

# Rebecca Adami

## Paideia and Cosmopolitan Education: On Subjectification, Politics and Justice

### Abstract

Can human rights in education be read as not empty words but as a critical framework in order to enhance students and teachers capacity to reimagine their local community and to rethink the rules and laws that support such a social community? This paper examines constraints with human rights in cosmopolitan education, drawing on the work of Hannah Arendt, Cornelius Castoriadis and Adriana Cavarero. By placing learning at the center of political community, as Castoriadis through the notion of *paideia*, the aims of such an education become a focal point in discussing the tensions between local and global ethical concerns. According to Castoriadis, society exists only insofar as it is embodied in its social individuals. Society and its individuals are in a constant process toward relational autonomy that implies a moral self-limitation. At the core of this inquiry into moral subjectification is the need to re-think human rights and the pedagogical subject in relational terms that imply self-limitation and political engagement in social community.

### Keywords

Human rights, education, justice, Cornelius Castoriadis

## Introduction

The tensions between global and local concerns are actualized in justice education. A premise in this paper is that political subjectification is both moral and relational.<sup>1</sup> How learners are to develop a sense of responsibility in a world of difference has been explored both from a nationalistic terminology in patriotic education<sup>1</sup> and citizenship education<sup>2</sup> as well

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1 Martha Nussbaum, "Patriotism and Cosmopolitanism," In *For Love of Country*, ed. Joshua Cohen (Boston: Beacon Press, 1996). Martha Nussbaum, "Toward a Globally Sensitive Patriotism," *Daedalus* 137 (2008), doi: 10.1162/daed.2008.137.3.78. Marianna Papastephanou, "Cosmopolitanism Discarded: Martha Nussbaum's Patriotic Education and the Inward-Outward Distinction," *Ethics and Education* 8 (2013). Claudia Schumann, "Which Love of Country? Tensions, Questions, and Contexts for Cosmopolitanism and Patriotism in Education," presented at the *Philosophy of Education Society of Great Britain PESGB*, New College, Oxford, March 26, 2015.

2 Cf. James A. Banks, "Citizenship Education and Diversity Implications for Teacher Education," *Journal of Teacher Education* 52, no. 1 (January 1, 2001): 5-16; Fred M. Newmann, "Citizenship Education in the United States: A Statement of Needs," May 1987.

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as from a universalistic terminology in cosmopolitan education<sup>3</sup> and human rights education.<sup>4</sup> The division between patriotic<sup>5</sup> and cosmopolitan<sup>6</sup> explorations on justice education sheds light on a presumed dichotomy between national/global belonging and rights. I have elsewhere<sup>7</sup> argued that we need to move beyond this dichotomy as politics is not confined to spaces determined by a local/global terminology and human rights as universal principles can be voiced through local concerns.

There is a theoretical vantage point of developing the term of critical cosmopolitanism as it is situated between the ‘tensions within modernity’,<sup>8</sup> between universalism and globalization on the one hand, and particularism and plurality on the other hand.<sup>9</sup> A critical cosmopolitanism is meant to ‘pick out those processes which might not equally well be discussed under the heading of globalization’.<sup>10</sup> But there is still the need to explore how interactions between universalistic, idealizing aspirations and particularist commitments can be understood in education.

Questions dealing with social justice in education today have given way to time-consuming measurement of effectiveness stirred in contemporary educational discourses on neoliberalism. The notion of the learning subject as an autonomous individual, responsible for her/his own learning is being continuously articulated through educational policies such as the *No Child Left Behind Act*. This policy focuses on improving ‘individual outcome’ in education through standard testing and suggests that learning is a sovereign endeavor. Responsibility is thus seen as individual, not relational. Frank Margonis<sup>11</sup> raises a post-colonial critique against such individualistic views of responsibility in education, arguing that when students are expelled from school, as a punishment for not taking responsibility for ‘their learning’, something more fundamental is at stake than merely proving a moral point.<sup>12</sup> The relational dynamics of responsibility, of acting ethical in pedagogical relations, loses its

3 Cf. David T. Hansen, *Exploring the Moral Heart of Teaching* (New York & London: Teachers College Press, 2001); Casey E. George-Jackson, “The Cosmopolitan University: The Medium toward Global Citizenship and Justice.” *Policy Futures in Education* 8, no. 2 (2010).

4 George J. Andreopoulos and Richard Pierre Claude, *Human Rights Education for the Twenty-First Century*, (Philadelphia, Pa.: University of Pennsylvania Press, 1997); Cornelia Roux, *Safe Spaces Human Rights Education in Diverse Contexts*, (Rotterdam; Boston: Sense, 2012).

5 Nussbaum, “Toward a Globally Sensitive Patriotism.”

6 Marianna Papastephanou, “Cosmopolitanism Discarded: Martha Nussbaum’s Patriotic Education and the Inward-Outward Distinction,” *Ethics and Education* 8, no. 2 (2013).

7 Rebecca Adami, “Human Rights For More Than One Voice: Re-Thinking Political Space Beyond the Local/Global Divide,” *Ethics & Global Politics* 7, no. 4 (2014): 163-80.

8 G. Delanty “The Cosmopolitan Imagination: Critical Cosmopolitanism and Social Theory,” *The British Journal of Sociology* 57, no. 1 (2006): 8.

9 Claudia Schumann and Rebecca Adami, “Towards a Critical Cosmopolitanism in Human Rights Learning: The Vienna Conference in 1993,” In ed. Marianna Papastephanou, Torill Strand and Anne Pirrie, *Philosophy as Lived Experience. Navigating through Dichotomies of Thought and Action*, (Berlin: VDM Verlag, 2014).

10 *Ibid.*, 274.

11 Frank Margonis in a talk at Teachers College, Program for Philosophy of Education Colloquium, Sep 2014, ‘Holding Students Responsible (and the Resulting Relational Pathologies)’, at Columbia University, New York.

12 *ibid.*

validity when learners are left outside the notion of belonging. As Gert Biesta<sup>13</sup> notes, learning should be seen primarily as a relational activity in a given social environment, through communication with others. What a notion of the learning subject as relational, drawing on John Dewey's notion of learning as communication implies, is an understanding that learning does not take place in a social vacuum, rather the ethics in pedagogical relations and the commitment to the social community play primary roles in learning with others. David Hansen<sup>14</sup> amongst others has stressed the importance of understanding how teachers and students create relations that exceed the classroom, encompassing their social and political community in which education is not seen as isolated from one's lived reality but becomes a way of life.

Drawing on this earlier research I articulate a notion of a relational learning on human rights and I will focus in the following more on the political dimensions. The problem with human rights learning is that there is a general lack of looking at its connection to the local politics and social community in which it is discussed. Human rights are generally discussed in relation to others, who are in need of rights, as a kind of charity, but this learning, I will argue, needs to take place *with* those who have no rights, and/or as enhancing pedagogical relations through critical and creative communication on the legislative and political community in which learners are situated.

## The Pedagogical Subject as Relational

Education and learning is at the center of the notion of human rights. There were two aims with the Universal Declaration on Human Rights (UDHR), the explicit aim was for everyone to learn their human rights in relation to its implicit aim, for everyone to claim human rights legally within a political community. The knowledge about human rights when acted upon can thus turn the articles of a declaration into actual legal and political entitlements but this requires adequate legal and political institutions in society – available to all. The realization of human rights is hindered by a lack of such institutions and hindered as well by people violating each others rights. Human rights is hence a web of conflicting claims and can be fully realized only (and this is an utopia) when individuals respect others rights as their own. If learning about human rights is an acknowledgement of its relational dimensions, as acted knowledge, then we can visualize this learning process as one that is in constant relation to others. There are different degrees of dependence in how we read the notion relationality. Thinkers who draw on Emmanuel Levinas tend to understand human dependence as almost being determined by others; that others actions are inflicted upon

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13 Gert Biesta, "Of All Affairs, Communication Is the Most Wonderful: The Communicative Turn in Dewey's Democracy and Education," In ed. David T. Hansen, *John Dewey and Our Educational Prospect*, 23-38, (New York: State University of New York Press, 2006).

14 Hansen, *Exploring the Moral Heart of Teaching*.

oneself. Sharon Todd<sup>15</sup> for one has conceptualized learning *from* the other as this relational dependency, where the subject is called by the other's presence to listen.

I want to differentiate here between being relationally dependent and relationally determined by others, where I lean against the former notion in this paper. For example, one is dependent on others to communicate, but others do not determine how one chooses to respond to difference and agonistic standpoints. One is dependent on others for the realization of human rights; there is a dependency between the individual in relation to her/his community in which political, social, economic and cultural rights can flourish. Human rights are per definition a notion that concerns and sets limits for human relations, and relations between the individual and her/his society. However, one is not determined by the rules and laws given in a society or by the discriminatory practices between human beings, for an individual can initiate a thought, an imagination, an act, which is dissonant in a community, and this staging of dissensus can create a web of unforeseen relations and politics. As with the civil rights movement, overruling and questioning the '*status quo*' was initiated through speech and acts that went against the human-created-laws that individuals were supposed to be 'determined by'.

Both Hannah Arendt<sup>16</sup> and Adriana Cavarero<sup>17</sup> argue that it is in relation to others that politics is created, we get a glimpse of ourselves through our actions and words, which are relational, hence we are dependent on others for acknowledging our uniqueness, as distinct in relation to others. According to Cavarero,<sup>18</sup> the self is totally external and relational. I follow Cavarero<sup>19</sup> to the point of understanding uniqueness as distinct in relation to others, although her radical view of the self as totally external I see only if reading Cavarero as expressing here what is exposed to the self and others through narration (as narration is external).<sup>20</sup> Hence, what we can know of our self is external, but this does not take away the possibility that there is more, unseen, unspoken, inside. Arendt<sup>21</sup> and Cavarero<sup>22</sup> are interested in the external, in the relational dynamics of narration, since it bears the potential of having political significance.

The concept of 'uniqueness' according to Arendt, is ontologically coupled with plurality. Human beings make up a plurality in the world and through our words and deeds (which are relationally shared and given their political meaning) we expose our uniqueness in relation to others. We voice, not our particularity, but our uniqueness in relation to others,

15 Sharon Todd, *Learning from the Other: Levinas, Psychoanalysis, and Ethical Possibilities in Education*. (Albany: State University of New York Press, 2003).

16 Hannah Arendt, *Men in Dark Times*, (New York: Paperback, 1968); Hannah Arendt *The Human Condition* (Chicago: University of Chicago Press, 1958).

17 Adriana Cavarero, *Relating Narratives: Storytelling and Selfhood*, (New York: Routledge, 2000).

18 Cavarero, *Relating Narratives*.

19 Cavarero, *Relating Narratives*.

20 See further Rebecca Adami, *Human Rights Learning: The Significance of Narratives, Relationality and Uniqueness*. (Stockholm: Stockholm University Press, 2014).

21 Arendt, *Men in Dark Times*.

22 Cavarero, *Relating Narratives*.

in the plurality that human beings create in inhabiting the world. By this, the notion of uniqueness in relation to learning does not mean that learning is a solitary process that only involves the 'learning subject' who is sovereign as a rational individual. Rather, uniqueness indicates here that we learn *about* ourselves, and others *only* in concrete relations, between 'you' and 'me', seen as a process of becoming.

Drawing on this notion of relationality, that Arendt and Cavarero sees as an ontological condition for uniqueness and for acting and speaking in the world, we can conceptualize learning as a constant process of becoming, in relation to others. This shifts the focus, as Biesta<sup>23</sup> also argues in his reading of education as communication, to relations in education (the hidden curriculum) that concern the ethics and moral dimension of human interactions, both between individuals, and between the individual and her/his political community.

In order to explore this relational dimension as in relation to the political community and the transformative potential that education has when seen as central to political participation in community, I turn to Cornelius Castoriadis<sup>24</sup> and his notion of *paideia*. Following Castoriadis we find a conceptualization of the pedagogical subject as a relational project, who is in a constant movement towards freeing her/his capacity of doing and acting in the world together with others.<sup>25</sup> Castoriadis talks about pedagogy or *paideia*, which is aimed at subjectivity. Castoriadis argues that the most human quality is our ability for radical imagination, an imagination that has the ability to create something new. The pedagogical subject, drawing on Castoriadis, is a project; a process aimed at a certain autonomy, which for Castoriadis is always *both* individual and collective, as a coming into self-reflexivity. Castoriadis use the term 'social individual' to denote individual as reading 'sovereign and autonomous' but rather as in social community. Autonomy is hence created in relations with others, on a level of social community and according to Castoriadis this autonomy implies self-limitation.

## Re-claiming Politics as Relational Subjectification

The notion of politics that I am sketching out here in relation to human rights is broader than the general view of the political, concerning party politics, national politics and administrative governmental institutions in representative political systems. Both Arendt and Castoriadis are very inspired by the Greek *polis* in their understandings of politics. *What* makes up this public space and *how* do peoples actions and deeds receive their political significance in such a space? Both Arendt<sup>26</sup> and Castoriadis<sup>27</sup> center human relations at the

23 Biesta, "The Communicative Turn in Dewey's Democracy and Education."

24 Cornelius Castoriadis and David Ames Curtis, *World in Fragments: Writings on Politics, Society, Psychoanalysis, and the Imagination*. (Stanford, Calif.: Stanford University Press, 1997).

25 Castoriadis and Curtis, *World in Fragments*.

26 Hannah Arendt, *The Promise of Politics*, (New York: Schocken Books, 2005).

27 Cornelius Castoriadis, *Philosophy, Politics, Autonomy*, (New York: Oxford University Press, 1991).

core of politics. Arendt sees politics as occurring when others receive words and actions that create a web of relations through reactions. Castoriadis, on the other hand, stresses the capacity of the human imagination in creating and recreating the society and the laws in our social communities. For Arendt,<sup>28</sup> the human being becomes distinct in relation to others when she speaks and acts in the world, it is only through our deeds that we get a glimpse of *who* we are on a public arena. For Castoriadis, politics is a process of subjectification, where he does not want to draw a distinct line between the social individual and society, since these constitute each other. In a sense, Arendt is as radical on this point, stating that the premise for politics is the ontological condition of plurality in the world.<sup>29</sup> We speak and act in a world with others, who are different.

The notion of politics that Arendt and Castoriadis offer in my reading is a radical reclaiming of the relational condition of politics, where human relations, words and deeds on a public arena are crucial, and where the political institutions of representative 'democracy' has little to do with politics in its 'true' sense. Politics, in this radical view, concerns everyone, and demands of everyone to care about our common world and to critically question the legal and political institutions of society, in order to create and recreate our political reality. Living in community with others is a condition for the possibility of acting political. Without a proper polis, a social community in which everyone has a moral obligation to speak their mind, there is no politics.

Instead of talking about a 'political subject' or defining politics as a certain set of 'acts' and 'formal processes', Arendt,<sup>30</sup> Castoriadis<sup>31</sup> and Cavarero<sup>32</sup> base politics on the condition of plurality and relationality. Hence, we cannot talk of a political subject who is a 'sovereign' individual who is 'political' or of a national system that is 'democratic', but we need to acknowledge the social individual as dependent on others to create politics, and to acknowledge our deeds and actions as reciprocal, created in relations and dependent on the responses they provoke in others. Castoriadis criticizes the understanding that there can be 'experts' in democracy or that 'representative democracy' is actually democratic. Following this line of thought, politics is nothing one can leave to the hand of 'politicians', but politics is created in the hands of people, acting together for change.

If human beings are dependent on others in this notion of politics and if there cannot be a clear line between individuals and society, then the *polis*, the political community in which peoples deeds and actions are counted as political, becomes crucial for understanding the radicality of politics.

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28 Hannah Arendt, *Rahel Varnhagen, the Life of a Jewess*, (Baltimore and London: The John Hopkins University Press, 1997); Lisa Jane Disch, *Hannah Arendt and the Limits of Philosophy: With a New Preface*, Cornell Paperbacks. (Ithaca, N.Y.: Cornell University Press, 1996).

29 Arendt, *The Human Condition*.

30 Ibid.

31 Castoriadis, *Philosophy, Politics, Autonomy*.

32 Cavarero, *Relating Narratives*.

The notion of a *polis* is simultaneously a questioning of the political borders and even legal spaces that we are used to. The nation state as the natural space in which politics takes place and in which human beings are seen as equal before the law as citizens hence no longer becomes the natural way of conceptualizing political territory and space<sup>33</sup>. The political community, the *polis*, is not the same as a state. Both Arendt<sup>34</sup> and Castoriadis<sup>35</sup> spend time in their respective works on differentiating their notion of the *polis* and a notion of the state. At the center of this political space is communication, of acting and speaking in relation to others. The *ethos* of such a community, as Castoriadis argues, is developed through an ongoing process of moral subjectification through the notion of *paideia*.

### ***Paideia* at the Core of Political Community**

Castoriadis places not rationality but creative imagination as the 'core component of nontrivial thinking'.<sup>36</sup> His view of the social individuals' capacity for imagining and reimagining society and its laws is central for how he perceives *paideia* as at the core of political community. The aim of political community is to reach autonomy, but this autonomy is relational and it implies self-limitation. Castoriadis draws up a notion of freedom as autonomy, but he is more interested in how this freedom is used by the individuals in society, than freedom per se.

The existence of a public space is not just a matter of legal provisions guaranteeing rights of free speech, etc. such provisions are but conditions for a public space to exist. The important question is: What are the people actually doing with these rights?<sup>37</sup>

Rights and freedoms, according to Castoriadis, are conditions for a public space, and he is intrigued by the question of what comes next, how do people use these rights and freedoms? The active participation of social individuals in community becomes central for his inquiry, where he argues that the degree of freedom, or autonomy, in a society (the actual existence of rights and freedoms) is always in relation to the degree individuals' use these provisions in a way that does not limit the rights and freedoms of others. Hence Castoriadis' notion of a kind of moral self-limitation as coupled with autonomy. Again, we need to be aware that Castoriadis is not using 'autonomy' here in a traditional understanding of 'rational beings who are individually sovereign', rather, he defines autonomy in relational terms. Autonomy according to Castoriadis is to be dependent on others, in a *polis*, of using

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33 Adami, *Human Rights Learning*

34 Hannah Arendt, *The Promise of Politics*.

35 Castoriadis, *Philosophy, Politics, Autonomy*.

36 *Ibid.*, 85.

37 *Ibid.*, 113.

one's capacity for imagination in recreating the society that constitutes its social individuals. In order for people to be able to reimagine their political community and the laws that abide in a society, people need to critically examine and question the laws and rules of their social world, and be utopian enough to think beyond the current existing ideas of rights and freedoms.

What Castoriadis offers us here, is a notion of education as the center of political community, of creating the possibility for people to use their rights and freedoms, to rethink the current laws in place and to reimagine society. According to Castoriadis 'only the education (*paideia*) of the citizens as citizens can give valuable, substantive content to the 'public space''.<sup>38</sup> *Paideia* is education 'from birth to death'<sup>39</sup> and Castoriadis views *paideia* as a central dimension of any politics of autonomy.

Becoming conscious that each and every individual constitutes the society in which she/he lives implies great moral obligation towards our fellow human beings. The notion of human rights, receives its meaning through reciprocal communication, through the words and actions that constitute the political dimension of having a public space together with others who are different and at the same time unique. As Castoriadis argues, each individual in a *polis* has the freedom of speech and is under a moral obligation to speak her/his mind on matters of political concern. This moral dimension of politics is simultaneously creating a revolutionary potential in how people can use their imagination in order to speak, act and create new ways of living together. The act of philosophizing in this sense does not become a lonely business of inwardness, but a social moral obligation to think beyond the current frames of rules and boundaries for togetherness in the *polis*. According to Castoriadis 'the Athenian citizen is not a 'private philosopher', or a 'private artist', he is a citizen for whom philosophy and art have become ways of life'.<sup>40</sup>

## Re-Imagining and Re-Creating Laws and the *Polis*

In order to keep *paideia* open for imagination and the recreation of laws and rights, we, as educators, need to be cautious of conflating citizen rights with the notion of human rights, since the former belongs to notions of political space as limited to the state, and the latter is an utopian imaginary of political and legal inclusion of everyone through notions of human dignity rather than national citizenship and legal status based on the human creation of national borders and territories.

Arendt<sup>41</sup> argues that in education, 'there is always a temptation to believe that we are dealing with specific problems confined within historical and national boundaries and of

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38 Ibid.

39 Ibid., 173.

40 Ibid., 123.

41 Arendt, Hannah, *Between Past and Future: Eight Exercises in Political Thought*, (New York: Penguin Books, 2006).

importance only to those immediately affected',<sup>42</sup> when in fact, Arendt continues, problems that arises in one part of the world are equally possible in other places. I read this argument as a cosmopolitan awareness in education to deal with problems and human challenges, not as confined within national borders, but as equally acute everywhere since human crisis's effect us all in different ways. In order to create a better preparation for crises we need to be aware and learn from the way challenges occur in different historical, political and legal contexts.

Brian Orend<sup>43</sup> criticizes a Western conception of human rights education as limited to a nationalistic perspective on rights. As educationalists, do we want to 'teach' students rights as referred to in the constitution as the application of laws drafted by laymen, politicians and legal experts – as *fait accompli*? In philosophy of law the legal justifications based on concepts of justice and morals in relation to the application of laws are under constant scrutiny. Roscoe Pound<sup>44</sup> for one questions the moral perfection of laws and distinguishes between the aim of justice and the limitations of jurisdiction. As legal systems are created in societies that uphold discriminatory practices; a justice oriented learning on rights may include a process of re-imagining rights into broader, more utopian ways. Arendt<sup>45</sup> criticizes in *The Origins of Totalitarianism* the notion of human rights as non-existent for stateless people after the World War Two as the political power of rights were (and still continues to be) useless for non-citizens. Arendt<sup>46</sup> argues that human beings 'are not born equal; we become equal as members of a group on the strength of our decision to guarantee ourselves mutually equal rights'.<sup>47</sup> Notions of rights that exceed national borders may include people who are excluded today, due to territorial borders, which challenges our understanding of what we today define as a political community and *who* we see as included legally in such a *polis*? Arendt<sup>48</sup> distinguishes between law, politics and the drawing up of national borders in her discussion on the Greeks and Romans and how they perceived law-making<sup>49</sup> as laying down the rules for citizens within a polis, or as creating ties with people. The former is descriptive of national jurisdiction whereas the former description can be linked to the international legal system today.<sup>50</sup>

Within a human rights discourse, there is a possibility to critically question the laws that abide in a given society, and also to question the current legal definitions of *who* is regarded as equal before the law, and *who* is included to participate in the *polis*.

42 Ibid., 171.

43 Brian Orend, "Human Rights Education: Form, Content and Controversy," *Encounters on Education* 5 (2008): 61-80.

44 Roscoe Pound, *Social Control Through Law*, (New Brunswick, N.J. and London: Transaction Publishers, 1997).

45 Hannah Arendt, *The Origins of Totalitarianism*, (New York: Harcourt Inc, 1973).

46 Ibid.

47 Ibid., 301.

48 Hannah Arendt, *The Promise of Politics*.

49 Ibid., 179-187.

50 There is a crucial difference between the tie binding nature of Roman laws and the international law system of human rights, that may not need further explanation, as the Romans as an empire dominated their contracting partners in colonial ways by force and oppression. See further Adami, *Human Rights Learning*.

The inclusion and exclusion of individuals in these respective notions of rights today can be traced to the inclusion and exclusion of plurality in the creation of human rights versus citizens' rights in declarative texts historically. There is a great difference in the process of how rights were drafted in 1789 as part of the process of uniting the states of America in an attempt to avoid future civil war under a common constitution that would guarantee the rights of its citizens and the drafting of human rights in 1948 after the Second World War as a way to create limitations for the sovereignty of states and avoid a second Holocaust.

The drafting of the American Constitution was behind closed doors. No media or outside people were being let in to observe the process and all the notes taken by James Madison (1751-1836) from the drafting was sent later directly to the government. These notes became public years later. There were 55 delegates taking part in the process, all white, all men and almost all, except for Benjamin Franklin who was then 81, were in the age between 30-40. Slavery was a controversial topic during the discussions and it was decided that it was up to the individual states to decide about slavery. 'For the purposes of taxation and determining how many representatives a state could send to Congress, it was decided that slaves would be counted as three-fifths of a person.'<sup>51</sup> In 1789, Madison wrote ten amendments to the constitution, these ten amendments are today known collectively as the Bill of Rights and include the right to bare arms and to own property.

If we only look at who was included in the drafting of the American Constitution we can agree that the Bill of Rights, the ten amendments to the constitution, by Madison, were the rights of the white, privileged, protestant Man who owned property, others where counted as third of a person, or not regarded at all as having rights. Still these declarative texts are being reinterpreted and read by thousands of people who reimagine the notions of rights initially drafted, which is part of a relational process of moral subjectification in a *polis* that grows or changes demographically.

The Civil Rights Movement provides an example of how people who were initially excluded from the term of rights in the American Constitution have reclaimed civil rights to become more inclusive. The strategy of questioning segregating laws was a strategic endeavor where calculations of the cost to upgrade the conditions at schools for Afro American pupils was being presented to politicians – a cost they were not willing to pay. When the Afro American lawyer Constance Baker Motely wrote the initial complaint 1950 in the case of *Brown versus Board of Education* she had strategically criticized the segregating laws in Southern schools, busses and public spaces denied to blacks – a process that lead to a recreation of segregating laws that initially was argued based on a racist discourse as having support in the American Constitution, to become more just. Baker Motley succeeded in winning a case *Meredith versus Fair* to get the first Afro American student enrolled at the University of Mississippi in 1962.

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51 [http://www.history.com/topics/constitution#section\\_1](http://www.history.com/topics/constitution#section_1)

The United Nations Human Rights Commission was created in 1946 in order to draft a Universal Declaration on Human Rights (initially referred to as a declaration on the Rights of Man). The delegates to the commission were appointed on personal merit, as lawyers, diplomats, academics and human rights activists, and their aim was to create a notion of rights that exceeded a notion of citizen rights, so that people, as a last resort, could use revolutionary means to overrule any government that oppressed its inhabitants. With the Second World War, the demography in Europe had changed, leaving thousands of people without their former rights (either because they had been deprived their rights from totalitarian regimes, or because they had fled from their countries of origin and where now staying in a country as aliens lacking legal status).

The notion of 'human rights' then became a social imaginary for the future, in a present when so many people found themselves deprived of a *polis*, becoming completely rightsless. We find this challenge still today, with Mexican citizens staying without legal status in the US, being deprived of their right to vote, without freedom of speech and press, since their very existence in the country denies them the legal safety to question and critically examine the limits of civil rights. Voicing another imaginary of such rights would challenge their silent existence in exile.

## Rights – by whom and for whom?

The American Bill of Rights and the Universal Declaration on Human Rights are not isolated texts without authors, they were not created in a political vacuum, rather, these declarations were drafted in respective historical contexts. The drafters of declarations have 'a face, a name and a life story'.<sup>52</sup> These texts carry a political weight when acted on in social communities, in human relations. It matters *who* is included and who is not when notions of rights and freedoms are claimed and reclaimed.<sup>53</sup> The composition of individuals behind legal texts on rights and freedoms indicates the inclusive or exclusive character of the rights therein based on the intent of the drafters. In the drafting of the UDHR, women and non-western individuals were present and had a voice during the process<sup>54</sup> amounting pressure on the colonial powers. These non-western delegates were both male and female Communists, Muslims and Catholics.<sup>55</sup> The value conflicts that arose during the UN sessions created politics, agonistic politics, through which the inclusion of economic and social

52 Adriana Cavarero, *For More than One Voice: Toward a Philosophy of Vocal Expression*, (Stanford, Calif.: Stanford University Press, 2005), 193.

53 Rebecca Adami, "Intersectional Dialogue – A Cosmopolitical Dialogue of Ethics." *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 5, no. 2 (August 14, 2013): 45-62. doi:10.5130/ccs.v5i2.3179.

54 Rebecca Adami, "Counter Narratives as Political Contestation: Universality, Particularity and Uniqueness," *The Equal Rights Review* 15 (2015): 13-24.

55 Rebecca Adami, "Reconciling Universality and Particularity through a Cosmopolitan Outlook on Human Rights," *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 4, no. 2 (August 27, 2012): 22-37.

rights due to pressure from communist and socialist countries, and the formulation of 'every human being' rather than 'Man' was being used.<sup>56</sup>

The drafting of the UDHR included delegates from over sixty countries, representing different and sometimes agonistic religious and non-religious belief systems.<sup>57</sup> The over two hundred UN sessions where the declaration was being debated and discussed were open for media coverage and hundreds of NGOs were present to lobby (for example for the inclusion of womens' human rights). The wording in the UDHR was being stripped down through the drafting process, taking away all direct or indirect cultural, religious and ethnic references to God and particular beliefs – so that the delegates, coming from agonistic belief systems, could agree on the same text.<sup>58</sup> The text includes a long non-discrimination list, so as to make it inclusive for everyone, regardless of ethnicity, gender, economic and social status, but at the same time keeping it open for interpretation, to be able to claim and understand such rights on conflicting moral and political grounds.<sup>59</sup>

Jurisdiction is about applying laws, whereas what Castoriadis examines is the pedagogical subjects capacity for re-imagining laws and hence of changing what may seem as '*fait accompli*'. In order to make this process a possibility in education there is a need to offer teachers rights-dilemmas in larger social communities, valuable in making and creating ethical considerations that may lay the ground for a human rights-based judgment in different classroom situations.<sup>60</sup> For example the study of historical movements like the Civil Rights Movement or the Indian Movement of Independence, where people have claimed the right to have rights and ultimately reached more inclusive communities of justice. Todd Jennings,<sup>61</sup> amongst others suggests that human rights in education can 'provide a framework to critique any contemporary standardization movement that might undermine the rights of children, teachers, or the communities in which they teach and learn'.<sup>62</sup> In other words, human rights in education can hence be seen as 'part of a cosmopolitan, rather than globalization-oriented education, driven by ethical considerations in relation to internationalization trends',<sup>63</sup> rather than driven by economic imperatives. What the notion of human rights in education points to is the actual right to have rights, and especially the right to belong in a legal and political community.

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56 Adami, "Counter Narratives".

57 Joe Hoover, "Rereading the Universal Declaration of Human Rights: Plurality and Contestation, Not Consensus," *Journal of Human Rights* 12, no. 2 (2013): 4-40.

58 Adami, "Reconciling Universality and Particularity"; Johannes Morsink, *Inherent Human Rights: Philosophical Roots of the Universal Declaration*, (Philadelphia: University of Pennsylvania Press, 2009).

59 Rebecca Adami, "Re-Thinking Relations in Human Rights Education: The Politics of Narratives." *Journal of Philosophy of Education* in press (2014).

60 Cf. Rebecca Adami, "Towards Cosmopolitan Ethics in Teacher Education: An Ontological Dimension of Learning Human Rights," *Ethics and Education* 9, no. 1 (2014): 29-38.

61 "Human Rights Education Standards for Teachers and Teacher Education."

62 *Ibid.*, 289.

63 Adami, "Towards Cosmopolitan Ethics," 34.

## Concluding remarks

Challenges of globalization have become local concerns, such as solidarity in relation to migration and local responsibility for global environmental risks of human consumerist ignorance. These challenges call education to grasp the intermediate between the national legislative and political constraints that need to be updated in a globalized world of international dependence. There is hence a need for re-conceptualizing and developing notions of ethical and moral aspects of education, where I have argued that *paideia* is a fruitful conceptual path for such future explorations. Countering a neo liberal discourse on learning as an individualistic task of acquiring knowledge by a sovereign subject who is responsible for her/his own education, I reclaim a notion of learning *in* relations that encompasses the broader relations the social individual has with her/his social and political community and her/his active participation in it.

The paper challenges Castoriadis claim that notions of education as the core of political philosophy died with the French Revolution, (his own work shows that it did not) by drawing an argument with the help of Hannah Arendt and Adriana Cavarero to rethink the political dimension of learning human rights as a way to enhance learners critical capacity for reimagining the laws in their community.

I would like to think that this argument sets the earlier work made by Frank Margois, Gert Biesta and David T Hansen in relation to some of the global and at the same time local concerns that education is faced with today when politics concern broader notions of justice and equality.