The Future of Higher Education:
The Role of Basic Values

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Abstract

In this paper the author identifies the importance of the development of thinking skills in the exposure to higher education. It underscores the intellectual procedures necessary for identification and the solving of problems across disciplinary lines. The paper also explores the problem of the is and the ought in the processes of higher education. It underscores the central issue of shared enlightenment as a major purpose of higher education. It specifically focuses on the role of the individual and the culture of human rights in the context of higher education values. The paper provides a summary of the most important contemporary conceptions of human rights and justice. The paper then outlines the values encased in the International Bill of Rights and its importance for the future of higher education. The paper provides a clarification of the most basic values implicated in the contemporary higher education process.

Education, and particularly higher education, imparts to the participants in education fundamental thinking skills that with extended immersion in educational processes are fundamentally concerned with human thinking and how to improve the human capacity for thinking in terms that are socially and personally constructive. Thinking skills are intimately integrated into the human subjectivity of human perspective. Human perspective in turn, is intimately connected with purpose of human activity. Purpose of human activity is overwhelmingly implicated in the pursuit of human values. The educational process that seeks to improve the methods of human thinking are therefore inextricably bound up with the training of human perspective and human perspective is intricately bound up with the pursuit of human values.

The fundamental idea behind all educational processes is still the challenge of education to understand how human beings think, and how to improve on the process of thinking. The thinking process that evolves as a component of human subjectivity is significantly directed at the need of the individual self-system to identify, understand, and, ultimately, solve problems. The importance of problem solving in the context of the future of higher education is complex since the knowledge-generated fields are organized in terms of discreet disciplinary methods and procedures. Problem solving must therefore find the method

and the means of exploring, comparing, contrasting and integrating a universe of multiple disciplines all of which are relevant to the evolving human subjectivities of the participators in higher education.

"Creativity seeks to advance knowledge and understanding across disciplinary lines and fearlessly embracing new paradigms of knowledge creation and the social responsibility for innovation."

Dewey in his famous book, *How We Think*,[1] sets out the challenge that all human beings from infancy through life have to develop the thinking skills necessary to successfully identify the problems they encounter, and to develop increasingly sophisticated intellectual procedures to solve the problems that have been identified. Problem solving involves a critical faculty in the self-system of the human being. This faculty is the faculty of making choices about the implications of values and problems of importance to the individual and society. In effect, this means that choice itself is a matter of the individual exercising the challenge of informed decision making, hopefully in the interest of the individual and the common interest of the community.

Dewey and later Lasswell sought to clarify the precise intellectual procedures that an individual may acquire and refine in order to be a successful participator in solving personal and social problems.

1. Intellectual Procedures for Problem Identification, Problem Solving and Decision Making

These intellectual procedures and skills are each distinctive and, at a sophisticated level, involve methods and procedures of increasing skills and sophistication. These thinking skills require immersion in knowledge—generating disciplines as well as integration of that knowledge in terms of problems and solutions in the form of decision making that challenge the intellect in terms of decisions that are good for the individual, good for society and for those that reproduce the opposite result.

The intellectual tools identified by Dewey, Lasswell and their associates are as follows:

2. Five Intellectual Skills Critical to the Future of Higher Education[2]

The Relevance of Values and Goals[3]
– The clarification of values and goals (the relevance and challenge of values)

The Description and Relevance of Trend[4]
– The description of trend (historical description and analysis)

The Relevance and Examination of Scientific Conditions[5]
– The analysis of conditioning factors (the focus on the causes and consequences shaping existential phenomena)

The Relevance and Salience of Projection of Future Developments[6]

– The projection of future developments (the relevance of predictive forecasting)

The Relevance and Consideration of Alternative Basic Policies in the Production and Distribution of Values (Creative Thinking)[7]

– The invention, evaluation and choice of value priorities and alternatives

It will be apparent that problem identification and problem solving are crucial features for the future of higher education. Creativity is a major challenge to conventional higher education with its focus on disciplinary autonomy. Creativity seeks to advance knowledge and understanding across disciplinary lines and fearlessly embracing new paradigms of knowledge creation and the social responsibility for innovation.

The fundamental question that we now pose is: What is higher education for?

The answer is that higher education is for the defense and promotion of the basic values that are crucial for the wellbeing of the individual and all members of society. A major emphasis of higher education is the reproduction of shared enlightenment on the most inclusive scale that is institutionally possible. Enlightenment of course means the generation of new knowledge as well as the responsibility of how new knowledge is transmitted under conditions that sustain high ethical and moral standards of responsibility. As Einstein once suggested, new knowledge should be a blessing and not a curse to humankind. New knowledge also implicates the fundamental values inherent in the autonomy of the university as well as the salience of academic and intellectual freedom. This of course does not tell us precisely what the values are, how they are to be ascertained and clarified and how we are to secure and advance rational choices directly concerned with problem solving that improve the individual and aggregate value positions.

One of the important insights about values and human beings is that all human beings participate in the social process and are asserters of value demands which they need to survive to improve their life situation and to contribute in general to aggregate social wellbeing. Thus, human beings are not in a position of trying to find their values, they already have them. But their understanding of how these values are given content and operational salience is more complex.

"The very act of posing the question in general terms about the importance of values is an indicator that the person posing the question comes with ideological beliefs that may characterize the particular social context."

Struggling with this problem may explain why dramatic shifts in value orientation are rather unusual. A change in value orientation may be the result of being exposed to a wide range of conflicting social configurations. Such configurations may generate deep internal conflict in the personality. One such example is Gautama Buddha's transformation from a conspicuous and wealthy prince to having a career of deep contemplation and teaching. In general, students in higher education may also be confronted with new configurations, which reshape their value orientations. Rapid advances in knowledge and technological generation intensify the challenge of sustaining a value orientation or changing it among the participators in higher education.

Higher education will challenge personal beliefs and generate value conflicts and intensify searches for both value content and value procedure.

3. The problem of the "is" and the "ought"

The fundamental problem concerning the content and the clarification of values is the determination of why a value should be preferred and given high deference over other values. In effect, this is a search for understanding the truth of a value proposition. Technically speaking, the method used by philosophers is that a value is entitled to its currency as a value when it is justified by reasons external to the statement maker. Even with this it is difficult if not impossible to adequately justify statements of higher general preference like the deference to be given to the principle of human dignity. In this sense the justification of values by transcendent religious experience can sometimes be a strut to support the human dignity principle. But, justification by divine rule, or some other transempirical source does not provide an objective validation of the principle. In this context, a statement maker proposing value and relying on divine revelation has a burden of objectively proving the divine source of the value.

To overcome the problem posed by the "is" versus the "ought", WAAS theorists provided a clarification not only of thinking in terms of the "is" and the "ought" but also other forms of thinking such as trend thinking, futuristic thinking and creative thinking. Since five different modes of thinking are required to understand and solve value problems, the problem solver has to integrate the five intellectual tasks generated for problem solving. With the guidance of these procedures, the gap between the "is" and the "ought" is avoided by the relevance of human choice and decision-making. In short, the "is" and the "ought" and other methods of problem solving are crucial to the enhancement of rational choices in the interest of the individual self-system and the common interest of the community as a whole.

This has left theorists to postulate the principle of human dignity as the overriding goal value that should direct the future of higher education. The challenge to this approach is that postulation may be used in an arbitrary sense as well. However, pragmatic theorists have argued that since human dignity is a relatively self-evident postulation, it can serve as a guide to the teaching and the generation of knowledge in higher education circles. By making the postulate explicit, the postulate may be subject to criticisms as part of rational debate. In the absence of compelling critiques, the human dignity value should continue to guide and direct the future of higher education in terms of shared enlightenment, teaching, research and responsibility. If we assume that shared enlightenment is an aspect of the human dignity general principle, we are still challenged to delineate what it specifically means as a contextual reality in the context of higher education.

4. Shared Enlightenment and the Future of Higher Education

Since shared enlightenment is a component of the social process, it will be very important to know the specific context of conditions and factors within which the problems and the potentialities of shared enlightenment occur. To contextualize this process requires an identification of the critical dimensions of contextual reality in the context of higher education. What follows is a brief summary:

— Contextual reality related to shared enlightenment must identify the participators and are challenged to determine the level of inclusivity of **participation**.

Perspectives of Subjectivity

— Shared enlightenment will affect the process of thinking of the participators in higher education. It will specifically affect the processes implicated in the processes of identity. Identity may indeed be broadened and become more inclusive. It will also impact upon the perspective of value demand of the student, and in a sense, sharpen and accentuate claims for value in society. Finally, shared enlightenment will have an effect on perspectives of expectation and change of those who participate in higher education. Shared enlightenment may have profound effects on human subjectivity of participators in the future of higher education.

— Participation happens in **situations** and these situations may be brick and mortar or virtual. Situations may be vital to a realistic understanding of realizing the goal of inclusive participation.

— Enlightenment may serve as a **basis of power** to increase the shared level of enlightenment. Enlightenment in scientific research and other technological developments may significantly increase the influence of the institutions of enlightenment. Indeed, specialized knowledge, access to grants, review of new knowledge are all laced with issues of enlightenment as a base of power.

— The fundamental issue of **strategies** is that enlightenment favors strategies that promote the growth and dissemination of knowledge.

— The **outcomes** of shared enlightenment in general favor the accumulation, storage and retrieval of valid information. The enlightenment preference favors inquiry into fundamental knowledge of man and nature and a complete exploration of the creative potentials of the human person.

5. Specification of Values

I.   This facilitates a clarification of the general context of deferred value.

II. The next task is the specification of the values implicated in the human dignity principle. From a scientific point of view, specification of values involves a synthesis of definitional or syntactic specification as well as an exercise in semantic specification.

In this paper we do not stress semantics and syntactics in the specification of values because there is a long tradition of this as a conventional approach to the problem in both religion and philosophy. Syntactics and semantics implicate a method or exposition that has been described as derivation. To a large extent, derivation has a starting point in the existence of a god or some other transempirical source. The traditions include Confucianism, Buddhism, Catholicism, Calvinism, German Idealism and Dialectical Materialism.

6. The Rise of the Individual, Human Rights & Higher Education Values

The role of the individual as a transformative agent in society and the demand by individuals are essential to the development of human rights. It is suggested that human

rights emerge out of struggle in social process at all levels. That struggle is the struggle for the recognition of basic rights and essential dignity. Additionally, an essential linkage is made between rights and opportunities, and insists that values require processes to secure the satisfaction of human wants and needs.

"At the root of the multiple crises confronting humanity today is a crisis of values that must be resolved before there can be any hope of lasting solutions to the problems facing humanity."

The founding of the World Academy of Art & Science was inspired by a conviction that knowledge and technology alone are an insufficient basis for human development, unless guided by and subordinated to the pursuit of universal values inclusive of all humanity. The founders were cognizant of the challenges of complexity and interdependence consequent on the increasing flow of goods, services and people resulting from rapid globalization. They recognized that rapid social evolution was undermining traditional notions of sovereignty, giving rise to new conceptions of global responsibility and human rights. Concerned about the social consequences and policy implications of these radical changes, they searched for new principles of global governance based on the common interests and rights of all humanity.

The current crises confronting humanity today reinforce the importance of global values as the essential basis for global social progress. Unregulated markets that serve the few at the expense of the many, undemocratic institutions of global governance, rising levels of inequality, unsustainable exploitation and destruction of our natural resource base, rising alienation of human capital from productive employment and rising levels of social instability are signs of a social fabric increasingly divorced from and insensitive to the welfare and well-being of large sections of humanity. At the root of the multiple crises confronting humanity today is a crisis of values that must be resolved before there can be any hope of lasting solutions to the problems facing humanity.

Concurrently, we are compelled to recognize the enormous progress humanity has made over the past few centuries in enhancing the values by which we live—the unprecedented freedom consequent of the expansion of democratic forms of governance, the unprecedented security resulting from rising levels of economic development, the greater recognition and enforcement of human rights, the gradual emergence of principles of a global rule of law and justice governing relations between nations and global society, which until recently dominated almost exclusively by power of politics and military power. Each of these changes is partial and certainly incomplete, but the direction is evident and the will for progress is still growing. Thus, we must reconcile our growing sense of dissatisfaction with the absence of values with a perception of their increasing importance. Jasjit Singh attributed this paradox to the fact that aspirations and expectations are rising faster than ground level social realities.[8] The concern for global values, their meaning, and salience have also been a concern for the Club of Rome (CoR). The Club's own interests in rational global economic policy and

practice in the common interest represents a challenge to better understand what the common interest actually is and what it implicates. Both WAAS and CoR have felt a compelling need for a deeper and wider trans-disciplinary inquiry into fundamental questions relating to the values in the global system. Such an inquiry is essential for understanding the present state of the world order to which we have arrived as well as for charting a better collective future for humanity based on universal values for sustaining a world order in the common interest. Over the past two years, the World Academy and the Club of Rome have been exploring the root causes of the crises facing humanity relating to the international financial crisis, unemployment, growing inequality, ecological destruction, global governance, international security and social stability. It soon became evident that the problems we face are rooted in the ideas and values that underpin the current global system and the effective lasting solutions to these problems will require fundamental changes in the normative foundations of global society in the 21st century. In order to validate this premise, the Club of Rome convened an eclectic group of 18 individuals from diverse cultural, intellectual and moral frameworks to participate in a two-day workshop in Bristol, UK. The meeting was conducted in association with the Alliance of Religions and Conservation (ARC) to reflect on the impact of myth, narrative, and values on social evolution and to provide insights into the values needed by the global community to support constructive development of all humanity in an increasingly cross-cultural, value pluralistic world. The group included four Fellows of the Academy, including the lead author. Following two days of very stimulating creative discussion, participants were requested to submit answers to the following questions summarizing their insights into the role of values and narrative in the past, present and future development of global society.

1. What are the key stories that have brought us to where we are culturally today and, which have been creative and which problematic?

2. What do you see as being the key values that could shape the future and where would they come from?

3. Which value, e.g. Liberty; equality; compassion—is the crucial one for you? Could you do a brief piece on both why and also on how it has changed its meaning in the last couple of hundred years?

4. Going back to your roots, what were the key stories and values that shaped you? How have these changed and how have they, and do they, shape the present?

These questions produced a number of wide-ranging responses reflecting the professional and cultural diversification of the group. Since the World Academy currently has a major emphasis on Individuality, our initial contribution provided a perspective of the Academy, which focused on the evolution of individuality and its implications for values fundamental to the global social process. We summarize the central points from the responses that was submitted by Jacobs and Nagan stressing the evolution of a narrative of individuality from a global perspective. In this regard, they suggested that the present is on a trajectory launched far in the past and moving well into the future. To know where we are going, we must first understand where we have come from and how we have arrived at the present. Viewing the past few centuries in the light of four value-based narratives offers important insights regarding humanity's recent achievements, current problems and future challenges.

7. The Individual and Contemporary Conceptions of Human Rights and Human Justice

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"The individual, in taking responsibility for a successful life, is essentially a transformative agent in the social process.."

The role of the individual in the theory of human rights and justice is reflected in the recent work of Ronald Dworkin.[9] Dworkin starts with the relationship of ethics and morality to individual action and responsibility. The ethical question for the individual is "what does it take for a life to go well?" This ethical principle is a focus on the nature of self-respect. Self-respect requires that the individual takes his own life seriously and appreciates that it is ethically important to make one's life a successful experience rather than a wasted opportunity. This principle therefore reinforces the individual responsibility for self-respect and authenticity. The individual must be self-aware of the ethical responsibility to identify what counts in life as a success. The moral principle, which is derived from this, and which has global implications, is, if my ethical principle of self-respect is important to a life that it is not a wasted opportunity, then that is a principle that I can support with regard to all non-self others on the planet; in short, a principle of morality and justice for all of humanity. Both of these theories of justice root the essential dynamism of it in the individual as a starting point. There is a recognition, therefore, that the individual, in taking responsibility for a successful life, is essentially a transformative agent in the social process. For Sen, individuals have capabilities which they should recognize and the need for the demand for opportunity to fulfill those capabilities. Dworkin frames the issue slightly differently but in a way that is not incompatible with Sen. According to Dworkin, "we need a statement of what we should take our personal goals to be that fits with and justifies our sense of what obligations and duties and responsibilities we have to others…" Dworkin also requires capability and process freedoms, if life is not to be a 'wasted opportunity.' There is a genius in joining opportunity and capability with a responsibility to take one's life seriously as an aspect of both personal and community morality. The idea that each individual has a right to a life of self-respect and authenticity—which must be given operational effect by capability and opportunity freedoms—moves from that of an ethical commitment to that of a moral principle, in the sense that self-respect, authenticity, capability and opportunity freedoms are encapsulated in the universal principle of human dignity. Dynamism is rooted in the responsibility and obligation of the person to respect oneself. Such respect is sustained by the idea that the self is truthful to the self and, therefore, expresses to the self its self-validating authenticity. This means that the subjects of the idea of justice are meant to be active participants in the shaping and sharing of justice, and, moreover, to be active participants in the transformational dynamics of the principle of justice.[10] These views about the essential relationship between human rights values and the idea of justice effectually require the individual human being to be a subject of justice and a stakeholder in the promotion of the idea of justice implied in the fundamental human rights values. These insights are important matters for any discussion of the future of higher education and the values that it ought to promote and defend.

8. The International Bill of Rights: Global Values and Higher Education

1. Broad agreement exists about production and distribution of the core values in the UDHR and these values implicate both individuals and aggregates.

2. The values in the human rights framework cover both the so-called "negative" rights that purport to limit the abuse of power and the "affirmative" rights that implicate more directly the guidelines of responsible social change. Expectations in this latter category are styled "aspirational" rights.

3. While the word "universal" in the UDHR cannot be taken too literally, the nature of the rights in the Declaration has a more generalized character, a kind of "practical" universality.

4. The operative sphere of human rights is the socio-political conditions of interdependence and inter-determination. This means that rights are frequently "absolute," when they are contextually prescribed and applied. A cruder version of this point is the simple dictum that A's right or entitlement ends where B's like right or entitlement begins.

5. Human rights frequently give empirical specification to basic or fundamental interests. The approach to value clarification that we have outlined above may be usefully compared to the UDHR. The UDHR has been said to encapsulate three distinct generations of human rights: "first generation" civil and political rights; "second generation" economic, cultural, and social rights; and "third generation" solidarity rights. This common approach is stated in general terms. Since the rights are interdependent, this is not an approach which we value; nevertheless, the approach is conventional wisdom. First generation rights are represented in Articles 2-21; second generation rights are represented in Articles 22-27; and the third generation of solidarity rights are said to be represented in Article 28.

The second generation rights are the ones most controversial to constitution-makers, and the solidarity rights, with their transnational internationalist implications, may also be seen as far afield from conventional frames of constitutional law discourse. The rights expressed in Article 28, viz that "everyone is entitled to a social and international order in which the rights set forth in this Declaration can be fully realized" have been developed in various international law influencing fora to refer to a more equitable distribution of global resources, the right of all nations to political, economic, social, and cultural self-determination, and "the right to economic and social development." Additionally, the right to a viable eco-system, the right to peace, and the right to humanitarian aid during emergencies also are reflected in Article 28's mandate. This bare outline of the fundamental values attending the contemporary conception of human rights obscures a great deal of complexity, historical understanding, the pervasive and critical importance of normative insight in human experience, as well as the impact of science and change upon the human prospect. In short, human rights may have been influenced by trans-empirical or spiritual values, but their modern genesis is rooted in human experience. The human rights codes are actually given life and dynamism by the human element. We may describe this element as the element of dynamic humanism. The human element in dynamic humanism is the element of individual and associational choice. In short, human rights, as an aspect of dynamic humanism, are given momentum and relevance by

the processes of human decision making. To illustrate this point with a specific example we may refer to the Polish Lawyer, Rafael Lemkin. Lemkin had an intelligence predicate for the scope of the Nazi atrocities and proceeded to dedicate himself to the creation of a universal crime of genocide. The term 'genocide' is a neologism which he coined. However, the process of getting an international agreement on the idea of a universal crime for a major human rights violation encountered considerable resistance. It is possible that the leaders of sovereign states understood that the defendants in such a situation would be the state decision makers themselves. In any event, Lemkin's tenacity in pursuing the creation of the international crime of genocide is an inspiring example of the success of individual activism in the success generated by the adoption of the Convention that outlaws genocide. Indeed, I do not believe that we would have had the universal, international crime of genocide without the humanistic advocacy of Lemkin. Additionally, the seeds that would ultimately emerge from this initiative may well be the inspiration for the creation of the International Criminal Court. Today, we have countless illustrations of organizations which mobilized ordinary citizens' concern, activism and the corresponding influences on decision making with regard to human rights issues in all parts of the planet. For example, recent studies have shown that the global anti-apartheid movement was largely inspired by ordinary people's activism which in turn forced their governments to take stronger action against the apartheid state and which was a significant factor in the transformation of that country into a new political order. Similarly, tremendous indecision in the international community regarding the scale of atrocities of the conflict in South East Europe also generated citizen advocacy to reshape the dynamics of international intervention in that region. More than that, it was again citizen advocacy that led to the creation of the ad hoc tribunals for former Yugoslavia and Rwanda. Today, civil society, human rights organizations operate with global reach and are one of the most important sources of human rights intelligence. These organizations, directly or indirectly, train citizen investigators, citizen reporters, citizen advocates and citizens as human rights transformational agents. Moreover, such organizations have been skilled in utilizing modern technologies to strengthen global human rights mobilization. For example, Amnesty International has a sophisticated urgent action network, which permits it to have instant communication with thousands of members who focus on urgent human rights actions. This can be expeditiously done because of the speed with which a crisis can be communicated worldwide and generate an equally expeditious response.

9. Human Rights: The Social & Psychological Sciences & the Specification of Basic Values of Importance to the Future of Higher Education

Values today generate a discourse that is at times intellectually confusing, and critics might even suggest that they generate incoherence. It is therefore important to get to the basics of what we mean by social process, the role of values and social process and the challenge to social process of creating a constructive public order significantly influenced by the process of shared enlightenment generated from the processes of higher education.

Early in the last century the great anthropologist Bronisław Malinowski conducted observer participant studies in islands in the Pacific. Among his publications was a famous book *Crime and Custom in a Savage Society*. What Malinowski identified in terms of operational rules and customs in the community was the linkage of these rules and customs to the existential needs of community member participants. Later, the British anthropologist,

Radcliffe Brown connected the notion of community needs to community institutions, that with whatever efficacy were specialized to realizing these needs. After the war, Lasswell and his associates began to re-conceptualize the notion of needs in terms of values that human beings sought in their social interaction in community with other human beings. Thus, they merged the idea that social process comprises human beings in pursuit of desired values in the community for the satisfaction of human needs and human aspirations. The critical task of the social scientists was the identification of values, the identification of institutions and to determine how well or poorly values were secured and distributed in the community. With the publication and adoption of the Universal Declaration of Human Rights, value analysis became much more explicit and identifiable as correspondingly with institutions specialized to the securing, realizing and distribution of the basic values in any social process. The breakthrough for social theory emerged with an elegant description of social process, almost the equivalent of Einstein's $E=MC^2$. Social process is a process of social interaction between human beings and community. This process of interaction involves human beings seeking to secure basic values, through institutions based on resources. The human personality is thus a demander of values, and an activist in pursuit of values. This places the human being and human subjectivities and perspectives at the center of the social process, be it local or global. To complement these insights the psychologist Maslow created a hierarchy of human needs:

1. Physiological – hunger, thirst, bodily comforts, warmth

2. Safety/Security – out of danger, order, law, stability

3. Belongingness and love – affiliate with others, be accepted

4. Esteem – to achieve, be competent, gain approval and recognition

5. Self-Actualization – realizing personal potential, self-fulfillment, seeking personal growth and peak experiences

10. Values and Social Process

The central importance of values to policy-making is highlighted by a perspective which recognizes values as an essential element in an integrated social process, as described by Lasswell and McDougal. To give values a foundation of social realism, we may describe the Global Social Process as comprising the following:

Social Process = People + Values + Institutions + Resources

Lasswell postulated eight fundamental values driving the social process:

1. Power – The making of decisions enforceable by severe deprivations or high indulgences; making and influencing community decisions.

2. Enlightenment – gathering, processing and disseminating information and knowledge.

3. Respect – Freedom of choice, equality and recognition.

4. Well-Being – Safety, health and comfort.

5. Wealth – Production, distribution and consumption of goods and services; control of resources.

6. Skill – Acquisition and exercise of capabilities in vocations, professions, and the arts.

7. Affection – Intimacy, friendship, loyalty, positive sentiments.

8. Rectitude – Participation in forming and applying norms of responsible conduct.

The above approach may have some value for this discourse because it comes in a form directly related to the policy-making arenas of concern to the World Academy of Art and Science and the Club of Rome. The approach outlined above provides us with eight value categories and provides us with a marker, which targets the institutions that control and regulate the production and distribution of these values. It has an added element, namely, that rather than isolating economics from society and social realism, it shows that economics can influence every other value, and every other value may have an influence on economics. That is an important insight for the CoR. Second, the values identified here are the values that had emerged from the secular give and take of global politics. These values have extraordinary traction, although in the area of economics this has not been widely recognized in recent decades due to the strenuous but failed attempt of neoliberal economics to mimic the objectivity of natural sciences. According to this perspective, human beings do not invent values; we simply present the formula or the relevant myth and the accompanying narrative relevant to our time. The importance of the categories of values is their clear connection to identifiable institutions whose efficacy may well be questionable at this time. This approach provides a pointer to focus on critical inquiry into institutions crucial to human progress, and with a possibility of recommending reform or improvement.

We now extrapolate on the value scheme implicated in human rights and of vital importance to higher education. In this we should recognize that shared educational and enlightenment values, which are at the heart of higher education are one of the most important bases of power for bringing science, reason, wisdom and deep understanding to the political culture of any community. The following is the current value scheme:

1. **The value of life**: This is a centrally valued human subjectivity. It is referred to not in the "pro-life" sense (that a pregnant woman must bear a child), but in the Bill of Rights sense (that a person has right to personhood and autonomy). The value of life, therefore, includes the respect and deference given to the individual in the global community.

2. The status of the value of **power and security**: Should it be narrowly or widely shared? Is the common interest of all honored in a system that seeks to secure the widest possible participation in all key areas of the power process? One of the central values identified in the Atlantic Charter was the freedom from fear. This concern for freedom has evolved so that today no one denies that there is a critical interdependence between the concept of peace as a human right and all the other values in the UDHR. Peace and security might well be included under the functional category of power. However, peace is recognized as a complex peremptory component of the human rights value system. It is of value to again recognize that there are complex ways in which all human rights values have an influence on peace and security, recognizing as well that peace and security at all levels are critical conditions for the effective mobilization of human rights values. A central aspect of the values of peace and security relates to the connection between the mobilizing force of strategy for the realization of human rights goals and the realization of these goals themselves. For example, is it appropriate to deploy violent strategies

of action to achieve human rights objectives? Is it appropriate to disengage the value discourse involving strategy and struggle on the one hand and idealistic value objectives on the other hand? Gandhi, for one, insisted that the morality of struggle was even more important than the morality of distant idealistic objectives. Indeed, he also insisted that a disconnect between struggle, strategy, and goals was morally indefensible.

3. The **status and value of economic and wealth processes**: Is the common interest of all better secured by optimizing the capacity to produce and distribute wealth or the opposite?

4. The status and value of **respect and equalitarian values**: Should invidious discrimination be fully prohibited (covering all areas of race, gender, alienage, etc.)? Can equality be meaningful if it is only a formal, juridical idea without regard to the legacy of exploitation, repression, and discrimination?

5. The status and value of **educational and enlightened values**: Should these values be widely produced and distributed or narrowly experienced?

6. The status and value of **skill and labor values**: The centrality of labor and skills values to the human condition indicates that these are central and fundamental values implicated in the rights and expectations of those who seek to create and sustain these rights and labor values. Should these rights and expectations be widely shaped or narrowly shared?

7. The status and value of **health and well-being values**: The delivery of reasonably formulated and accessible healthcare and social services to all is now widely regarded as crucial entitlements, if the most basic standards of decency in politics and society are valued. Today, unemployment aid, social security, medicare, and other social services are considered crucial to a society that cares for its people.

8. The status and value of the **family and other affective values**: Because the family is the basis of collective existence and is central to the human rights of children, the public policies of a society that destroys family (and other affective ties) pose a problem for the wide generation of affective values including the loyalty values of patriotic deference.

9. The status and **value of moral experience and rectitude:** A system that endorses the centrality of moral experience to the legal and political culture and seeks to maximize the spiritual freedom of all is yet another of the central themes of the human rights perspective.

    How do we translate expectations of care or fundamental moral experience into the practical prescription of law and policy?

10. The status and **value of cultural and aesthetic experience**: The term 'cultural' includes the concept of the aesthetic. In fact, the word "cultural" could encompass all the value preferences that we might extract from the UDHR. There is, however, a narrower meaning that the term culture might carry. That meaning ties in with the notion of human rights as also emblematic of the diversity of human experience, experience that reflects the cultural richness of humanity as a global community. There is great controversy about the issue of culture and tradition, culture and creativity of the present, culture and the elaboration of the aesthetic, which may capture and nurture the cultural

narrative of creativity and beauty which may in fact be the critical psychological view of how the glue of social solidarity promotes creativity. The boundaries of this discourse are controversial. Sensitive matters of sexual regulation which may differ widely may be justified by culture and yet here the culture of tradition may not be compatible with the culture and creativity of the present or the future in human rights terms. For example, female genital mutilation justified by cultural tradition is not justified by either religion or by the science of human sexuality. Human rights thus provide a process by which these boundaries may be appropriately protected and expanded according to the normative challenges of human dignity. The current discourse often suggests that universality trumps cultural relativity or vice versa. This is not necessarily helpful unless one sees these ideas as only the starting point for value clarification and application from a human rights perspective.

11. The status and **value of the eco-system**: Today, we recognize a complex right to a viable eco-system on what theorists have seen as Spaceship Earth. The values embedded in the protection and promotion of a healthy eco-system, are, like many other values, issues of complex inter-dependence and inter-determination. However, implicit at least, in the concern for the integrity of the eco-system is clearly the notion that there are no human rights if there is no environment in which human beings can survive and possibly even improve the human prospect. But this insight suggests an even higher level of moral consciousness in the sense that the eco-system (with its plant life and animals, wild and domesticated) is part of a complex cycle, in which human beings are both custodians and also utterly dependent as individuals and as society. This means that we now see in nature not something irresponsibly exploited and destroyed but central to our identity as a sentient species. To take a simple example, for all the vaunted technology of human progress and human egotism, no one has seen a dog or a cat or a rat or indeed the most elemental of recognizable life forms outside of this lonely and unremarkable planet called Earth. Thus, as humanity, we now look at life even in its most humble forms as not only indispensable to the interconnected chain of life on this planet but we see in it something new and utterly connected to the very consciousness of being human and being alive. In short, we know that our dogs identify with us. We may now know those ordinary pets in terms of how they and all other living forms have shaped our identity both psychologically and physiologically.

11. Human Rights Values as a Dynamic Humanistic Challenge for Dignity in the Future of Higher Education

In setting out the issues and problems that limit the scope of contributions that academics can make to the human rights agenda, the core ingredients of a solution to the dilemma can be identified. The solution requires a theory for inquiry about human rights. The theory must have a decision-making focus to have practical relevance, since only effective decision making—formal or informal—will apply human rights perspectives and operations to particular situations and contribute to a human rights-conditioned future.

A theory about human rights, that is policy decision-focused, must self-consciously concern itself with the policy process itself by integrating actual human rights problems that require

policy responses; both the problems and the decisional responses to them must occur in a disciplined contextual setting and the decisional responses must employ processes that meaningfully clarify the policy basis of human rights prescriptions. Theoretical inquiry about this kind of emphasis must embrace cross-disciplinary tools of inquiry, or multiple methods, to give scientific credibility to the enterprise. This requires fidelity to at least four essential features of a theory about human rights inquiry from a humanistic policy perspective.

1. **Comprehensive Mapping**: Fundamental to an inquiry is the expression of a comprehensive map of value problems specified in terms of functional value categories and which permit continuing refinement and elaboration. A systematic expression of these problems will underline the difference between value deprivation and human rights realization. The lexical formulation of human rights as rights is frequently the tail end of a process that needs illumination.

2. **Relevance of Context**: Factual, theoretical, historical, and political contextual relevance must drive the theory. All human rights, in the sense of process, must be seen in relation to every relevant community context, from local to global.

3. **Relevance of Advocacy, Policy and Decision**: These are matters alien to academic culture. The focus on policy and decision requires the identification of past, present, and future decisional mechanisms at every level of community that may be relevant in clarifying, specifying, protecting, and enhancing human rights. We should of course keep in mind that policy and decision do not function in a vacuum. Frequently what triggers a policy response is a problem that emerges from the social process context. That problem will emerge in the form of a dynamic humanistic claim for a human rights value and an aspect of social process that will respond by resisting that claim. Therefore, the quality and sustainability of interest articulation and advocacy will be an important foundation for a response that is authoritative and controlling to the problem that is eventually presented for decision. These areas are crucial to the responsible exercise of higher education tasks.

4. **Relevance of Key Intellectual Tasks for Inquiry**: The relevance of the identification and use of appropriate intellectual tools is necessary to clarify the rational, theoretical and factual basis of the context of human rights, as well as the procedures for their realization in fact. The key discrete intellectual tasks are: goal and value clarification; the historic study of relevant trends; the scientific study of causes and consequences of human rights failures or successes; the concern for predicting possible future scenarios in terms of approximation to desired human rights goals; and the creation of alternatives to better approximate the desired human rights goals.

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Notes

1. John Dewey, *How We Think: A Restatement of the Relation of Reflective Thinking to the Educative Process* (Massachusetts: D.C. Heath & Company, 1910).

2.   Harold Dwight Lasswell and Myres Smith McDougal, *Jurisprudence for a Free Society: Studies in Law, Science and Policy. Vol. II* (New Haven: Martinus Nijhoff Publishers, 1992), 725-1128.

3.   Lasswell and McDougal, *Jurisprudence for a Free Society*, 755-786.

4.   Lasswell and McDougal, *Jurisprudence for a Free Society*, 787-864.

5.   Lasswell and McDougal, *Jurisprudence for a Free Society*, 865- 972.

6.   Lasswell and McDougal, *Jurisprudence for a Free Society*, 1033-1128.

7.   Lasswell and McDougal, *Jurisprudence for a Free Society*, 759-786. *See also* Winston P. Nagan, *Contextual-configurative Jurisprudence: The Law, Science and Policies of Human Dignity*, (Florida: Vandeplas Publishing, 2013),.

8.   Jasjit Singh, "Revolution in Human Affairs: The Root of Societal Violence," *Cadmus 1*, no. 2 (2011): 114-120 http://cadmusjournal.org/article/issue-2/revolution-human-affairs-root-societal-violence

9.   Ronald Dworkin, *Justice in Robes,* (Cambridge: Harvard University Press, 2006); *See also* Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality,* (Cambridge: Harvard University Press, 2002); *See also* Ronald Dworkin, *Taking rights seriously*, (Cambridge: Harvard University Press, 1978).

10.   Winston P. Nagan. *Human Rights, Liberty & Socio-Economic Justice: Economic Theory and the Ascent of Private Property Values*, *Cadmus* 1, no. 2 (2011): 35-54.