In this essay I chart a range of difficulties for the field of human rights education, a field that has traditionally been preoccupied with universal principles. These difficulties arise in conjunction with three critiques of the view of morality implicit in this version of human rights education: Levinas’s “interhuman” realm of ethical responsibility, the vicissitudes and resistances to learning elucidated by psychoanalysis, and the complex nature of the faculty of judgment as described by Hannah Arendt. Although perhaps philosophically irreconcilable, these three critiques combine to suggest the potential for human rights education to become an education that attends to the ethical responsibility that occurs apart from the rational aims of knowledge. Rather than merely an instrumentalized, moralized method for “securing” the future, this latter approach provides an important location for what Arendt called “thinking without a banister.”
In this essay I focus on a peculiar tension in human rights education. Generally speaking, human rights education seeks to instill a sense of dignity and ethical responsibility by teaching students about universally accepted principles and standards of conduct. Yet, paradoxically, human rights abuses are precisely those events that mark the breakdown of such standards. It may be too much to expect human rights education to respond directly to the horrific violence we call human rights abuses, but perhaps human rights education can acknowledge how it is touched by this conflict — or at least acknowledge that this “difficult knowledge” is a significant feature of learning about human rights. Such an acknowledgement could change human rights education from a rigid preventative measure toward a compassionate response to those moments in which human dignity was lost.

At present, however, human rights education does not stray from the straightforward promotion of the values and standards contained in the 1948 Universal Declaration of Human Rights, a document written in the shadow of the horrors of the Second World War. Closely paired with moral and democratic education, human rights education seeks to teach students about the universal principles at work in the Universal Declaration as a way to protect society against future inhumanity. Scattered throughout its literature are assurances that learning about human rights will lead to more just societies by drawing attention to human dignity. In this way, human rights education relies heavily on the belief that social and political progress can be achieved through the personal development of students — a kind of dream of liberation from the violence and aggression that has ruined the present world.

In many respects I think this is a laudable dream. And if we accept Sigmund Freud’s proposal that all dreams contain at their core a wish, then human rights education can be read as the fantastic wish to put an end to suffering. Indeed, the elevation of this wish to the rank of fundamental legislative principles marks a deeply important moment in Western consciousness, even if it was prompted by one of the twentieth century’s greatest horrors. However, as Sharon Todd suggests

1. The term “difficult knowledge” comes from Deborah P. Britzman, Lost Subjects, Contested Objects: Toward a Psychoanalytic Inquiry of Learning (Albany: SUNY Press, 1998), 117. I will explore this idea in some depth later in the paper.

2. The preamble to the Universal Declaration, it has often been pointed out, has obvious allusions to the Holocaust: “Whereas disregard and contempt for human rights have resulted in barbarous acts which have outranged the conscience of mankind...” The complete text of the document is available at http://www.un.org/Overview/rights.html.
in her book *Learning from the Other*, the relation between ethics and education is less than straightforward: “Ethics frequently signifies two major things for education: a programmatic code of rules or principles and a branch of philosophy that has importance for theorizing educational issues.”

While Todd does not address rights specifically, she has hit upon one of the chief hazards for human rights education — the risk of becoming instrumentalized as a code of rules dictating right ways of living. Todd suggests this view may reduce education to a kind of “rhetorical violence”:

> Whether one teaches an abstract set of principles, or attempts to teach relations [such as empathy] in order to lead students to act more appropriately, or teaches through modeling and example, education risks becoming a form of rhetoric, a practice in the art of persuasion that already presumed that those who are subject to it do not already know what they need to in order to act morally.

In light of this critique, Todd has opened up an alternate course for thinking about the relation between ethics and education. Throughout her text, she weaves a route between psychoanalysis and the ethical philosophy of Emmanuel Levinas, a route that allows her to focus on what is at stake in the process of learning from the other. This focus highlights a relation to otherness that is prior to understanding and takes into account students’ affective response to the encounter with knowledge. This approach, I am convinced, offers an important direction for the field of human rights education, which has yet to acknowledge the psychic dynamics that animate the process of learning.

Taking my direction from Todd, I will explore in this essay the implications these two theoretical interventions — Levinas and psychoanalysis — pose for the field of human rights education. These theories are not especially compatible (indeed, as Todd points out, the perception of Levinas’s mistrust of psychoanalysis has reached almost legendary proportion), and it is not my aim to reconcile their differences here. Rather, I seek to establish a broader map that assesses key conceptual problems in human rights education. To this end, I will take up two central tensions in turn. First, I consider Levinas’s an-archic critique of ethics in relation to human rights education’s reliance on universal principles. Second, I examine the question of affect and the complex psychic dynamics that may interfere with learning about human rights and their abuse. Finally, as a kind of reply to these two sets of tensions and a way back to the important dream I see at the heart of human rights education, I close the paper with a brief examination of Hannah Arendt’s thoughts on the faculty of judgment. At the end of her life, Arendt sought

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4. Ibid., 7.

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to distinguish a kind of judgment that does not rely on preexisting principles but “produces its own principles by virtue of the judging activity itself.”5 In this light, human rights education might be characterized as a location where such judgments could be exercised, where learning could be a thinking “without a banister,” as Arendt put it, meaning thinking boldly while remaining aware of the precariousness and fragility of all things human.6

**HUMAN RIGHTS AND HUMAN RIGHTS EDUCATION**

As Felisa Tibbitts has suggested, human rights education can be described as a subfield within democratic education, but unlike democracy’s focus on the citizen as a member of a state, human rights education takes as its premise the individual in the context of humanity.7 Human rights education was conceived virtually in tandem with the Universal Declaration of Human Rights, although detailed legislation for it was not written until 1993 at the World Conference in Vienna. Pursuant to a suggestion of the World Conference, the United Nations General Assembly proclaimed the ten-year period beginning in January 1995 the United Nations Decade for Human Rights Education. During this era the field has been institutionalized through the development of an internationally produced curriculum and methodology supported by various governmental and nongovernmental human rights centers.

This institutionalization of human rights education has, unfortunately, led to the reduction of all reflection on rights to a concern about the *effectiveness* of rights. Generally speaking, the field of human rights education comprises scholars and teachers who struggle to articulate strategies that will facilitate the acquisition of rights language and, to varying degrees, engage students in a kind of moral activism. Indeed, discussions in this field revolve largely around conceiving a linguistic usage that best serves this end. In most cases, the preferred curriculum strategy follows a fairly standard formula: first, the basic articles of the Universal Declaration are introduced to students [often in an abbreviated form], followed by specific case studies of oppression. The case studies are often historical stories of distant places and different peoples, but they can also be hypothetical examples constructed like math problems [“A group of students is told that they are not allowed to pray in school”]. More recently, there has been some effort to attend to local concerns, but, overall, the academic literature on human rights education offers a largely normative approach in which the steady re-articulation of this curricular strategy is

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combined with a justification of human rights education as a universal method for interpreting specific cultural violence.\(^8\)

And yet, with its cursory attention to the suffering of others, this brand of human rights education is, in some sense, a history from below. By focusing on the sufferings of the vanquished, human rights education seems to accept a version of history that regards ethics with some urgency. As Walter Benjamin has written, this version of history portrays the present in a “state of emergency” with the intention of provoking a sense of social responsibility but, paradoxically, this responsibility grows out of an encounter with social breakdown.\(^9\) Like the larger structure of human rights, human rights education has tried to establish a sense of responsibility from the recognition of its limits. In essence, human rights education asks students to respond to — and to base their sense of responsibility in — a knowledge of human rights violations. This approach involves asking students to “face” stories of people who have suffered under slavery; political, religious, or racial repression; physical torture; and even murder. Yet pressing questions emerge from this paradoxical formula: How are students to develop a sense of responsibility from an encounter with unprecedented violence? How can significance be made from the inchoate?

While teachers in social justice education have long relied on stories of suffering to encourage students to take on social responsibility, what marks human rights education as different is pressure from the force of law itself. Human rights education demands that students recognize and adopt a sense of universal duty from their very singular experience of the ethical encounter with another’s suffering. This tension between universal principles and the singularity of an ethical encounter can also be found in the broader debates on ethical philosophy.

**Otherwise Than Universal Principles**

The difficulty with basing responsibility in the encounter with suffering is that knowledge of human immorality does not, in itself, change people. The question of what we should do about this stems from an obligation that extends beyond (or perhaps precedes) rational knowledge. One answer to this dilemma is to establish a supreme, transcendent principle of morality as Immanuel Kant did with his famous Categorical Imperative: Always act in such a way that your actions should become universal law. Human rights education relies on such a system in placing moral duty at the center of its project, and it is guided by an abstract set of principles that reaches toward a universal set of standards (the articles of the Universal

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Declaration). Expressly drawn from Kant’s theory of a supreme principle, current conceptions of human rights education seek to transcend all particularities in an effort to get beyond the problem of cultural relativism.10 For students exposed to knowledge of human rights violations, therefore, learning these ethical principles provides a sense of right and wrong wherein actual human suffering can be understood as a concept that can then be judged against an abstract principle.

Levinas articulated an important challenge to this paradigm, a challenge that necessarily interrupts the tidy conception of human rights education as the acquisition and application of universal principles. As Catherine Chalier suggests, Levinas’s position raises an important question regarding the Kantian model: “Does the source of moral behavior toward the other lie in the subject’s principles, independent of any encounter the subject might have with the sensual concrete exteriority of individuals, or is it in fact produced by that encounter, independent of preexistent principles?”11 Ethics for Levinas is “an-archic,” that is, it does not result from putting into practice previously known or learned principles (arche). In contrast to Kant, he suggested that an ethical encounter opens one up in a way that cannot be resolved through the application of a universal principle. At his most extreme, Levinas might have argued that to reduce the other’s suffering into universal terms accords with the tradition of Western philosophy that “wants to reabsorb every Other into the Same and to neutralize alterity.”12 Thus, in Levinas’s view, to reduce the encounter with an other to an abstract principle is actually a kind of metaphysical violence in which the subject seeks to bring the otherness from outside (“exteriority,” to use his term) under control. On this account, ethics occurs prior to any idea of human dignity (prior, in fact, to essence and being).

In a brief essay titled “The Rights of the Other Man,” Levinas offered his thoughts specifically on the question of rights. He began by noting the traditional a priori conception of rights, where the Rights of Man are conceived as being attached to every human independently from any prior granting by any authority or tradition. Levinas pointed out that this independence, the right to free will, is immediately thrown into question by the coexistence of multiple “holders of rights,” who, all “unique and free,” violate each other’s rights through limiting them — the war of each against all, based on the Rights of Man. Kant, of course, struggled with this very question, and Levinas interrogated his reasoning that respect for the other can be brought about by respecting the abstraction of “good will” (which Kant called “practical reason”). In response to Kant’s logic of obligation, Levinas posed a series of questions:

Practical reason’s intention, attributed to the will, of ensuring the right of man or the freedom of the neighbor — does it not cost free will its own right to freedom? The duty in which it would be free by virtue of the rationality of faithfulness to the maxim of action — does it not bear some submission...an attachment to the other in his alterity to the point of granting him a priority over oneself?

Both Kant and Levinas used the figure of the neighbor as a nod to Mosaic law, which commands us to love our neighbor and even our enemy. Indeed, we might imagine human rights as a twentieth-century version of this commandment. When it comes to love, however, the differences between Kant and Levinas could not be clearer. For Kant, love must be secured as a duty, an action necessitated by respect for the law (it most certainly does not result from inclination, which he called “pathological love”).

Self-admittedly, Levinas resided in a version of this pathological love: His is a “love without Eros...[a] love in which the ethical aspect dominates the passionate aspect...[It is] the taking upon oneself of the fate of the other.”

For Levinas, ethical responsibility is not, at its origin, a relation with principles of law; rather, it resides in the singular encounter with the other. Indeed, as he suggested at the close of the previously mentioned essay, “The Rights of Man are originally the rights of the other.”

Levinas’s understanding of the nature of ethical responsibility calls into question a version of education where the subject is brought to knowledge and comes to act on the basis of this knowledge. His thinking reminds us that human rights should not, first and foremost, be translated into a moral agenda for education or a process for acquiring knowledge of universal principles. Rather, if we accept Levinas’s view, human rights education might become a place where we can think differently about the ethical significance of education itself.

HUMAN RIGHTS EDUCATION AS “DIFFICULT KNOWLEDGE”

In Learning from the Other, Todd suggests that, in the educational context, the weight of this responsibility for the other often appears as guilt. This common classroom response to stories of suffering indicates students’ susceptibility to Levinas’s description of responsibility. Todd sees this guilt as ethically significant, not because it proves students have understood the content of the lesson, but because of its “tacit acknowledgement that some harm has been committed against

17. Sharon Todd proposes this turn in her introduction to the special issue on “Levinas and Education: The Question of Implication” in Studies in Philosophy and Education 22, no. 1 (2003): 1–4. All of the essays in this special issue provide further insight into the impact of Levinas’s work on the ethical aspects of education.
18. Todd, Learning from the Other, esp. chap. 4.
another, for which one feels some kind of obligation, whether or not one has been
directly involved in such harm.'” By “tacit” Todd is suggesting that learning about
suffering may appear, at times, as a resistance to learning. Education is not typi-
cally prepared to deal with such resistance, especially in fields like human rights
education, but given the weight of the encounter with responsibility, resistance to
the knowledge of social violence takes on new meaning. Beyond Levinas’s chal-
lenge to the rational aims of human rights education, then, the encounter with the
history of social violence poses another kind of trouble for education: the problem
of affect.

Freud often remarked that to reflect on the history of human cruelty is to
encounter a particularly intimate difficulty in thinking, for thinking about cru-
elty presses the thinker up against his or her limits. In “Thoughts for the Times
on War and Death,” for instance, he suggested that the attempt to think
about war and death is often marked by a feeling of confusion and futility. It
might be possible to retrieve something for education from Freud’s observation,
namely, that human cruelty is precisely unthinkable. If social violence operates as
a kind of limit to the possibility of knowledge, then human rights education has set
itself a rather difficult task. And while disillusionment might signify a kind of dif-
ficulty in rational thinking in the face of suffering and death, it is at the same
time, of course, a strongly affective state. Indeed, as Todd points out, affect often
comes first.

This separation between the idea (or presentation) of knowledge and its affect-
tive force is provided in one of Freud’s earliest models and serves as a defining prin-
ciple of resistance. Studying the experiences and the traumatic residuals of
torture, slavery, ethnic hatred, or genocide requires educators to think carefully
about learning as a complex psychic event. As Deborah Britzman has pointed out,
it may be useful here to consider two dynamics of learning noted by Freud — learn-
ing about and learning from:

Whereas learning about an event or experience focuses on the acquisition of qualities, attrib-
utes, and facts, so that it presupposes a distance (or, one might say, a detachment) between
learner and what is to be learned, learning from an event or experience is of a different order,
that of insight. Both of these learning moves are made more fragile in difficult knowledge.

19. Ibid., 92.
20. Sigmund Freud, “Thoughts for the Times on War and Death” [1915], in The Penguin Freud Library,
vol. 12, Civilization, Society, and Religion, trans. James Strachey, eds. Angela Richards and Albert
21. As early as 1895, Freud theorized that affect is not necessarily bound to the idea in Studies in Hys-
teria, and he elaborated on this division throughout his metapsychological works. See Sigmund Freud
22. Britzman, Lost Subjects, Contested Objects, 117. Todd also acknowledges this distinction between
learning about and learning from, and it becomes central to the position she stakes out in Learning from
the Other.
Britzman uses “difficult knowledge” to signify both representations of social traumas in the curriculum and the individual’s encounters with them in pedagogy. In this way, she is able to consider the encounter with such knowledge as a kind of conflict between inside and outside, and the student’s own psychic history becomes implicated in confronting outside knowledge of injustice. In this encounter, meaning itself may become fractured as the student attempts to learn from loss.

More specifically, Britzman suggests that encountering evidence of suffering or injustice engenders a secondary crisis in learning. This secondary crisis centers on the particular difficulty of crafting significance from the encounter with difficult knowledge and results specifically from “the lonely recognition that knowledge of loss and our own insufficient response can be made only in belated time.”

This rather complex psychic dynamic follows the timing of what Freud termed Nachträglichkeit: a psychic temporality that is recursive in its structure and delayed in its knowable effect. This means that registration of a human rights abuse will inevitably occur too late to prevent the violation. Learning from the social violence that is the loss of human rights, therefore, may mean tolerating the time before understanding — a time that is nevertheless filled with great affect. Human rights education, beyond simply articulating universal principles of justice and human dignity, must also try to take into account this secondary breakdown, the crisis of witnessing that comes from the very reception of difficult or traumatic knowledge. We must realize in this context that human rights education cannot escape being affected by the violence it attempts to address.

One specific example of an affect that might be significant for human rights education is a feeling Freud called “the uncanny” (in German, unheimlich, which literally translates as “unhomely”). For Freud, this is an “aesthetic feeling” that is hard to define but that is clearly related to what is frightening, horrifying, or otherwise dreadful. Freud noted that people experience this feeling most acutely in relation to death and dead bodies, which, of course, are frequently encountered in human rights violations. He suggested that uncanniness is a repression of the “primitive” belief that the dead will persecute us, or “carry [us] off to share [their] new life.” The idea that the dead will somehow take us away might seem like a childish fear — indeed, in such an encounter this fear is often turned away, kept at a distance from consciousness, which only admits to an undefined “uncanny” feeling.


24. Britzman, Lost Subjects, Contested Objects, 133.

25. For more on Nachträglichkeit, see Britzman, After-Education, 38.


27. Ibid., 365.
And yet, ironically, this feeling of uncanniness produces moral judgment: the initial anxiety in the face of death or suffering arouses something Freud called “a special agency...which is able to stand against the rest of the ego, which has the function of observing and criticizing the self and of exercising a censorship within the mind, and which we become aware of as our ‘conscience.’” Although he does not name the special agency in this passage of “The Uncanny,” we can, of course, recognize this infamous watchman as the superego, the third term in Freud’s tripartite division of the mind. Here, we have made our way back of guilt in some respects: according to Freud, the earliest ethical commandment stems precisely from our ambivalent response to death and suffering.

Indeed, as with Levinas, ethics does not originate from a doctrine of universal principles but rather from a form of social anxiety. Moreover, the uncanny encounter with social breakdown may inaugurate the very action of moral judgment.

**EXERCISING JUDGMENT: THINKING “WITHOUT A BANISTER”**

The question of the nature of the faculty of judgment returns us to one of the central concerns of human rights education. Although the articulation and promotion of universal principles is cast here as a nervous response to the encounter with atrocity — a way to foreclose the anxiety that social violence arouses — I do not want to suggest that we should do away with human rights. But rather than simply promoting international standards, I think we must begin to consider a different set of questions initiated by those very events we call “human rights abuses.” Such a line of inquiry might begin with a question proffered by Hannah Arendt: “How can we tell right from wrong, independent of knowledge of the law?” Arendt’s question was spurred by her 1963 trial report on the Nazi criminal Adolf Eichmann, or, perhaps more accurately, by the intense public controversy her report generated. The startling revelations the trial uncovered about the Final Solution, combined with the controversy surrounding her report, pushed Arendt to consider two problems more specifically: first, Eichmann’s “thought-defying” inability to make an independent judgment — that is, his utter inability to tell right from wrong; and second, the indisputable need to render retrospective judgment on Eichmann’s actions, even some twenty years after the dissolution of the Nazi regime. Arendt was vociferously attacked on both these points; nevertheless, the controversy drove her to reconsider “one of the central moral questions of all time, namely the nature and function of human judgment.”

In fact, Arendt was to have written a book on judging as the concluding part of her collection *The Life of the Mind*, following the first two volumes on *Thinking*.

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28. Ibid., 357.
29. Freud, “Thoughts for the Times on War and Death,” 84.
and Willing. But as Mary McCarthy, editor of the posthumous work, noted in her postface to the published volumes, Arendt’s sudden death a week after completing Willing prevented this. The only remnant of the third volume was a single sheet of paper in her typewriter, “blank except for the heading ‘Judging’ and two epigraphs.”

Arendt did, however, leave a set of lectures on Kant’s political philosophy that focus on the Critique of Judgment, as well as a series of essays and lectures that return to the issues of the nature of evil and making moral choices so central to the Eichmann controversy. I cannot explore fully the significance of Arendt’s varied thoughts on the problem of judgment to the study of human rights here. Instead, I will focus on the two central tensions of the Eichmann case that are particularly important to our discussion: the problem of making judgments independently of the law, and the curious timing of judgment, which, of course, is rendered after events.

The Eichmann trial, like the Nuremberg trial before it, dealt with a crime not found in any law book and with a criminal previously unknown to any court. The Nazi’s crimes against humanity — or, as Eichmann’s prosecutors more appropriately labeled them, “crimes against the human status” — were unprecedented in that they were simply unknown. To put it more accurately, such crimes were simply invisible to any previous formulations of morality or law. The difficulty of recognizing human rights violations left Arendt with a precarious set of questions:

How can you think, and even more important in our context, how can you judge without holding on to preconceived standards, norms, and general rules under which the particular cases and instances can be subsumed? Or to put it differently, what happens to the human faculty of judgment when it is faced with occurrences that spell the breakdown of all customary standards and hence are unprecedented in the sense they are not foreseen in the general rules, not even as exceptions from such rules?

Because the Holocaust marked the very breakdown of all moral standards, Arendt tried to articulate a kind of judgment that does not rely on principles; rather, in this new type of judgment the rule is derived from the particular. This sense of judgment echoes Levinas’s an-archic critique and opens up an important

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34. See Hannah Arendt, Lectures on Kant’s Political Philosophy, ed. Ronald Beiner (Chicago: University of Chicago Press, 1992); and Arendt, Responsibility and Judgment.

35. Arendt, Eichmann in Jerusalem, 257.


37. See Arendt, Lectures on Kant’s Political Philosophy, 7–78. Arendt derived this alternate form of judgment from Kant’s version of aesthetic judgment. Kant suggested that, in aesthetics, we make reflexive judgments. For instance, “If you say, ‘What a beautiful rose!’ you do not arrive at this judgment first by saying, ‘All roses are beautiful, this flower is a rose, hence this rose is beautiful’” (p. 13). However, aesthetic judgment, the judgment of a particular, has no place in Kant’s moral philosophy, which is governed by practical reason: “Judgment is not practical reason; practical reason ‘reasons’ and tells me what to do and what not to do; it lays down the law and is identical with the will, and the will utters commands; it speaks in imperatives” (p. 15). Although the Critique of Judgment was originally to be titled Critique of Moral Taste, Kant withdrew moral propositions from aesthetic judgment during the course of writing this work. Arendt’s project was, in some sense, to return reflexive judgment — judgments of the particular — to moral propositions.
avenue for human rights education: Beyond the exclusive focus on the principles of the Universal Declaration, human rights education (and perhaps human rights discourse itself) is a place where judgment can be exercised “without banisters,” that is to say, without knowledge of a universal standard. Instead of asking students to subsume particular instances of social violence under an article of the Declaration, these particular cases could be brought to a concept, yielding a type of judgment that could produce its own principles “by virtue of the judging activity itself.” It is difficult to find ordinary examples illustrating judgment of this sort, although perhaps we can recall those extraordinary moments in which we were surprised by an image of atrocity. Such encounters are usually felt as a blow, and often one feels, unequivocally, that such suffering never should have happened.

The second tension Arendt’s questions raise for human rights education has to do with the curious time of judgment. The process of judgment requires that we make the effort to understand how things look from a position that we do not occupy. This action borrows a function from the imagination: contemplating the rights of the other means recognizing both the other’s (absent) presence as well as a time other than the present. In this light, judgment is not a form of political action, but instead comes from the spectator caught in “the gap between past and future.” According to Arendt, reflective judgment functions as a kind backward glance, a historical reflection that helps sustain the present. In this sense, as Ronald Beiner points out, the problem of judgment is coterminal with the problem of time, or, more specifically, judgment helps save “the moment” from the constant onrush of time. There are obvious links here to the psychoanalytic method that Freud self-consciously called “after-education” and the belated understanding of Nachträglichkeit. Indeed, both Arendt and Freud proposed that the question of judgment is deeply bound to the reconciliation of (at least) two times:


39. Arendt herself illustrated such a judgment in an interview with Güntar Gaus. In reference to learning about the murders termed the Final Solution by the Nazis, she said, “You know, what was decisive was not the year 1933 [when Arendt left Berlin after being briefly imprisoned by the Nazis], at least not for me. What was decisive was the day we learned about Auschwitz. . . . It was really as if an abyss had opened. Because we had the idea that amends could somehow be made for everything else, as amends can be made for just about everything at some point in politics. But not for this. This ought not to have happened. . . . This should not have happened.” See Hannah Arendt, “ ‘What Remains? The Language Remains’: A Conversation with Günter Gaus,” in The Portable Hannah Arendt, ed. Baehr, 13–14 (emphasis in original).

40. Arendt, Thinking, 207. Although as Ronald Beiner points out, Arendt had not one but two theories of judgment: early and late. Up until her 1971 essay “Thinking and Moral Considerations,” she considered judgment from the point of view of the vita activa; in her writings from that essay onward, however, she considered judgment from the point of view of the life of the mind. Beiner observes that “The emphasis shifts from the representative thought and enlarged mentality of political agents to the spectatorship and retrospective judgment of historians and storytellers.” See Ronald Beiner, “Interpretive Essay: Hannah Arendt on Judging,” in Arendt, Lectures on Kant’s Political Philosophy, 91.


42. Sigmund Freud, cited in Britzman, After-Education, 4. Britzman works with this construction throughout her text as a way to collect the “fragments of experiences made when two dimensions of time communicate: the reconstructed time of psychoanalysis and the exigency of education,” 5.
first, an encounter with a reconstruction of a past marked by breakdown and violence and, second, a present that is governed by a wish for the suffering to end.

Human rights education might be the definitive example of how education gives us trouble, staging as it does an interplay between the recognition of a sense of justice and the recognition of justice's breakdown. But if human rights education began by acknowledging this central conflict, then perhaps this discourse might move away from an instrumentalized, moralized method for “securing” the future and toward a compassionate inquiry into the grounds of our response to the loss of human dignity. This would be a very different model of human rights education — one that might provoke new thoughts on the precarious vulnerability of human rights.