

Children's Right to "Proper Education" A Morally Adopted Education for Islamic Societies

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ABSTRACT

This article proposes the concept of the "right to proper education" as a critical approach to the international and internal positions of the right to education for children especially in Islamic societies. Using a philosophical method, "Proper Education" is presented as a moral and legal right for children under the category of developmental rights which serve the right to an open future and the right to maximizing self-fulfillment which is also a conception of the right to education harmonized with the Islamic context by adopting the educational advice of virtue ethics as a close theory to Islamic ethics.

INTRODUCTION

One could connect the children's rights in the sphere of school and their right to education to a vaster consideration of the concept of "education" and consequently come up with a specific concept of "the right to proper education for the children". This is what I have pursued in this interdisciplinary article to answer the question of "what could be considered not just the right to education, but the right to a "proper" education based in ethical and philosophical grounds in the sense that it would suit Islamic culture better than an *allegedly* "universal" [occidental] classical legal conception

We will first discuss a theoretical framework that consists of a number of philosophical theories that the nature of our response to the question would fit in. The main theory of our theoretical framework is Virtue Ethics, and Care Ethics is a minor theory. I also explain the ways in which Islamic ethics are connected to the Theory of Virtue, and is a contextual culture in the Islamic societies. Then benefiting the philosophical method, I try to set up our arguments in order to recognize the right to proper education as a moral and legal right for children to be suited with moral values of Islamic countries. Finally, I talk about the aims of "proper education" and propose methods for an alternative model of education that could act as an example for implementation of "proper education" across Islamic societies.

Virtue Ethics as the Theoretical Framework for a "Proper Education"

Our approach to the question of this article – that is in the academic fields of philosophy and ethics – is as a knowledge that comes in the form of moral philosophy, from which I have chosen virtue ethics (as well as care ethics, as a minor branch of virtue ethics) as the theoretical framework. I chose these theories mainly because they seemed highly attached to the field of education in many ways. Below, I explain why I consider virtue ethics to be the main practical solution for a proper education that will develop the moral character of students. Another reason for choosing virtue ethics to conceive the right to a "proper education" for children in Islamic countries is that it is easily applicable in Islamic cultures. The Medieval ethics of Islam are very similar to the ethics of ancient Greece, and many Islamic philosophers have been seriously inspired by virtue ethics.

Virtue Ethics and Education

Virtue ethics is one of the three major moral philosophies (Deontology, Utilitarianism and virtue ethics) that, despite the two

others that emphasise moral action, its focus is on the moral character or moral subject (Bostani). Virtue ethics began in ancient Greece by Socrates, Plato and Aristotle, and it was even used during the Middle Ages. However, since industrialization it was put aside. Then, in the 20th century, it came back into popularity thanks to the famous article by Elizabeth Anscombe, "Modern Moral Philosophy" (1958). The main claim of modern virtue ethics philosophers was that, because the other theories of ethics were unable to prevent universal human disasters like World Wars I & II, we would better off with virtue ethics that try to educate moral characters instead of providing moral rules.

Virtue ethics comes with three principle components that are virtue, phronesis and eudemonia (happiness or well-being). While virtue is a disposition or character trait embedded in a person that directs their moral actions in certain ways [1], it is different from a habit in that a virtuous person acts through an intellectual capacity for moral reasoning of practical wisdom called phronesis. The aim or goal of phronesis is to achieve eudemonia that means happiness or well-being.

It is through education that people can obtain the ability of practical reasoning and thus become virtuous. For Aristotle, then, the first stage of education is to cultivate students moral virtues through practical training and habituation [2].

The second key in this education is that such a cultivation would work better in an intimate parental or educational environment of love, encouragement and support. In such an environment, parents and teachers take control of their modeling role for students as mechanism of exemplification. The third and most important point in virtue ethics education is the establishment of students' practical wisdom, which is a particular form of deliberation and reasoning that needs to be internalized in childhood by practicing moral discussions and/or including special curricula such as art, literature and geometry [3]. The method and content of proper education will be discussed in better detail in this chapter's final section.

Care Ethics and Education

Care theory was developed over the last few decades, mainly in the fields of psychology and philosophy. The specialists of care theory argue that our emotional responses to our own ethical interests should be based on the latter ones. This theory began with Carol Gilligan's famous work, "In a different voice" (1982) that was written from psychological point of view. Gilligan's work was later developed by Nel Noddings from a philosophical and educational perspective [4]. Noddings' approach has since been identified as the first axis of the development of ethics of care from an ethical and philosophical standpoint.

The traits of care and altruism which are the central points of care ethics, and could also be considered as their highest virtues; in that they can incline people to the self-flourishing and the social and communicational well-being [5]. It is no wonder then that care ethics have at times been referred to as a branch of virtue ethics because, not only is its basic phenomenon (i.e., care) a known virtue of virtue ethics, but it is also the method by which care ethics contributes to educational theories is very similar to the methodologies of virtue ethics, such as; modeling, practicing and dialogue. As Noddings concludes,

"Moral education from the perspective of care theory concentrates on the construction of a moral climate for education. A moral education is one that is morally justified in social structure, curriculum content, pedagogy, and approved human interactions. It provides an educational climate in which it is both desirable and possible to be good. Within such a structure, we provide an education designed to produce moral people through modeling, dialogue, practice, and confirmation." [6].

The care ethics contribution to moral education focuses more on developing a better moral environment rather than on the virtues and vices of the students. It does pay attention to the development of virtues, of course, but its main concern is with establishing a climate in which caring relationships could will flourish.

Virtue Ethics and Islamic Ethics

By analyzing the Islamic ethical scholars, it can be easily argued that there is a tendency towards virtue ethics in the writings of Islamic thinkers that is closely connected to the writings of the Greek philosophers, Aristotle and Plato. Islamic thinkers consider Islam to be a virtuous religion that is organized to lead human beings to ultimate happiness [7]. They tend to agree with Aristotle that, in order to obtain true happiness, we must understand all the various aspects of humankind; including all of our deficiencies and needs. According to this theory, only God knows everything about human beings, so only God can show us how to achieve true happiness [8].

Therefore, Islamic philosophers have written a lot on the "Akhlaq", which is defined as the science of human soul ruled by God that leads human beings to the end of happiness. Overall, "they defined ethics or ilm al-akhlaq as the science of the human soul which defines the characteristics and qualities of the soul as well as the methods of how to control and moderate them." (Omar)

Avicenna (Ibn-Sina) is one of the most well-known Islamic thinkers who provides a theory on "the goal of man" in Book 10 of his series on Metaphysics. His theory asserts that, "the best of men is the one whose soul has become an intellect in fact and who has acquired the practical moral habits. More importantly, the best of these individuals is the one who is capable of becoming a prophet" (Butterworth). This is what proponents of the ethics of virtue assert as a necessary component of a moral character capable of acting in a way consistent with the process known as practical reasoning. Indeed, becoming a morally virtuous person is the main goal of both Islamic ethics and virtue ethics. Thus, these theories are well suited for marriage in the current study's theoretical framework for conceiving a "proper education" in Islamic countries.

Farabi, another great Muslim thinker, sets out his philosophical reflections on the order of universe in the context of a virtuous religion (like Islam) and political science. He argues that a virtuous ruler must set forth their prescribed theories and actions in

the form of a religion that helps citizens attain ultimate happiness. However, “Farabi explains that the standard by which to judge any group of opinions and actions is the truth as reached through philosophical investigation. [So for him] virtue is knowledge or, at the very least, the pursuit of knowledge (Butterworth)”. It could be understood from Farabi’s theory that practical wisdom (i.e., one of the main concepts of virtue ethics) is the best and ideal guide for achieving truly moral actions and/or opinions [9].

Indeed, the Islamic concept of Akhlaq refers very often to the Western virtue ethics theory. As the prophet Muhammad said, “Among the greatest number of people who enter paradise are of the pious and the virtuous.” The significance of moral character in Islam is also reinforced by the quotation, “Nothing is heavier on the scale than having the good character,” once again by the prophet Muhammad.

Achieving this virtuous character, however, is a matter of education and practice. Ibn Miskawayh, another great Islamic writer, asserts that attaining such a virtuous character for a person is also a lifelong process,

“The analysis of Miskawayh’s idea on the cultivation of virtue discovers that virtue is not a matter of instruction only. For him, the emphasis should be on training and constant practice. Virtue is the result of the regular subordination of the irrational to the rational soul. It means that one keep on doing good deeds if he is at the stage of rationality.” [10].

This quotation is another example of the connections between Islamic teachings and the ethics of virtue, in which education is key to improving moral rationality and gaining the mental capacity to apply practical wisdom. Following all of these steps can theoretically lead an individual and/or community to attaining the ideal of eudemonia.

Since many have demonstrated that the law is a social construct based on the considerations of other fields of human science, to take a critical look at any part of this construction calls for an investigation of its foundational fields as well. In this article, then, to claim the institution of a new children’s right, I must also justify its philosophical basis.

From the Typical “Right to Education” toward Recognizing the Morally Adapted “Right to Proper Education”

This section, starts the philosophical path through the recognition of the “right to proper education”. The philosophical process to attain this purpose explores the types of rights that should be granted to children. Among all the rights of children, the specific subject of this inquiry which is the “right to a proper education” will be discussed to be a moral and legal right that should be predicted from a right philosophy standpoint.

What Rights Children Have If They Have Any?

In this section, I discuss the two ideas expressed by Fienberg and O’Neill as they provide a useful method of rights classification. Next, I consider the arguments made by Freeman.

Feinberg distinguishes between rights that belong only to adults (e.g., liberty rights, rights to choice, public speech, practice a religion, freedom of association, etc.), rights that are common to both adults and children (e.g., welfare rights such as health, physical integrity, privacy, etc.), and rights that children alone possess (e.g., protection rights which provide protection for children because the condition of childhood requires such a support). Fienberg also recognizes some rights for the children that give them the opportunity to become the people that they want to be in adulthood. He calls these rights the “right-in- trust” and the “right to an open future.” [11]. This is where Feinberg employs the language of maximization, stating that, “[Education] should send [the child] out into the adult world with as many open opportunities as possible, thus maximising his chances for self-fulfillment”. (Ibid)

Feinberg’s idea of “rights-in-trust” or “right to an open future” is very close to Eekelaar’s idea of “developmental interests” in addition to the “basic interests” of children that make them entitled to fulfill their basic rights to physical, emotional and intellectual care. The developmental rights are the rights of a child to develop their potential so that they enter adulthood without disadvantage [12].

In this article, I am going to benefit further from the concepts of “developmental rights” and the “right to an open future” by discussing children’s rights to a proper education. However, first I must review O’Neill’s arguments regarding children’s rights.

As mentioned before, O’Neill insists on the obligations of the adult rather than the rights of children, but what remains interesting is that she distinguishes between “perfect obligations” and “imperfect obligations.” Perfect obligations are obligations that we owe to children, like to be kind and considerate in dealing with children, to care for them, and to put ourselves out in ways that differ from those in which we must put ourselves out for adults. When these obligations are universal, then they are correlative with universal fundamental rights of the children. Fundamental obligations that are not universal (i.e., owed to all others) and would be called incomplete or imperfect obligations, in that they are considered in abstraction from social and institutional contexts (O’Neill). O’Neill does not consider the imperfect obligations as counterparts to some rights which is still subject to criticism (Coady) yet she considers the positive rights of the children over special agents as matching with such imperfect obligation[13].

O’Neill ‘s imperfect obligations are traditionally thought to comprise matters such as help, care or consideration, and the development of talents, to whose specific enactment others have no right, but which agents are obliged to provide for some others in some form (O’Neill). This is where it is a matter of question whether we could count the right to “proper education” for children as an imperfect obligation for adults or a positive right for children, to be respected by the state generally and in the education systems specifically. As O’Neill states,

“Unless children receive both physical care and adequate socialization, they will not survive; if they merely survive they may not become competent agents: without education and instruction appropriate to their society they will lack capacities to act that are needed to function in the specific contexts available to them.” (O’Neill)

We must also consider Freeman’s theory of “Liberal Paternalism” [14]. for children’s rights. He believes that we must recognize the integrity of the child and their decision-making capacities, but at the same time be aware of the dangers of absolute liberation. He accepts the Rawlsian principles of justice that state the importance of equal liberty and opportunity in the conception of the social contract while defending some necessary interventions into children’s lives (as human beings with less actual knowledge and capabilities) to protect them against their own potentially irrational actions. However, he insists that the concept of “irrational” must be strictly defined due to its subjective nature, and even to recognize the right of children to “do wrong” (i.e., make mistakes): “Someone may have the right to do something that is wrong for him to do.” [15].

Thus, for Freeman to take children’s rights more seriously requires us to take seriously nurturance and self-determination through which a system of compulsory education would be justifiable while the goal and the content of that education would be very different from those conventionally stipulated [16]. Thus, here I am again provided with more support for the concept of “proper education” as a right for children.

“The Right to Proper Education”: A Moral and Legal Right

The claim of this article is that the moral right to a “proper education” is also a legal right in terms of the UN Convention on the Rights of Children (1989). Even if this claim is not accepted as legal common sense, it could at least be accepted as moral common sense. This is because a “proper education” is a significant moral right of children that puts them in the difficult situation of needing the state and society (e.g., institutions and individuals) to respect this right to their best possible abilities.

The UN Convention on the Rights of Children states in its preamble that, “the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity...” (United Nations, 1989, preamble)

The right to education is also subject to articles 28 and 29 that state that, other than being compulsory and freely available for all the children (Art.28), contently and methodologically directed to:

- “(a) The development of the child’s personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;” (Art.29)

This shows that the Convention recognizes education in broad terms, and besides emphasizing on provisions to provide the “best interest of child” and the “right of the child to be heard” recognizes children’s rights in a very wide sense.

These provisions could be considered vast enough to include what I call “proper education” because the Convention does not limit its scope to simply recognizing the right to education. The Convention also dictates standards on the aims, methods and content of education in a way that is consistent with the best interests of children, in a way that provides for the development of their moral character and protects their flourishing. However, this right is reserved for children as a moral right too due to the ethical and philosophical arguments provided earlier in this chapter.

As I have already shown, this right has an occidental “legal” concept, fully circumscribed by its “positive” nature, but since it also has as a complementary moral part, it can be adapted to the specific moral standpoints of any state, province or country such as Islamic countries.

“Proper Education” as an Alternative Mode of Education to Suit Islamic Social Ideal

In the previous section, I discussed the nature of children’s right to education in terms of the philosophy of law as it relates to what I call the “right to a proper education” in the current article. I provide here a short literature review of the philosophy and ethics of education and to demonstrate which intellectual path our reflection on “proper education” could be located. First, I consider the significance of character development through education as a path to happiness and well-being for children. Next, I provide a general discussion of an alternative mode of education, and finally, I end by analyzing some examples of aims and methods that could determine a mode of “proper education”.

“Proper Education” Linked to Character Education

Here, I discuss a psychological perspective of education that leads us to character education, with the assistance of virtue ethics and care ethics as its strongest contributors. The significance of psychology in fostering human well-being through children’s education has been the focus point of many philosophers and psychologists. One cannot deny that psychology plays a key role in the ways in which we deal with individuals and society as a whole, including the education of children to promote their moral

development. Glover disappointed by the results of humanity's self-destruction through war and other social disasters argues that psychology provides us with hope for positive change:

"But politics is not the whole story. We have experienced the results of technology in the service of the destructive side of human psychology. Something needs to be done about this fatal combination. The means for expressing cruelty and carrying out mass killing have been fully developed. It is too late to stop the technology. It is to the psychology that we should now turn." [17].

This is where psychology can come to the assistance of education in that it can, for example, prevent possible future socio-moral disasters. This is also why virtue ethics were developed in the 20th century, because some philosophers claimed that modern moral theories failed to immunize human society against moral disasters like the world wars, etc. These theorists, including Elisabeth Anscomb and McIntyre, assert that the key role must be found in the moral character of human beings rather than the imperative of moral theories, such as Kantian deontology and Utilitarianism (Bostani).

While character is a significant element in education and moral improvement, there are no unique definitions of it to our knowledge. However, it could generally be described as "an individual's set of psychological characteristics that affect that person's ability and inclination to function morally." This is what Marvin W. Berkowitz, a professor of character education, argues. He also remarks that the sources of character development such as family (especially parents), school, peers, community (including the media), religion, and biology are also contributors [18].

Philosophers of education and moral theorists, then, are concerned with character development and moral character that begin long before the child's birth. However, childhood is the most important time period to educate a moral character, which is consistent with the universally recognized human rights values. This moral education could either be direct, including some instruction of children and a curriculum that emphasizes the special values that is to inform the children's behavior by practicing through the time or it can be indirect by, for example, enhancing the student's judgment through the indirect instruction that reinforces democratic values and stimulates higher levels of thinking in kids gradually [19]. The latter method is what Dewey and Kohlberg recommend in order to reform the education system.

Some philosophers like Berkowitz have experimented with a variety of character aspects to be developed over time, and he claims that some characteristics like self-control, guilt and perspective-taking are developed in childhood (i.e., between infancy and adolescence) (Berkowitz). Some other philosophers like Kohlberg and Dewey's theories, on the other hand, have had a practical influence on the methods of developing such moral characteristics. Dewey asserted that democratic values should be taught to children throughout every level of their education.

"I believe that the moral education centers on the school as a mode of social life, that the best and the deepest moral training in precisely that which one gets through having to enter into proper relations with others in a unity of work and thought." [20].

Therefore, in his experimental school, students learn the value of hard work, cooperation, responsibility and caring by being involved in the very fundamental processes of school life [21].

Lawrence Kohlberg later extended Dewey's approach in a way that has greatly influenced the development of a cognitive-developmental theory of moral education. He worked on children's moral reasoning and found six successive stages of moral reasoning and judgment, with each becoming increasingly more adept than its preceding stage at resolving justice and moral dilemmas. Through this proposed educational environment and method, Kohlberg also tried to make it possible to practically bring about student's moral maturity [22]. However, despite the fact that these theories value an educational approach to child development, it remains important to be aware of the fact that the children's characters are complex and should be treated as a whole and treating children's characters as a whole is not possible unless by indirectly developing their morality and reasoning, rather than teaching the values directly [23]. This is where Nel Noddings says "We will not find the solution to problems of violence, alienation, ignorance, and unhappiness in increasing our security apparatus, imposing more tests, punishing schools for their failure to produce 100 percent proficiency, or demanding that teachers be knowledgeable in "the subjects they teach." Instead, we must allow teachers and students to interact as whole persons, and we must develop policies that treat the school as a whole community. The future of both our children and our democracy depend on our moving in this direction." [24].

"Proper Education": Aims and Methods

In educational theories, it is common to talk about the aims and goals of education and schooling. Educational systems try to justify their methods and curricula that they teach to students. However, the aims appear to be more than their stated goals. While the goals determine why certain document or curricula has been taught, the aim would address the question of what each course or lesson is supposed to accomplish for students [25].

Aims

It is such a significant point to have an AIM-TALK in education to the degree that it has been a concern throughout human history. Aristotle, for example, used it to ask the question of what purpose human beings seek, and what serves their aims? The Aristotelian view would propose human flourishing or eudemonia (by possessing the virtues through the exercise of practical wisdom) as the aim of human existence, and suggests that education is the only path to achieve it because we do not naturally possess these features, and that is why we need education (Carr).

Some other concepts have also been considered throughout the history of education, such as; self-love [26]. self-identity [27]. self-worth [28]. self-sufficiency, autonomy [29]. and happiness as the aims for providing a spectacular education. These concepts could all be categorized under self-flourishing, as mentioned by Aristotle. He considers that the love of the self is needed in order to enrich people's capacity of being, but so too is the love of the other for the sake of others to improve the virtue of caring in themselves and society overall.

Meanwhile, some external and social aspects of human beings are also a matter of study. Plato had two great aims in his mind for education. First, he perceived it as a benefit to the individual and improvement of the soul, and second, he saw it as a benefit of the state as he argued that children should be tested to identify their latent talents and interests, and to calibrate their education so that it is compatible with their nature (Noddings).

The latter theory is also proposed by Dewey as the essence of childhood education. He takes into account children's individual talent and interests, and aims his dynamic and flexible educational system at the development of a democratic community/state rather than an idealistic and hierarchical state, like that of Plato [30].

"We cannot better Plato's conviction that an individual is happy and society well organized when each individual engages in those activities for which he has a natural equipment, nor his conviction that it is the primary office of education to discover this equipment to its possessor and train him for its effective use." (Dewey).

Therefore, by using virtue ethics as our theoretical framework in this essay, I conclude that, for us, "self-flourishing" and "well-being" are the major aims of a "proper education," which implicates a particular method and content.

For example, Noddings, who claims that happiness should be considered the purpose of life, and therefore it should also be the major aim of education. This means that the educational environments for children should be happy places because people always learn better when they are happy. Thus, she also argues that playing directly contributes to learning, and that all teachers, especially those in elementary schools, should be aware of the educational power of play (Noddings). This information is directly applicable to the methods of "proper education," because as I mentioned earlier, an intimate and happy environment is a necessary condition for a moral education regarding the ethics of virtue.

As previously mentioned, another aim of education that contemporary philosophical authors have mentioned is the goal to provide children with their right to "an open future." Daniel M. Weinstein in his article, "Une philosophie politique de l'école" (2008) ,suggests a theory of education that respects children's right to an open future. After criticizing two other models of schooling known as family school and citizen school, he concludes that a type of school that respects children's basic right to an open future is one which promotes their autonomy.

« A quoi ressemblerait alors une école qui respecterait cette contrainte normative que représente le droit des enfants à un avenir ouvert? Il me semble qu'elle aurait comme principale finalité de promouvoir l'autonomie des enfants, c'est-à-dire leur capacité à concevoir pour eux-mêmes une conception de la vie bonne et à tenter de la mener à bien. Il est important de noter que l'autonomie, telle que je l'entends ici, n'est pas une autonomie substantielle selon laquelle seules des vies d'indépendance par rapport aux traditions et aux modes de vie hautement hiérarchisés ont de la valeur. Elle est procédurale : il s'agit d'outiller les enfants pour qu'ils puissent faire des choix sur une gamme aussi large que possible d'options étant donné la société dans laquelle ils vivent (Dworkin). [31].

As I have also identified children's "right to proper education" that includes the "right to an open future" earlier in this text, such an aim would apply to our methods for achieving a "proper education" for Muslim children, and will lead to the development of culturally specific methods of schooling. It is also noticeable that "autonomy" is considered a political virtue for citizens in a virtuous society that aims for the self-flourishment of its members. Moreover, the virtuous state has is tasked with the development of such a virtue, especially in the early education process (Bostani). This notion will be useful when one wants recommend improvements to Islamic countries' educational governance.

Methods

While from the natural philosophical and theological view of Aristotle, the only way that human beings can reach an appropriate understanding of themselves as individuals and as social phenomena is through narrative forms of history, religion, imaginative literature, sports, mathematics, and so on (Lapsley). Some modern scientific theories have also seriously contributed to the methods and content of moral education. Triune Ethics Theory (TET) is such a theory, and it is derived from psychology, evolutionary theory and the neurosciences that, with a scientific experimentation of the limbic system, explains individual differences in moral functioning [32].

What follows are some examples of educational methods that have been practiced, or are still being used, to implement an alternative mode of education; what could be called a "proper education":

1. The Integrated Ethical Education model is a model of education that promotes many ideas of leading educational philosophers and scientists. It suggests a step by step model of education that starts with establishing a caring relationship with the students, as well as creating a climate that supports moral character development and continues to teach students ethical critical thinking skills and fosters student self-authorship and self-regulation (Ibid).

2. The “Child Development Project (CDP)” that took place during three consecutive time periods (1980-1989, 1988-1991 and finally 1991-1995) involved a large number of elementary schools in US and, despite positive results, it was discontinued. However, some of the affected schools have maintained parts of the programming in their systems, as they found it fruitful and effective [33].

“Caring school and classroom communities have the following characteristics: Students are able to demonstrate autonomy, self-direction, and influence teacher decisions. Students interact positively with one another, collaborating and discussing course content and classroom policies. Students are coached on social skills. Teachers exhibit warmth towards and acceptance of students, providing support and positive modeling. The teacher provides multiple opportunities for students to help one another. A well-structured environment for teaching character has these characteristics.” [34].

3. The Relay Graduate School of Education offers a course on the “Character Education” in which they base their education methods on the theory by Dr. Seligman from University of Pennsylvania and Dr. Chris Peterson from University of Michigan. Their theory identifies 24 character traits as strengths that every human being needs in order to help themselves and others flourish. They introduce flourishing and well-being as the major aim of education and use some specific methods to achieve these aims. A key purpose of these methods is to know the significance of constructive responses during “micro-moments” (i.e., the remembered moments that create meaning for people). So the teachers who react to their students’ micro-moments with a positive and constructive response can help them to build a positive character.

The other method that they suggest using is having dual purpose activities in classrooms that, in addition to working on academic skill and/or knowledge, help students improve on their character strengths. For example, the activities that include both teamwork and mathematics, or the “Play it Fair! Toolkit” for teaching human rights to children through gaming.

4. Amnesty International is another International organization that provides a plan to make schools around the world what they call, “Human Rights Friendly.” They focus on four major areas of schools that are: governance (i.e., the way the schools are run), relationship (i.e., how members of the school community interact), curriculum (i.e., how Human Rights are taught and learned) and environment (i.e., the setting in which learning happens). Proponents of this organization suggest every activist who likes to participate in this movement should start by assessing their own school’s environment, and then make plans of action to make it Human Rights Friendly. They have also released guides for students, teachers, administrators and families to help them contribute to this change.

A Human Rights Friendly School also satisfies children’s right to a “proper education.” This is because it is also type of education that aims for the maximum level of human flourishing, moral reasoning and character development in students, whilst also providing them with a happy environment that fosters care and responsibility in the young members of its community.

These aims and methods have been identified and even practiced by many theorists of education, and although they have come up with some positive results, the reason why these programs have been discontinued still remains to be studied. Do political or economic concerns influence the implementation of such programs, or is it still the common sense of education in society that resists against these changes in educational systems [35].

From this review of education, aims and methods, let us return our discussion to Weinstock’s concept of, “autonomie procédurale” of the child in his model of a school that respects their basic right to open futures. Again, Weinstock says that:

Il est important de noter que l’autonomie, telle que je l’entends ici, n’est pas une autonomie substantielle selon laquelle seules des vies d’indépendance par rapport aux traditions et aux modes de vie hautement hiérarchisés ont de la valeur. Elle est procédurale : il s’agit d’outiller les enfants pour qu’ils puissent faire des choix sur une gamme aussi large que possible d’options étant donné la société dans laquelle ils vivent (Dworkin). » (Weinstock)

We can observe that Weinstock’s model shows the ways in which the, “occidental concept of autonomy” can be adapted to other social moral traditions by becoming “procedural” instead of “substantial”, in which only occidental hierarchies and independence from virtue ethics, such the ones of Catholicism or Islam, has value. This model shows that it is possible to follow this intellectual path for the “right to a proper education” that is “procedural” in terms of ethical choices, instead of limited to “substantial content.”

CONCLUSION

We argued that the conceptual content of the “right to proper education” that better suits Islamic culture is: a) embedded in virtue ethic of Islam; b) is both a legal and a moral right; c) is more procedural than substantive according to Weinstock’s view that leads the students toward an open future; and, d) is aimed to flourish children’s moral character.

This survey has been needed because I believe that even though “the right to proper education” is not mentioned in such specific terms in international legal documents, this right could be considered as a combination of many other legally defined rights of children that are recognized in international and internal legislations. Also, although the right to education is recognized by international documents as a basic right for children, the respect of some other rights will contribute to children’s right to a “proper education”, such as the right; to participation in decision-making, to be heard, to play and joy, to grow in a secure and happy environment, to well-being and finally, the right to an open future.

It is through philosophical study that I could present our conceptualization of the “right to proper education,” that I have abstracted from several theories regarding moral and legal right for children under the category of developmental rights; that serve children’s rights to an open future and the right to maximizing self-fulfillment.

Finally, it was ethics – virtue ethics and care ethics- that helped us to compose the necessary elements of a “proper education”. While character education has been recognized as a means toward the aim of eudemonia or self-flourishing, a developmental education for children has proved to be necessary in an intimate and happy environment. This will contribute to the improvement of children’s virtue of care for their community, their moral self-regulation and also an autonomous character development that coalesce to enable aging youth fulfill their right to an open future.

Moreover, socio-contextual understanding of the concept of “proper education” calls for consistency with the cultural features of the Islamic countries. As asserted by Souheil S. Alfatlawi, as a well-known specialist of juridical relationships between occidental and oriental cultures, it is a basic role for juridical Islamic culture to conciliate between occidental and Islamic values:

« What has been borrowed from occidental rights does not differ, in general, from general principles of Islamic Sharia. The latter has known how to integrate among occidental norms the ones that goes on harmony with Arabo-Islamic culture and values »[36].

By looking at the Islamic ethics that are the moral basis for Islamic laws, I have concluded that the Islamic moral philosophy is highly connected to the Western theory of virtue that is our theoretical framework for understanding the concept of “proper education”. Thus, the concept of “proper education” is the result of such a conciliation of occidental rights to education, and also Islamic concerns regarding the development of a moral character to achieve the goal of “ultimate happiness.” This concept protects the common core of the right and provides an ethical and cultural outline that will retrofit the progressive openness of modern Islamic societies to promote and protect children’s right to benefit from the good life.

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