity and rights enriches the learning environment and experience. These forms are important because they have pedagogical, social, and democratic implications. They constitute a pedagogical approach to educate or teach for/about human dignity. In this case, educators utilize local (epistemic and ontological) contextual knowledge to transform power dynamics. Relevant forms, also, pertain to information about the social fabric related to the power dynamic that needs transformation (See Al-Daraweesh, F. (2019). Reardon's conception of human rights and human rights learning. In Dale Snauwaert (Ed.), *Exploring Betty A. Reardon's perspective on peace education: Looking Back, Looking Forward*. Heidelberg: Springer). Equally important, such recognition of other cultures globally is part of the democratic process(es).

Since the concept of human dignity is premised on the claims that humans are morally equal, their contribution and way of life ought to be considered equal. As such, different cultural contributions to human rights ought to be respected equally and considered in the grand narrative on human rights and HRE. Reardon and Cabezudo seem to be aware of the importance of employing different cultural forms in human rights and peace education across cultures [14]. This awareness is based on two factors. First, a liberal society does not adopt one particular substantive view about the ends of life or what constitutes it [14]. In this context, Reardon's refraining from a standardized procedure like the one manifested in current trends in HRE is mainly grounded in the liberal tradition that one pursues his/her own conception of the good. In this example, human dignity could be constitutive of human good, or it could be a human good itself. Based on Reardon's approach, human needs are addressed through a local approach and content which is consistent with the notion of dignity in liberal traditions. The second factor that is related to Reardon's refrainment from approach and content standardization as it relates to peace education is clearly stated by Reardon who argues that "the commitment to human dignity that is the essence of nonviolence inspires the struggle for human rights as the basis for overcoming the many forms of violence that impede a viable, just peace. This commitment requires consistency between means and ends" [15] (p. 9). Reardon believes that the ends should be consistent with the means. If we, as educators, aim to teach about democracy, then we ought to follow an approach that is consistent with the content of democracy. If our end is human dignity, then our approach ought to be consistent with the content of human dignity, paying special attention to autonomy which is an integral part of the concept of dignity. In this example of utilizing relevant cultural forms to teach for peace and human dignity, teachers are ensuring a consistency between ends and means.

4. Moral Autonomy

Moral autonomy is also an integral part of the concept of dignity. It is a constitutive element of dignity and an indicator of its presence in the form of recognizing others' capacities to rationally and reasonably govern themselves by their own moral principles. Hill elaborates, "Kantian rational autonomy, rather, is the general capacity and disposition to govern oneself by rational and reasonable principles that are justifiable to all insofar as they take up a common point of view in which everyone counts as an equal co-legislator of specific moral principles" [11] (p. 218). This notion is based on Kantian philosophy—people are treated as an end in themselves. Ernst Tugendhat explains that a "morality of universal respect represents the only credible concept of morality" [2] (p. 43). Moral autonomy in this context depends on the acceptance of responsibility as a human being to other human beings as subjects with reason, fulfilling the corresponding duties that emerge from accepting such a responsibility [2]. In teaching human rights, it is important to refrain from building human rights knowledge upon the achievement of one culture, country, or nation. Instead, learners ought to capitalize on all forms of contextual knowledge that are related to human rights. This gives learners the impetus not only to learn about them but also to be committed to these rights and to transform realities that are inconsistent with them using local contextual tools. In addition, the contextual knowledge justifies reasons for actions that are consistent with the moral autonomy of learners. Forst claims that in a moral community, individuals

regard each other as beings, endowed with reason, insofar as they credit one another with being able to give and receive, or reasonably refuse, justifying reasons for actions; as 'autonomous' beings insofar as it is their own reasons that are required in the 'game of giving and asking for reasons' and insofar as a person is self-determined enough to not experience their actions as casually determined [2] (p. 38).

The idea of moral autonomy is reciprocal and binding to all involved in the moral community. Individuals are perceived to be moral persons located in a "kingdom of ends", perceiving each other as equal, free, and responsible members. This constitutes the core concept of moral autonomy as well as human dignity, and consequently leads to the creation of kingdoms where the ends are the humans themselves.

5. The Right to Justification

One of the foundational pillars to a "kingdom of ends" is a consideration of Forst's proposal of the right to justification. In the following lines, I seek to provide some answers to the following questions: what is the right to justification? How is it central to a reorientation of human rights understanding? How does it operate within the discourse of human rights and human rights education? How is it related to the Kantian imperative of treating others as ends?

In his influential book, Forst explains that human beings are reasons giving beings, since reason is one of the fundamental capacities to differentiate rights, and wrongs, as such reasons need to be substantiated by a contextual justifying ground. Forst adds,

The grounds created by reasons must therefore be shared, common basis for justified, well-founded thought and action. "Standing their ground" means that the things being justified can withstand challenges and relevant criticism, and that the respective reasons thereby become common property: reasons may refer to very specific beliefs and action, but as reasons they are in principle publically accessible [2] (p. 14).

Forst emphasizes the importance of reason in differentiating the right and wrong, and the importance of a contextual understanding, based on shared thoughts and actions, that determines what is rights and what is wrong. This shared, collective, publicly accessible, and justified understanding constitutes reason. Reason is an integral part of the right to justification that is premised on the notion that a human being is a social and a political being who is endowed with reason. As such, human practices are bound up with justification based on their thoughts and actions. We as humans give, receive, and demand reasons as a justification for our actions [2]. Thus, the right to justification, based on Forst's proposal

not only demands reasons for why someone has or does not have certain rights or goods, but first and foremost asks how it is determined who has a claim on what and how the participants, understood democratically in their dual role as authors and addressees of justification, stand in relation to one another [2] (p. 1–2).

Hence, reason plays a role in providing the contextual logic for claims in a manner that is understood by individuals within a polity. Thus, individuals reflect reasonably as authors and addressees based on a shared understanding of the justification of thoughts and actions. The idea of reason and the right to justification is based on the premise that individuals are free and autonomous beings that are capable of self-determination, have the ability to provide justifying reasons, and recognize other individuals' ability to do the same.

The premise of the right to justification acknowledges the plurality of moral resources in providing reasons for what is contextually perceived as right or wrong, and consequently justification not only for justice, but also for human rights. Forst adds that there is no Esperanto to the right to justification; rather, such a right is a context-sensitive form that provides reasons behind actions and thoughts [16].

Forst believes that moral worlds are universes of discourses that cannot be reduced to one language, yet, in essence, these discourses contain universal principles in particular forms [16].

The right to justification approach could be significant in advancing the cause of human rights and human rights education. As explained earlier, the current paradigm of human rights manifests itself, core content, and enforcement to the global south as arbitrary rules. This arbitrariness stems from the fact that the discourse needs to be substantiated building on local justification. Unless local knowledge and justification are utilized to substantiate human rights, the discourse stands in isolation from the culture affected by it. Consequently, it cannot stand its ground because it lacks substance. In addition, such a paradigm is in violation of the basic right because, as explained by Forst,

The right not to be subjected to laws, structures, or institutions that are ‘groundless,’ that is, that are regarded as an expression of power or rule without sufficient legitimation. The demand for justice is an emancipatory demand, which is described with terms like fairness, reciprocity, symmetry, equality, or balance; putting it reflexively, its basis is the claim to be respected as an agent of justification, that is, in one’s dignity as being who can ask for and give justification. The victim of injustice is not primarily the person who lacks certain goods, but the one who does not ‘count’ in the production and distribution of good [2] (p. 2).

If the right to justification is curtailed, then human rights dissemination becomes subjugation to laws, structure, and institutions exemplified in the power dynamic illustrated earlier—let alone the fact that such a power dynamic is a display of global injustice that is characterized by the exclusion of certain entities in the production of human rights as exhibited in the grand narrative of the discourse. Moreover, the language of rights is the language of social emancipation and freedom. This entails “whoever speaks this language does not rely on unjustifiable authority, rather on an idea of mutuality that cannot simply be regarded- as some believe- as a hallmark of western culture” [16] (p. 212). On one hand, the rhetoric of human rights established by the anti-educational orthodoxies defeats the purpose ascribed to human rights: emancipation, freedom, and justice. It rather creates a divide, doubt, uncertainty, and mistrust on both sides of the spectrum. On the other hand, Forst’s proposal is based on establishing belief in and trust for others in a similar fashion that one claims for herself/himself and immediate community. In this context, morality needs to be expressed in a manner that acknowledges the moral agency and creative powers of others by grounding human rights on the recognition the moral autonomy of different cultures, nations, peoples, etc. and trusting in them the moral capacity to substantiate a culture of human rights based on reasons. Thus, human beings are valued, respected, and honored by having the right to justify their actions and thoughts reasonably as “author and addressees of validity claims” [2] (p. 43).

Unfortunately, current HRE trends lack a consideration of the concept of moral autonomy when it comes to human rights. Less emphasis and attention have been placed on an integral part of the concept of human dignity: moral autonomy. Instead, learners are presented with pre-made content with no contribution from the learner or the receiver. Thus, it is safe to conclude that current HRE trends are less attentive to the ideas of human dignity, moral autonomy, and the right to justified claims of rights based on a contextual understanding of the concept.

The intersubjective contextual norms of rights, or what Habermas refers to as the ethnocentric views, are important in enabling the discourse to gain mass cultural legitimization [17].

The ethnocentric views on human rights are an important component in HRE. Habermas maintains, “In moral discourse the ethnocentric perspective of a particular collectivity expands into the comprehensive perspective or an unlimited communication community, all of whose members put themselves in each individual’s situation, worldview, and self-understanding, and together practice an ideal role-taking.” [17] (p. 162)

Habermas enumerates four advantages to a border-crossing approach: (1) expansion of one’s understanding of one’s self and the other; (2) the formation of an “unlimited communication community” [17] (p. 162) that fosters communication based on shared understanding within one

culture and across cultures; (3) the narrowing of the gaps between cultures and nations and the creation of bridges based on empathy; and (4) the promotion of “role-taking” in which each culture or tradition expands its understanding, and accordingly, takes the role necessary to educate for human rights [17]. Habermas maintains that “highly contextualistic interpretations of the situation come to the fore which depend on the different self-understandings of the world views of the actual participants” [17] (p. 162). Applying this approach to HRE adds authenticity to education, as well as to human rights. Thus, HRE becomes “a sensitive, non-coercive, and coordination of different interpretive perspectives” [17] (p. 229). It is only with a methodological approach that prioritizes dialogue that an authentic universality and generalizations on rights can be recognized.

6. Concluding Remarks

It is unmistakable that current HRE displays problematic trends and paradigms. The foundational philosophical problem is centered on the disconnection between human rights and human dignity manifested in the moral autonomy and the right to valid justification for human rights. Consequently, these issues are transferred to HRE as anti-educational orthodoxies. The discipline, which is supposed to bring about the universality of a shared common human experience, has been dedicated to accentuate the differences in human experience. Based on my diagnosis of the issues that are ascribed to the HR discourse, a reorientation to our understanding of the discourse based on Forst’s right to justification becomes an imperative remedy. This imperative is based on the recognition of the other reciprocally as members of the moral community of justification that treats all human beings with dignity, i.e., as autonomous and responsible beings endowed with reason. The right to justification constitutes a solid theoretical framework to rethink the rhetoric and the practice of human rights, since both approaches are premised on the reciprocal recognition of the other as an autonomous being, whose participation in the moral deliberation is an integral part of justice.

What emerges from the elements of the theoretical framework proposed here is a conception of human rights that is interculturally non-rejectable, reasonable, universally valid, and applicable even in extreme particular cases. This framework could transcend the issues and challenges the discourse faces, since the procedure and theory are based on respect, treating people with dignity, and recognizing their moral autonomous power as partners in the process of enforcing and preserving human rights. Thus, individuals, cultures, nations, etc. are recognized as representatives of the moral authority of humanity using their shared reasons to act towards justice and human rights. Hence, human beings are recognized and treated as an end in themselves, not as means towards other ends.

Funding: This research received no external funding.

Conflicts of Interest: The author declares no conflict of interest.

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