

Research articles

Human rights education—a republican perspective

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Abstract

The concept of *freedom* is at the moral core of human rights and human rights education. In the liberal tradition, the prevalent understanding of freedom is *non-interference*. In the republican tradition, however, freedom is primarily conceived of as *non-domination* rather than non-interference. This article discusses whether the republican ideal of freedom is conducive to the ambition of human rights education to strengthen and develop respect for human rights, and to build and promote a culture of human rights. The article argues that a republican perspective, although challenging, is important, because it identifies central aspects of freedom that are vital to the fundamental standing of persons and to living a life in dignity, and because it emphasises active citizenship and civic virtue as important for realising freedom. It further argues that a republican perspective requires a multidisciplinary approach to human rights education.

Keywords

Human rights education, civic republicanism, freedom, non-domination, non-interference

Introduction

Human rights are a part of the legal framework for all educational activities in states that have ratified the relevant conventions. Human rights are also integrated in public education in the sense that all persons have a right to access to human rights education (HRE) as part of their right to education. As both the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), Article 13 and the *Convention on the Rights of the Child* (CRC), Article 29 express, the main goal of human rights education is to strengthen and develop respect for human rights and freedoms. The *United Nations Declaration on Human Rights Education and Training* (UNDHRET), which follows up on *The Vienna Declaration's* (1993) ambition of strengthening human rights education, reiterates in Article 2.1 the ambition of strengthening and developing respect for human rights and freedoms and substantiates it with a more thorough account of what human rights education should contain. Although not legally binding, the UNDHRET is a significant guiding document for human rights education (Lile, 2019). Particularly important in the declaration is the guideline to empower persons to contribute to building and promoting a culture of human rights. Even though knowledge about the legal dimension of human rights is central to human rights education, it is first and foremost the ethical and political dimensions that are considered the core of human rights education.

This is an ambitious but important undertaking. At the moral core of this undertaking we find the concept of *freedom*. In the liberal tradition, the prevalent understanding of freedom is that of *non-interference*. Although the concept of freedom is not unequivocally defined within the field of human rights, the understanding of freedom as 'not being interfered with' seems to capture one very important aspect of human rights—in the sense that the idea of rights is suited for sanctioning acts of interference (Laborde & Maynor, 2008, p. 16), and because claiming a right often implies seeking protection from some kind of interference. There is also a sense in which human rights can express, as Richard Bellamy (2013, p. 256) points out, that there are things that no one should be allowed to *do* to another person. There are, however, alternative understandings of freedom. In what is generally referred to as *the republican tradition*, which in recent decades has seen a revival within political theory, freedom is primarily understood as *non-domination* instead of *non-interference*. In contrast to freedom as non-interference, freedom as non-domination implies that a person is free if that person is not dominated by or under the arbitrary will of someone else. One can, in other words, be unfree without being interfered with. According to republicans, this represents a distinctive concept of freedom, which captures an important aspect of what it means to be a free person.

Given the pivotal position of freedom within human rights, an interesting question is whether a republican understanding of freedom can provide a constructive perspective on human rights education. Although not straightforward, my argument will be in the affirmative. Including the republican notion of freedom as non-domination in human rights education may

have an advantage over freedom as non-interference when it comes to identifying and articulating important aspects of freedom that are vital to the fundamental standing of persons and to living a life in dignity. A republican perspective can also be conducive to human rights education because it justifies and encourages active citizenship and civic virtue as important for the realisation of freedom as non-domination in society. However, including republican freedom in human rights education, as a part of public education, is also potentially problematic. First, the normative value of freedom as non-domination, which is regarded as a precondition for living a good life, may, when operationalised, infringe on the interests of parents to raise their children in conformity with their own convictions. Second, it is challenging because of the ambivalent status of human rights in the republican tradition, which risks undermining the objectives of human rights education to promote respect for and build and promote a culture of human rights. I shall argue that civic republican human rights education properly interpreted is able to meet these challenges, but that this requires a multidisciplinary approach. I shall first provide an account of the republican concept of freedom, as defended by civic republican theory. Second, I suggest two possible ways of operationalising republican freedom in HRE. Finally, I discuss these suggestions critically.

Republican freedom

The republican tradition is long and too complex for a swift characterisation. It draws on both ancient Athenian and Roman republican ideals of freedom as independence, civic virtue, political participation and a commitment to the common good. I shall primarily focus on an influential contemporary interpretation of republicanism, which is commonly referred to as either *civic republicanism* or *neo-republicanism*, and which is associated with such theorists as Quentin Skinner (1998, 2009), Philip Pettit (1997, 2001, 2012), Cass Sunstein (1988), Maurizio Viroli (1999) and John Maynor (2003). What characterises civic republicanism as a political theory, and what distinguishes it from liberalism, is, according to Skinner and Pettit, the concept of freedom. Freedom in the liberal tradition has primarily been understood in negative terms, as in non-interference. Negative freedom is most famously articulated by Isiah Berlin as describing ‘the degree to which no man or body of men interferes with my activity’ (Berlin, 1997, p. 369). According to Berlin, negative freedom is involved in the answer to the question: ‘What is the area within which the subject—a person or a group of persons—is or should be left to do or be what he is able to do or be, without interference by other persons?’ (1997, p. 369). Historically, this understanding of freedom is typically and paradigmatically seen in Hobbes’ *Leviathan*, but it also came to permeate much of the liberal tradition, for instance the works of Jeremy Bentham, William Paley and John Stuart Mill. It continues to be prominent among more contemporary liberals, such as Isiah Berlin (1997), as well as Ian Carter (2008), Mathew Kramer (2003, 2008) and, to some extent, John Rawls (1999).

Civic republicans also conceive freedom in negative terms. This conception differs from a liberal account in that 'negative' does not refer to non-interference, but rather non-domination. In civic republican theory, freedom—understood as being independent from arbitrary power, or by the absence of arbitrary dominance or mastery by others (Pettit, 1997, pp. 22–27)—is the normative basis. The renewed interest in this concept of freedom is connected to, and to a large extent a result of, the genealogical work done particularly by intellectual historians and founders of the so-called Cambridge School, John Pocock and Quentin Skinner, in such seminal works as *The Machiavellian Moment* (1975) and *Liberty before Liberalism* (1998). Genealogy, however, often involves critique, in that by presenting different and rivalling aspects and understandings of a given concept through time, other aspects and understandings are challenged. In short, this work concludes that the liberal tradition, as it developed from the last half of the 18th century and onwards, gradually came to replace the republican concept of freedom as non-domination with an ideal of freedom as non-interference (Skinner, 1998). In the post-revolutionary modern world there was a realisation that the liberty of 'the ancients', which consisted in and was characterised by active and constant political participation, was no longer possible; it had to be complemented by an understanding of freedom as private enjoyment of security and non-interference, as Benjamin Constant (1988, p. 316) argued. Shifting from a descriptive historical analysis to a more normative political landscape, Skinner argues that something valuable was lost in this process, namely a republican notion of freedom as independence from arbitrary power (Skinner, 1998). The civic republican argument is that this notion of freedom deserves to be revisited and revived because it has an important part to play in identifying different forms of unfreedom in contemporary society. The republican theory of freedom was later developed into a cohesive fully-fledged political theory, most elaborately by Philip Pettit (1997, 2001, 2012). Like Skinner, Pettit is eager to emphasise that this understanding of freedom constitutes a third theory that is conceptually and normatively distinct from both freedom as non-interference and from positive freedom. Freedom as non-domination differs from positive freedom in the sense it is an opportunity-concept that describes conditions for freedom, whereas positive freedom is an exercise-concept describing an ideal of how people should live their lives; that is, an autonomous life or a life of self-mastery (Pettit, 1997, pp. 17–126; Skinner, 2009, pp. 15–60).

The paradigmatic example of unfreedom is captured in the relationship between master and slave: it does not matter if one's master does not interfere with one's choices, republicans argue. One is unfree if the master has the power to do so, regardless of whether he actually interferes or not. The same is true, for example, if the state, a religious leader, an employer or an authoritarian parent largely lets one go about one's business without interference if they can still, at their own discretion and without cost, choose to do so. Arbitrary power therefore

pertains to both the relationship between the state and its citizens, that is, the power of the imperium, but also to private relations—to what in the Roman republic was called *dominium* (Pettit, 1997, pp. 129–171). The problem of being under someone’s arbitrary power is that it alters one’s behaviour. It can produce servility, exaggerated humbleness and self-censorship, all of which are traits of a submissive personality. Being under someone’s arbitrary power means, in Pettit’s words, that one remains ‘under the thumb of another person’ (1997, p. 139) and that one is afraid to ‘look others in the eye’ (2012, pp. 84–87). Civic republicans contend that this identifies and brings to light an important aspect of freedom, which at least part of liberal tradition has been blind to (Friis-Nilsen, 2014, p. 28), and which can also be applied to structures and relationships of domination in contemporary society. Some republican-minded scholars, such as Eoin Daly (2019, p. 5), argue that if freedom is understood only in terms of non-interference, and rights as protection from such interference, this may be ‘ineffective against, and possibly serve to entrench those complex forms of domination that are embedded in various social and symbolical hierarchies’, thus representing an illusion of freedom.

There is considerable scholarly disagreement about whether republican freedom is a distinctive concept (Skinner, 2009; Pettit, 1997, 2012; Lovett, 2016) or whether its concerns about domination can be encompassed by freedom understood as non-interference and thus best conceived of as a version of liberalism (Kramer, 2003, 2008; Carter, 1999, 2008; Patten, 1996). This discussion is interesting, but cannot be resolved here. Suffice to say that it would be a simplification to claim that the whole of the liberal tradition neglects or overlooks domination as an aspect of freedom. Not only liberals, like Charles Larmore (2001, pp. 235–239), but also republicans Pettit (2011, pp. 712–713) and John Maynor (2003, p. 91) acknowledge that several liberals—such as John Locke and Benjamin Constant as well as John Rawls (2001, p. 131) and Berlin himself—are aware of the problems of domination. Civic republicanism therefore has structural kinship with the egalitarian constitutional liberalism of John Rawls (1996) and Ronald Dworkin (2002). The main difference, however, seems to be that egalitarian constitutional liberals do not automatically give freedom primacy over other values, as civic republicans do. Pettit even refers to freedom as a ‘supreme political value’ (1997, p. 80). Instead, these liberals complement and balance freedom with such values as equality and respect, and emphasise that it is through a system of basic rights and liberties that a just society with equal freedom for all is best realised and ensured. Even though these values and ideals are incompatible with a society where someone has extensive arbitrary power over others (Costa, 2011, p. 81; Larmore, 2001, p. 237; Rawls 2001, p. 131), an interesting question is whether civic republicans, by placing freedom as non-domination at the centre of the theory, may have an advantage over the liberal account. It could be that the vocabulary of rights is better suited to address acts of interference, but that the language of

non-domination has an advantage when it comes to addressing, articulating and targeting structures and relationships of particularly private domination, as Laborde and Maynor (2008, p. 16) argue. It would be interesting, therefore, to discuss whether and how a republican understanding of freedom can provide an important perspective for human rights education.

Republicanism and human rights education

Unfortunately, one receives little assistance from either Skinner or Pettit when it comes to fleshing out the educational implications of republican freedom; they do not devote much time or resources to education. However, other civic republicans, who also subscribe to freedom as non-domination as the central political value, recognise the intimate connection between republican freedom and education and stress the importance of a robust civic education (Maynor, 2003; Snir & Eylon, 2016; Costa, 2011; Peterson, 2011; Honohan, 2005, 2017). Andrew Peterson is perhaps the civic republican who articulates most clearly that republican freedom requires cultivation and habituation through education from an early age, and that the republican vision in fact depends on education to do its part of the job (2011, p. 119, p. 146). Supposing that this emphasis on the pivotal role of education is well-founded, what should be the priority for human rights education when interpreted through the lens of republican freedom?

This is a complex question that requires a more thorough discussion than is possible within the confines of this article. I shall suggest two possible ways of operationalising republican freedom in HRE, which I think merit further enquiry. Both of these are important, but also potentially problematic. The first suggestion concerns raising pupil awareness about both the existence and consequences of structures and relations of arbitrary power. The second concerns the promotion of active citizenship and civic virtue as important contributions to realising republican freedom. The problematic aspects of these suggestions will be discussed in the final section.

Raising awareness

From a human rights perspective, the problem of being under someone's arbitrary power is that it undermines the ideal of the equal dignity of persons. This ideal is part of the ethical core and thrust of the Universal Declaration of Human Rights in the sense that it captures the essence of what it means to be a free, self-directing or self-governing person. The Preamble of the Universal Declaration states that 'recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world'. Being under the arbitrary power of another not only undermines the ideal of equal dignity, but also reduces more directly one's ability and chance to enjoy many rights and freedoms, such as freedom of speech, religion and assembly. It means that one is

not one's own person, or *sui juris*, as Roman Law expresses it (Pettit, 2012, p. 7). In a democratic perspective, being under someone's arbitrary power means refraining from acting or speaking one's mind openly and honestly or participating freely in society and politics— not because of coercion, but for fear of possible repercussions. James Bohman ties non-domination directly to human rights when he understands non-domination as a 'primary good'. He puts this point succinctly: 'if access to any primary good constitutes a *prima facie* human right, then freedom from nondomination is the most fundamental political human right (2004, p. 341).

In light of this, and from the vantage point of human rights education, conceptualising freedom as non-domination seems beneficial. Given that the explicit goal of human rights education is to foster and empower persons (including pupils) to contribute to the building and promoting of a universal culture of human rights (UNDHRET, Article 2.1), it is hard to envisage such contributions being possible if these persons are not independent of the arbitrary power of others. Of course, human rights education need not be republican in order to emphasise that individuals are endowed with equal dignity and respect. Indeed, these are generally considered hallmarks of liberal thought. However, we should be open to considering, as I have argued, whether the language of freedom as non-domination is particularly suited to detect and articulate these invisible bonds and structures of arbitrary power that may compromise human dignity. Whereas freedom understood as non-interference is mostly concerned with and attuned to free actions and restrictions on individual freedom, the republican emphasis is rather on the free person, as Kristjánsson (1998, p. 59) articulates it, and the existence of arbitrary power. In addition, a special attention is given to private domination. I suggest that operationalising republican freedom in HRE in public education should imply that public education brings this very fact to our attention. This follows from the normative value of the republican concept of freedom as non-domination. One way to do this is by raising awareness in pupils about both the fact and the possibility that there are ways in which people, including themselves, can be unfree without necessarily being interfered with, threatened or coerced to act in a certain way. It involves bringing attention to the fact that if a person is subject to the arbitrary power of others, conditions that are important for being a free and self-directing person equal in dignity with others are weakened—and with it the possibility of enjoying fundamental human rights and contributing to developing a culture of human rights.

Such human rights education awareness-raising as a part of public education should be considered a shared responsibility between several school subjects, as well as incorporated into education as a whole. Traditionally, HRE is central to and particularly compatible with the educational aims and curricula of social sciences and citizenship education. This is expressed by the Council of Europe's Charter on Education for Democratic Citizenship and Human Rights

Education, as well as in its Guidelines for Educators, which emphasises that ‘Education for democratic citizenship and human rights education are closely inter-related and mutually supportive’, and should be part of the curricula and formal school education (Council of Europe, 2010, p. 7, 2013, p. 45). However, I shall argue that a civic republican perspective on HRE would benefit from a more multidisciplinary approach, one that includes subjects such as history, philosophy as well as an inclusive religious education. The main reason for this is that there are important historical, cultural and religious dimensions to arbitrary power. The ability to reflect upon its existence requires an understanding of the fact that the make-up and structures and relations of domination often have cultural, religious and historical roots, and that they are manifestations of corresponding developments. This concerns, for instance, asymmetrical power relations: between men and women; between the majority and minorities; or relations with various authority figures at work, within the family, or in voluntary religious or secular organisations. Domination also manifests itself in a range of issues in the intersection between normative and lived religion, texts and interpretation, culture, history, tradition and inherited norms. Including these issues in human rights education requires both a broad and balanced knowledge-base, where subjects such as philosophy or an inclusive form of religious education can play an important part. In addition, these subjects are needed to provide deliberative skills and a deliberative space where a critical engagement with the ethical dimensions of such relations and structures of domination can be facilitated.

Republican freedom, active citizenship and civic virtue

The second suggestion for operationalising republican freedom concerns the promotion of active citizenship and civic virtue. The ideals of the free citizen, active citizenship, political participation, civic virtue and concern for the common good are central to the republican tradition. There are different perspectives among republicans, however, as to the status and function of political participation. A distinction is frequently made between intrinsic and instrumental republicanism (Peterson, 2011, pp. 16–17; Honohan, 2002, pp. 180–185; Sandel, 1996, p. 26; Maynor, 2003, pp. 11–13). Intrinsic republicans, such as Michael Sandel and John Pocock, who share affinities with communitarianism and draw on the Aristotelian ideal of man as a political animal, value political participation for intrinsic reasons —that is, as an inherent part of living a full life (Sandel, 1996, p. 26). Instrumental republicans, on the other hand, associated with civic republicans such as Skinner, Pettit, Sunstein and Maynor, tend to consider active citizenship and political participation in a less comprehensive and perhaps less demanding manner. What characterises civic republicanism as a political theory is the instrumental connection between the realisation of freedom as non-domination on the one hand and active citizenship and civic virtue on the other (Skinner, 1998, p. 70). This connection may have interesting implications for human rights education, and we therefore need to ask in what sense republican freedom requires active citizenship and civic virtue.

Pettit argues that a society of non-domination requires both a constitutional and a civic contribution. Pettit calls the constitutional contribution a ‘mixed constitution’; this requires the state to satisfy a range of constitutional constraints, including the sharing and separation of power and the rule of law (2012, p. 5). In other words, arbitrary power is power that is not subject to sufficient democratic control. The civic contribution, which Pettit calls ‘contestatory citizenry’, alludes to the importance of citizens exercising ‘contestatory vigilance’, which means that they have a controlling function vis-à-vis the authorities (2012, pp. 5, 225–229). Realising freedom as non-domination requires not only free and fair elections, but also an active citizenship where citizens are alert to concentration of power, and take control of the authorities if they restrict the liberty of citizens or fail to restrict private domination. From a civic republican perspective, it is important that this is not just a matter of providing citizens with the possibilities of exercising such control through easily available mechanisms and channels (Sunstein, 2019), but also that citizens feel a commitment and a disposition towards political participation with a sense of the common good in mind. This kind of internalising of responsibility can be called civic virtue (Pettit, 1997, p. 245). If freedom somehow was disconnected from virtue when liberalism replaced republicanism during the Enlightenment, Viroli (1999, p. 103) may be right when he describes the recent republican revival as presenting a ‘political vision of a civic ethos that reconnects the words “liberty” and “responsibility”’.

This does not imply that active citizenship, deliberative citizenry and civic virtue are exclusively republican ideals. Indeed, the broad understanding of deliberative democracy as ‘a commitment to decision-making processes, which take into account, and permit, the reasoned dialogical interaction of citizens’ (Peterson, 2011, p. 99), is not only a ‘characteristically republican belief’ (Sunstein, 1988, p. 1539) supported by central contemporary republicans (Skinner, 1997; Pettit; 1997, 2012). It has also been propounded and developed by many liberal theorists (Cohen, 1989; Gutmann & Thompson, 2004; Habermas, 1994; Rawls, 2001). The development from the ‘90s has also been called a ‘deliberative turn’ in democratic theory (Dryzek & Braithwaite, 2000, pp. 241–2). Concerning ‘civic virtue’, it is fair to say that this ideal is not inherent in most liberal accounts of citizenship. At the same time, political virtues, understood as ‘duty of civility’ and ‘civic friendship’, appear as important for a well-functioning democracy in the writings of, for instance, Rawls (1996, pp. 163, 205, 217, 236, 2001, pp. 102, 163, 165, 207).

There are two main things that distinguish civic republicanism from an egalitarian constitutional liberal account of active citizenship. First, there is the particular connection to, and justification by, the normative value of freedom as non-domination. Civic republicans offer HRE both a philosophical foundation as well as a democratic theory for active citizenship by insisting that active citizenship and civic virtue are of vital importance for realising and

protecting non-domination in society. This close instrumental connection between political participation and freedom means the deliberative element is more integrated in civic republicanism than in the egalitarian constitutional liberalism of Rawls and Dworkin, where political citizenship remains optional (Rawls, 2001, p. 245). The civic republican perspective therefore provides a robust justification for promoting active citizenship through HRE. Second, for civic republicans active citizenship is primarily directed towards a concern for the common good of the community. Whereas the deliberative element in egalitarian liberalism largely remains constitutionally and rationally justified, civic republicans emphasise ‘the deliberative interpretation of the common good’ (Honohan, 2017, p. 93). In other words, they insist on making the general welfare of the political community central to the deliberative process (Peterson, 2011, p. 69). It seems therefore as if a republican-inspired human rights education may be more mindful of community aspects when deliberating about human rights, articulating aspects of human rights that lie beyond self-interest or the aggregation of individual preferences. This reflects the ethical and political ambition of human rights education to build and promote a culture of human rights.

Discussion

I have argued that the central normative position of freedom in civic republicanism can be seen as a strength for human rights education. However, operationalising republican ideas in HRE does not come without difficulties. In the following I wish to address two challenges, both of which may jeopardise the ethical and political ambition of HRE to promote and build a culture of human rights. The first concerns the risks of infringing on parents’ interests and hampering the toleration and accommodation of diversity. The second concerns the ambivalent status of human rights in the republican tradition as a means to realise freedom as non-domination. I shall argue that republicanism can be interpreted so as to meet both these challenges, but that this requires schools to have an awareness of them and to apply a multidisciplinary approach to HRE.

Dangers of infringement

Operationalising republican freedom by raising awareness about the existence of relations and structures of domination can be contentious. Facilitating a critical and inquiring perspective on the existence of, for instance, cultural and religious norms in HRE along the lines suggested above—to the extent that they support or sustain relations and structures of domination—raises certain questions about the role of education versus the rights and interests of parents and pupils. The power relations underpinning such norms contain values that often enjoy wide support and which are, by many, considered to be of fundamental importance. These values are seen as central to preserving honour, personal salvation, family relations and societal stability, as well as being a bulwark against fragmentation and the disintegration of public morality. Raising awareness about these issues in HRE implies

challenging, for instance, the more traditional norms that are present in a diverse multicultural classroom. This can be problematic, because it may infringe on parents' liberty to ensure the moral and religious education of their children, and also create distrust as well as conflicting loyalties between pupils and the home (Hansen, 2022). If this is the case, such a strategy for HRE could be challenging when it comes to toleration and the accommodation of diversity (Hansen, 2013, 2018). It could also put a strain on or jeopardise the ambition of building and promoting a culture of human rights.

The underlying problem or question seems to be, as Whitfield and Lovett (2016) point out, whether civic republicanism, because of the normative value it ascribes to freedom as non-domination, is sufficiently neutral between different conceptions of the good. Contrary to the liberal principle of neutrality, which requires the state and its educational institutions not to favour particular conceptions of the good (Rawls, 1996, p. 199; Dworkin, 1984, p. 64; Larmore, 1987, p. 44) and focuses on the political dimension—that is, questions about the basic structures of society—civic republicanism has no such limitations or constraints (Laborde 2013, p. 527). That means both that promoting the normative value of non-domination is a permissible educational objective, and that such promotion may include addressing arbitrary power in not only political, but also private relations.

This lack of constraints does not automatically provide clear educational prescriptions, and civic republicans seem to have different views as to what kind of recommendations republican freedom requires when operationalised. Maynor (2003, pp. 174, 181) argues that a modern republican civic education 'must begin with the distinct concept of liberty as nondomination' and 'play an active role in the content of public education by educating citizens in the substance and forms of nondomination, and the necessary values and virtues that accompany it'. This position seems to suggest that a civic republican-inspired HRE should actively promote this core value. However, it is far from clear what this entails. Does it imply discouraging ways of life that support or are associated with cultural or religious structures and relations that are potentially dominating? It would certainly be problematic—also from the vantage point of civic republicanism—if human rights education had the elimination of all hierarchical social relations or structures and power relations as an educational objective, as Blain Neufeld (2019, p. 147) points out. That would constitute a perfectionist (and possibly paternalist) position, which itself could become a type of domination. Pettit (1997, pp. 50, 273) argues that the ideal of non-domination requires the state to try to prevent people from dominating others, but at the same time points out the importance of the state not doing the same. It would be something of a paradox, and contrary to Pettit's ideal of non-domination, if HRE, by trying to maximise republican freedom, in practice dominated pupils and parents who did not support or remained reticent towards all aspects of a republican ideal of freedom (Hansen, 2022). An HRE which insists on actively promoting the normative value of non-domination must also be

mindful not to ultimately make an ideal of strong personal autonomy a guiding educational principle (Hansen, 2018). However, promoting autonomy is not the same thing as promoting freedom as non-domination. Freedom as non-domination is a negative opportunity concept rather than a positive exercise concept, as 'it requires the absence of domination by others, not necessarily the presence of self-mastery' (Pettit, 1997, p. 51). Civic republicanism is thus not committed to promoting positive freedom as autonomy or self-mastery. This is not to say that freedom as non-domination is detached from autonomy, or that gaining autonomy is unimportant as a way of empowering pupils and citizens to resist domination. Indeed, Pettit supports a kind of autonomy-ideal through what he calls 'discursive control', which he describes as a person's 'ratiocinative capacity to take part in a discourse, and the relational capacity that goes with enjoying relationships that are discourse-friendly' (1997, pp. 81, 82, 2001, p. 71). A republican-inspired HRE faces a quandary: to maintain a commitment to raising awareness about relations and structures of arbitrary power while at the same time to avoid sliding into promoting a comprehensive ideal of strong autonomy that discourages others' ways of life, which (otherwise) may be considered reasonable. It must also be conscious of not infringing on the rights of parents or guardians to ensure the religious and moral education of their children in conformity with their own convictions (International Convention on Civil and Political Rights, Article 18.4). This does not mean that children's autonomy rights should be disregarded. Children's right to be heard and their freedom of religion, protected by Article 12 and Article 14 in the Convention of the rights of the child, should clearly be integral to a sound HRE. However, a HRE which aspires to promote respect for and a culture of human rights also needs to recognise the interrelatedness of children's and parent's fundamental rights and consequently that they need to be interpreted in light of each other (Bielefeldt, Ghanea, Wiener, 2016, p. 216). This is no easy task, but a balancing act which requires HRE-teachers to acknowledge the contested nature of these issues, be diligent and sensitive to the rights and interest of parents and engage in an open communication with parents and pupils about justifications and intention, as well as the specifics of related curricular activities.

The ambivalent status of human rights

The second challenge of operationalising republican freedom in human rights education concerns the ambivalent status of human rights within the republican tradition. I have argued that active citizenship may be beneficial for realising non-domination in society, that non-domination is essential to human dignity and consequently that civic republicanism provides an important perspective for HRE. It may seem, therefore, paradoxical that civic republicans, making non-domination the focal point of their political theory, rarely have considered human rights to be a prominent part of the republican recipe for its achievement. Instead, many republicans have been ambivalent about the role and status of human rights (Sandel, 1982, 1996; Skinner, 1991). Including republican freedom in human rights education could thus be

considered something of an odd marriage. The question is whether this ambivalent or sceptical stance may undermine or jeopardise the pedagogical enterprise of HRE developing a positive attitude towards human rights and promoting respect for and building and promoting a culture of human rights.

The ambivalent attitude towards human rights among many republicans relates to their perception of an inherent individualism underpinning the increased focus on individual human rights. Instead of framing individual concerns as matters of rights, which takes priority over duties to the community, republicans have tended to emphasise, as we have seen, civic virtue and individual responsibility for realising the common good of the political community. This tension between primarily focusing on either the individual or the community resembles and is connected to the core of the liberal-communitarian debate during the '80s and '90s, in which both Charles Taylor and Michael Sandel—both having expressed affinities with republican ideals—have contributed (Sandel, 1982, 1996; Taylor, 1989). These thinkers and others, such as Alasdair MacIntyre (1981), have raised concerns about what they take to be a misguided anthropological and ontological basis residing in the liberal, and particularly the libertarian, idea and ideal of a person as a rational chooser of his/her own ends, and as an 'unencumbered self', detached from the community (Sandel, 1982, p. 62). Extending this critique, the communitarian argument was that an exaggerated focus on individual rights may undermine civic virtue, public participation, and responsibility towards the community and the common good. Civic republicans also share this concern. Skinner, for instance, warns against insisting that our rights are trumps that always take priority over our duties and that such a focus is to 'proclaim our corruption as citizens' (1991, p. 307). He says that excessive claims of rights without responsibilities are self-destructive, and that those who are concerned with their private rights need to pay attention to their duties (1991, pp. 308–309). In a similar vein, Pettit concedes that republicanism is not a tradition of rights in the same way as liberalism is, and instead emphasises political participation and a vigilant public as more important for realising freedom (Pettit, 2012, 1997, p. 304).

This does not mean in any way that a commitment to human rights is incompatible with civic republicanism, or that there is an inherent contradiction between accepting and committing to both human rights and to freedom as non-domination. In fact, several republican-oriented theorists have pointed out that republican freedom is fully compatible with rights and the moral standing of persons that rights express, and civic republicans endorse rights as expressions and realisations of fundamental freedoms (Laborde & Maynor, 2008, p. 16; Ivison, 2010; Bellamy, 2013; Dagger, 1997). Despite this compatibility, there is a difference and a tension between a civic republican and a dominant liberal account of human rights—which has interesting implications for HRE. This difference pertains to the nature of the relationship between freedom and human rights. In the Lockean liberal tradition, the account

of human rights tends to emphasise that they are founded in natural rights. Even if this does not imply that all liberals consider all human rights to be concretisations of natural rights, there is a strong tendency to frame central human rights as deontological, and as pre-political constraints on the state (Jones, 1994, pp. 72–73). These deontological and transcendental aspects of human rights also reside in the Preamble of the Universal Declaration’s claim that ‘recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’, and they are the foundation of the natural rights school of human rights education (Morsink, 2009; Nussbaum, 2011). The civic republican view, on the other hand, has a different emphasis. Instead of regarding human rights as antecedent or prior to politics (Daily, 2019, pp. 3–4), civic republicans firmly root them within what Albert Weale (2007, pp. 12–18) and Jeremy Waldron (1999, pp. 107–113) have called the ‘circumstances of politics’, realised through a process of collective will-formation (Ivison, 2010, p. 32). Any attempt to abstract rights from politics is therefore problematic for civic republicans because this may devalue both the underlying political deliberation about rights’ content, and, most importantly, the central roles of civic virtue, active citizenship and political participation in this deliberative process. Pettit’s perspective is instructive: even though he concedes that republicanism is not a tradition of rights as liberalism (1997, pp. 303–304), he maintains that this does not mean that rights do not matter. Indeed, certain natural rights may even be essential to achieve freedom and maximise non-domination in society (1997, p. 101). Rights can function as ‘resources that rights-bearers can have against interference by the powerful’. The point is that they cannot do the job alone, and perhaps only to a limited degree, according to Pettit (1997, p. 304). This account is far from the legalistic culture of rights as trumps. Instead, Pettit emphasises that to enjoy non-domination in relation to both the government and other people requires a society where social movements prosper and where civic virtue is strong, and that gaining power is more important for the protection of non-domination than rights, however richly reconceived (1997, p. 304).

The question is whether the republican, political account of the nature of human rights, as Richard Bellamy (2013, p. 256) asks, may subvert their traditional purpose. More precisely, it is whether this framing of human rights, because it expresses a sort of relativism on the part of human rights, puts their moral basis under pressure, which may undermine their promotion. This is an important question because it concerns issues of pupils’ motivation and pedagogical considerations. I do not expect that this is the case, however. It is granted that emphasising the inevitable political dimension of human rights will shed light on the fact that human rights are contested, disagreed upon, need interpretation and that their content is partially a part and product of negotiations. At the same time, framing human rights as a part of politics, as a civic republican perspective does, also facilitates more pragmatic-oriented

discussions about how human rights can be protected and improved. Most importantly, however, this framing goes hand in hand with the civic republican emphasis on the instrumental role of active citizenship and civic virtue. There is a good chance that this could strengthen the motivational force of human rights education and its ambition of developing a culture of human rights. This should not imply, however, that a republican political perspective on HRE should be exclusive and deontological justifications of human rights be omitted. Instead of seeing the tension between these two perspectives as a problem, human rights education should explore them, and make the concept of human rights itself, including its justifications and realisation, an object of inquiry for human rights education. Further, I think a fruitful avenue for human rights education is to explore the alleged tension between a supposedly liberal individualism, self-interest and rights-focus on the one hand and the civic republican responsibility towards the common good of the community on the other. Must it be the case, for instance, that appealing to rights comes at the expense of civic virtue, citizenship and commitment to the common good? Is there a risk that an insistent rights-focus and increased rights-talk can weaken social relationships, as Dagger (1997, pp. 23–24) asks? By extension, this spawns the question about what should constitute the common good, and whether such a quest is desirable, achievable or can be subject to consensus in a multicultural society. More precisely, it is important to deal with questions of whether the focus on rights, if it takes priority over duties, can undermine the very conditions for their realisation, as Duncan Ivison (2010, p. 39) puts it, or whether it should be possible to combine a respect for rights with a focus on civic virtue and public responsibilities, as Richard Dagger (1997, p. 131) argues in his attractive ‘hybrid’ position, republican liberalism.

Although these tensions mirror tangible differences, they do not, as I have tried to show, amount to mutually exclusive positions for or against human rights. Rather, they reflect arguments and disagreements on a continuum that correspond to central political and ethical issues in modern societies and need to be reflected upon as part of HRE. Indeed, the very tension between rights and duties finds expression in and is inherent to the Universal Declaration of Human Rights, which emphasises not only equal individual rights, but also that ‘everyone has duties to the community in which alone the free and full development of his personality is possible’ (Article 29). Promoting a culture of human rights requires adopting a critical perspective on these tensions and dilemmas. An educational process which is unable to engage and interact critically with these tensions and dilemmas is not likely to ensure a resilient HRE.

In human rights education, these discussions have a clear political dimension, and making proper sense of them is no easy task, requiring the efforts of subjects such as social sciences and citizenship education, where active citizenship, deliberative skills, general knowledge about human rights and human rights institutions and mechanisms as well as the basics of

democracy and democratic theories are already integral parts. However, the pronounced ethical dimension of issues relating to the nature of active citizenship, civic virtue and the different accounts and justifications of human rights calls for a multidisciplinary approach. Corresponding with the ethical ambition of human rights education to persuade people to engage in the realisation of human rights, I would argue that philosophy and a non-confessional religious education play an important part (Jackson, 2018). It is beyond the scope of this article to spell out and discuss didactic operationalisations in detail. However, it might help us to make sense of these tensions if they are explored in the light of different ethical theories. Kantian deontological ethics is prone to justifying human rights from a transcendental natural-rights perspective, whereas utilitarianism tends to focus on the overall impact of human rights. In addition, various religion-based ethics have developed faith-based arguments for human rights, which can be discussed, for instance, in light of the Rawlsian idea of overlapping consensus (1996, pp. 133–172). Ethical theory is also indispensable for a meaningful discussion of the tensions between ideals of individualism, self-interest and rights-focus on the one hand, and civic virtue and commitment to the common good of the community on the other. Finally, ethics is important because unpacking and exploring these tensions requires reflections on moral attitudes and values such as egoism, altruism, relativism and fundamentalism, as well as ethnocentrism and universalism.

Conclusion

Even though including civic republican perspectives in human rights education can be a challenge, I think it brings important perspectives that can be conducive to the ethical and political ambitions of human rights education to strengthen and develop respect for human rights, and to build and promote a culture of human rights. Firstly, freedom understood as non-domination can help to identify important aspects of freedom that are vital to the fundamental standing of persons and to living a life in dignity. Secondly, the political framing of rights emphasises civic virtue and active participation as important for realising freedom. Although more research and analysis about possible implications of a civic republican perspective on human rights education is needed, civic republicanism deserves attention in future discussions about human rights education.

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