Teaching How to Convey the What of Human Rights: University Courses in Taiwan

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Abstract

In this paper I will take the example of my own teaching of human rights at university level (BA and MA) to illustrate the shift from what John O'Malley (2015) calls the scientific/professional approach of the university to the humanistic school of the Renaissance. It was in arguing against the death penalty that I discovered that while rational arguments are valuable, people are more apt to change their way of thinking owing to works of art (including literature). I subsequently developed a course on rights and the arts resulting in some very creative presentations by students. With a small MA group I found the production of a play served the additional purpose of cementing solidarity and realised that this would be a good way for NGOs to put their point across. With Conor Gearty (2004), I believe that advocates of human rights must avoid the hubris of believing they both have the total truth and others must not argue with that. They need to learn to sell their wares in the market of democracy. For this to be effective they need adequate rhetorical tools. At the same time the traditional university approach of imparting knowledge is necessary since we need to understand what we say and to seek the truth.

Nonetheless, the combination of the two traditions of education in one course do pose problems, notably in the prosaic demand for student assessment.

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I would like to acknowledge that we are here today on the land of the Darug people (Burramattagal Band). The Darug people are the Traditional Owners of this land.

I also acknowledge the present Aboriginal and Torres Strait Islander people, who now reside within this area.

I bring you greetings from the Tayal and Saisiat People of Meihouman Village in Taiwan where I now have domicile.

Introduction

This essay is based on my own experience of teaching human rights at two universities in Taipei, both at BA and MA level. After an initial part on the twin traditions of education in the West, I present the way in which students produce their own works of art to illustrate or promote human rights. I will argue that the use of the arts is part of the counter-tradition of education even though it is set in the dominant tradition of the university. This results in practical difficulties despite the considerable gains achieved.

The Aristotelian Tradition of Education

John O'Malley traces the origins of the knowledge-based education to Aristotle and in particular to the medieval university (O'Malley, 2015: 1-2). The university offered professional education in law, medicine and theology with a basic foundation where there was an emphasis on intellectual acuity and ability to solve problems. O'Malley notes that, since its inception, the basic pattern of the university has not changed. In particular, it has, *inter alia*: "set curricula, set textbooks, examinations, differentiated faculties… creation of formal degrees, … that is, public certification of professional competence" (*Ibid*.: 4). O'Malley finds that the university pursued two secular goals: "first intellectual problem solving, or … the production of knowledge; second, career advancement through the acquisition of professional skills" (*Ibid*.: 9). This is the 'what' of human rights. Looking at my own pattern of teaching I notice that I have followed this tradition quite faithfully.

Following the success of an international conference on Asian Values held at Fu Jen University in 1998, I convened a meeting to discuss how human rights might be taught within the Law Department. When nobody volunteered to begin, I developed my own course out of modules in my course on Philosophy of Life. Given my own background in philosophy this course concentrated on human rights thought using both Western philosophy and also late nineteenth-early twentieth century Chinese writings, which my office edited and published in four volumes. To this I added material on the Universal Declaration and issues with which I was more familiar, such as indigenous rights. Given the context in which I was teaching I was at pains to stress the universality of human rights. Moreover, having also run a conference on capital punishment, I spent some time on this issue, both as an instance of universal rights and as something on which the Catholic Church held a strong opinion at variance with the popular opinion held by the majority——including the majority of Catholics——in Taiwan.

Later I developed increasing differentiation of courses. The basic course on the philosophy of rights became a two semester course, with the first semester concentrating on the philosophy and the second on the United Nations rights conventions. I also taught the former half at the newly-established human rights programme at Soochow University. Meanwhile at MA level in both institutes I taught a course based on the writings of late nineteenth-early twentieth century writers in China, often including a rereading of the Western documents on which they were based. The later led to my adding to my repertoire the writings of Rudolf Jhering and Herbert Spencer, since these had had an undue influence on China. Moreover since many of the Soochow teachers were trained in American political philosophy, I added John Rawls.

The purpose of these philosophical courses is very much in line with the medieval goal of the Arts Faculty. What matters is correct knowledge. In the Western context the chief obstacles I came up against were the English Whig version of history that jumps from classical Rome to Hume's Edinburgh as if this were but a short step. Here human rights drops like a *Deus ex machina* into the seventeenth century. The view is correct in so far as the term 'human rights' only appears at that time, but it is historically implausible as an account of intellectual history. It is quite clear that the juridical tradition inherited from Rome and continued by medieval Europe put a lot of effort

into thinking about rights, including animal and human rights together. The discovery of peoples living in what is now the Americas and the defence of those peoples by Spanish theologians led to the stress on human rights in contrast to those of animals.

Meanwhile, I also had to deal with the peculiar reading of rights in the Chinese world, developed in a particular historical context of modernisation and revolution and propagated through brief articles in short-lived journals. The Chinese love of the touching story blows up the episode of the execution of Mme Roland until it becomes the sole defining incident of the French Revolution. An inadequate grasp of the historical context and the lack of a full translation turns *Magna Carta* into a foundational human rights text——which it is not.

At Soochow a group of professors and students started to read Hannah Arendt's *Eichmann in Jerusalem*. In the course of this seminar I realised that the understanding of Judaism in Taiwan was poor and so devoted time to doing further research and then teaching a course on the Holocaust, which has expanded into later genocides (particularly those in Bosnia and Rwanda) to meet the requirements of the Law Faculty. This course tends to be of a more practical nature in that it demands the acquisition of a certain amount of historical data and reflection on that.

I have also developed MA courses on further aspects of human rights thought, including courses on the drafting of the Universal Declaration, the philosophies of Conor Gearty, Michael Sandel, natural law and women's rights. These courses revolve around a particular question that interests me: how can human rights develop? Is this merely ad hoc appearance of disparate issues or is there consistency with the past and promise for the future? Certainly within Taiwan it is generally assumed that human rights issues are clear-cut and self-evident. Once 'x' is identified as a right then it must be put into practice. Questions as to how it is related to previous rights or why it might be important are neglected.

The Isocratic Tradition of Education

O'Malley writes about a second tradition of learning which he traces to Isocrates (*Ibid*.: 3). This tradition stressed rhetoric and employed literature to change opinions. It was dominant until the rise of the university. The successful creation of the university displaced the Isocratic tradition

leading to a twofold criticism from Petrarch, that the university failed to teach literature and history and that it had "no interest in the ethical, spiritual, religious, emotional and physical development of the students". The rise of humanistic schools and the adoption of their goals by the Society of Jesus——which effectively dominated European education for two centuries——led to a revival of the tradition. O'Malley identifies seven principles in this tradition (*Ibid.*: 12-14).[1] The second of these places *studia humanitatis* at the centre of the curriculum. He translates this Latin phrase as "the study of our humanity" (p. 10) or "the study of what it means to be human" (p. 12). The third principle is a "sense of the breadth of human experience" whilst the fourth is that the development of the student is "geared to the public weal" (p. 13). This had a practical consequence in the architecture of the school, with a theatre becoming a major part of the school. He notes how acting, dance, and musical performances were all a regular part of the education (p. 22).

> Reading about the Isocratic tradition, enabled me to recognise the major shift that I was making in starting to use the arts to talk about human rights. However, I came to this method on the basis of an issue encountered in Taiwan: opposition to the death penalty.
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> What I realised is that most people do not change their opinion on a topic in response to rational argument. American scholars have done much necessary work to show that the death penalty is useless as a deterrent to crime, costly, inefficient and racially and socially biased. The statistics are clear, but people seem to stubbornly hold onto beliefs, falling back on lame excuses such as 'Chinese culture has had the death penalty for five thousand years and therefore it must retain it'. Why, I ask, is the death penalty such a defining feature of the culture, and not the emperor or foot-binding——which nobody wants today? For the Conference I ran I used part of a picture by Dierck Bouts and wrote a short text to accompany it. Later a friend asked me to her MA defence which included Victor Hugo's *Le dernier jour d'un condamné à mort*. I reread the text and then started to look for further works of literature dealing with the same topic. My list expanded further than I expected and so provided a new module in my class. More seriously I took up issues from my own education in

1 The seven principles are (1) "to further [students'] personal development"; (2) *studia humanitatis* as the core; (3) "study of the breadth of human experience"; (4) development geared to the public good; (5) eloquence; (6) good expression in language as an essential part of thinking; (7) physical education.

> French culture, moving to art and the French Revolution and to music and to drama. In the later field I was particularly attracted by Ibsen's *Puppenheim*. This was because it had had a great impact in China in the 1920s and I had already had students perform the last scene where Nora leaves home during my classes on the reception of rights in China. Dance and architecture were fields in which I had an interest but no direct competence.
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> It should be noted that the one area I have not ventured into is that of film. Growing up without a television, and never having adapted to it, I have also too little experience of the cinema to make any competent contribution. On such matters I must keep silence.

When I started my course based on the little book I wrote and the materials I gathered, the mid-term exam——such are compulsory in Taiwan——was still a knowledge-based exam, but the final exam was to be the presentation of a creative work. In this way I was trying to combine the two traditions of education, with the Aristotelian model regulating the mid-term exam and the Isocratic model governing the final exam.

Conor Gearty has stressed that advocates of human rights must not be so arrogant as to assume that the label itself is a self-evident guarantee, a trump card in the democratic system before which all else must bow. He quotes Marti Koskenniemi, a noted professor of international law, as writing that "once rights become institutionalised… they lose their transformative effect and are petrified into a legalistic paradigm" (Koskenniemi, 1999, quoted in Gearty, 2004: 29). This quotation is part of Gearty's objection to the absolute nature of rights. He quotes Bentham's attack on the French Declaration of Human Rights. Bentham felt that the Declaration should never have been written and that it would be better to enact laws piecemeal to deal with problems that arise. Thus Gearty's own work is on civil liberties enacted through parliamentary legislation. Democracy is the guiding principle and not human rights.

Gearty's argument may work for the United Kingdom, but it is not necessarily easily applicable to other jurisdictions. However, the point that he makes that rights need to be accepted in a democratic society is valid. Rights need to be argued for, which is both good for democracy and good for advocates of rights. We should know why we hold opinions and not merely assume that our opinions are correct simply because they are endorsed by the

badge of rights. It is this fact which links together both the work to persuade through art and the accumulation of theoretical knowledge about the nature of rights and the key documents of human rights.

In the Isocratic tradition identified by O'Malley, the fifth principle is eloquence. This means being able to present one's arguments in a convincing way. While public speaking is part of this, eloquence may also include presentation through other forms of the media, including drama, painting, music and the arts. One could also call it a form of marketing. Gearty's work shows that human rights (or civil liberties) need to be presented in a way that invites acceptance and not simply as batons to beat down the ignorant. It may be true that the death penalty should be totally abolished, but we cannot suppose that all people understand this, nor expect that they should. We need to learn how to put our argument across and win acceptance.

However, in concluding this overview I would also like to point out what might be expected of use of the arts in conveying the values of human rights. Art is not a direct medium. Indeed, film might have a more direct impact. I do not suppose that reading a novel or looking at a painting will effect an immediate change of heart, though it might. Rather it should raise questions and incite a train of thought that challenges assumptions. In the words of Paul Ricoeur: *il donne à penser.*

Part II: The Students' Works

I do not keep a statistical record of all presentations over the past five years, nor do I have copies of their works, though I do have some photographs and, occasionally the originals. Some works, indeed many, focus on abuses of rights. By pointing out the abuse, one suggests the right to be worked for. This is probably the majority. Others try to paint a positive picture. The media are largely visual and/or dramatic. Some students have sung songs and even composed poems to be sung but music perhaps does not lend itself as the easiest medium for a short final presentation. Likewise architecture and dance are largely absent, though not entirely performance art. Some students find it very difficult to avoid the usual university style and tend to give a PPT class presentation, where the only artistic element are photos.

> I have been asked to relate my presentation to recent anti-discrimination legislation in Taiwan. I should note that though most of the students in the class are law students, the biggest influence on their thinking does not

> come from recent legislation of any kind. For instance, for many years I have found students voluntarily using the example of gay marriage as a right that people should not be deprived of. Often in an exam I would set a general question about what right deserves the most attention in Taiwan today. Answers invariably include the rights of women, children and homosexuals/lesbians, the last of which tends to be resolved into the single issue of gay marriage. It is very rare that students mention discrimination against indigenous people, or against migrant workers or new immigrants──these two latter categories generally being people from south-east Asia. Most students support the death penalty, though in more recent years I notice more students opposed as they become more aware of international human rights.

Fu Jen University BA

For theatrical presentations I initially chose Brecht's *Fear and Misery of the Third Reich*. I deliberately excluded long scenes since the time for presentation was limited. The two scenes that stand out are 13 'Worker's Playtime' and 7 'Occupational Disease'. These allow 4 to 5 students to work together. However, the main disadvantage with Brecht is that the play depends on an ability to express irony. Read in poor English the irony is lost and the audience understand nothing. For this reason I changed tactic and wrote my own scenes based on issues students would understand climate change, gender discrimination, and one scene based on a true court case in which a Taiwanese employer was acquitted after raping an Indonesian maid. These scenes also use irony and much depends on the English proficiency of the actors.

No students wrote their own plays, but one very memorable silent film was recorded. The student concerned was crouched on her haunches, arms round her knees, completely naked and bound in sellotape. She tried to eat an apple on a table at head-level and started to tear off the sellotape, maintaining her position throughout the performance. This was a demonstration of the way women are not able to exert their rights.

Another outstanding piece of work was a booklet of about 8 black and white photos of homeless persons. On each facing page there was a very short text in English and Chinese. The student concerned went around Taipei and interviewed the persons to discover why they were sleeping rough and then produced this booklet with high-quality photos.

A number of drawings/paintings presented positive images of human rights: a model of the statue of liberty, a collage of images in the shape of the same statue, a balance superimposed on the world as an image of equality for all, a sketch of Malala. Images of violence were also drawn, including domestic violence, a model guillotine, sketches of violence under martial law and a presentation of photographs of the prison on Green Island which housed political prisoners. One student spent the whole semester doing an oil-painting of President Tsai Ing-wen surrounded by images of rights, such as a rainbow flag for gender equality.

There have been a number of foreign students in the class, most from China. Two of them have chosen topics portraying the oppression in North Korea. One group of students presented PPT, and a poster on the Vagina Monologues. A French student, reacting to the terrorist attacks in Paris (Charlie-Hebdo), took that as the theme for her drawing. A German student used her work to criticise the fortress Europe rejection of asylum seekers.

The theme of women's rights, and gender rights, nonetheless, forms the largest group of presentations. Artistically one of the highest quality presentations was a series of drawings of 'plump' women, deliberately designed to challenge the stereotypical equation of slender waist and beauty. Other pictures show traditional marriage as opposed to human rights. One student chose the title 'discrimination' and drew various scenes of discrimination, including discrimination on the basis of gender, age and status.

What is noticeably absent in the students' work is anything dealing with indigenous rights, the rights of migrant workers and new immigrants. There is also nothing about the death penalty, prisoners or persons with disabilities. Perhaps most students have little or no experience of dealing with persons from these groups. Many of them are hidden. This is literally so for those on death row and for prisoners. Fu Jen University has the highest intake of indigenous students (about 500 in all) for a general university not situated in a specifically indigenous area. The Law Department has had a few indigenous students, but they are generally highly sinicised and may conceal their identity. The Department does not encourage persons with disabilities, though the university as a whole prioritises persons with visual impairment——universities in the local area cooperate in concentrating on particular impairments so as to manage resources better. While it is

regrettable that these persons are overlooked, my feeling is that there is no deliberate discrimination involved.

More serious is the status of persons from south-east Asia. Taiwan currently has the highest number of migrant workers in its history. They come from four countries: Vietnam, Thailand, Indonesia and the Philippines. To these must be added a large number of foreign spouses——mostly women——born outside Taiwan, notably from China and Vietnam. In virtually no part of Taiwan today is it possible not to meet someone from Indonesia or Vietnam, yet communication between them and the local population remains poor.

Soochow University MA

Apart from the four years of teaching this course at BA level, I also had two courses at Soochow University which led to dramatic productions. The first course was based on my BA course on rights and arts. It ended with a production of *Othello* in Chinese. The second course was the one about how human rights came into China. I chose Ibsen's *Puppenheim*. We acted a modified version of the last scene in Chinese and then four short scenes set 20 years' later. The main value of these productions was that they showed what could be done with highly limited resources by persons pressed for time. I imagined that this might tell us how a typical NGO might be able to put its message across. The experience was certainly a help in building up relations among us, which is something that is good for NGOs to learn.

> I will add a word about the technical aspects of the productions. It took some time to settle on a text for *Othello*. We then recorded our parts in class. This meant that as actors we did not need to memorise our lines. Without the help of a student versed in recording and playback on computer this would have been impossible. Practice time was insufficient and we had to cut the whole sub-plot with Roderigo for lack of time. One problem was my own ability to read at speed in Chinese. The play was staged with a minimum of scenery and role-sharing (Bianca and Desdemona were played by the same actress). In terms of human rights, this play brings out Shakespeare's understanding of human dignity. At the start of the play Othello stands out for his position in society——general, husband of a Venetian noblewoman——whilst at the end he is a murderer. In terms of social status he goes downhill and this was expressed by a gradual reduction in clothing. Yet, in terms of real dignity the trajectory

> is upward. It is precisely at the end of the play that Othello's dignity as a fallible yet saved human being shines out. Desdemona shines as a paragon of perfection throughout, but never as a plastercast saint.

For *The Doll's House*, we benefitted from one student who was trained and working in theatre. She chose and modified the original text and also took us through the rehearsals. We decided to read from our scripts, though some of us were able to memorise large parts——not myself. I learnt quite a lot from the rehearsals and realised that a good production requires a lot of time spent on rehearsal.

The first presentation started in the middle of the final act, where Nora and Torvald have a discussion which ends with Nora leaving home. The two actors who performed this scene then presented their version of what happens later. In their version, Nora has returned home as a subservient wife; her son has just been accused of injuring someone in a hit-and-run accident; Nora appeals to Torvald to intercede with his friends in the judiciary to save her son.

The second presentation was the third version produced by the student concerned. He acted Torvald as having lost his job at the bank and accepting a job as a salesman for beauty products, inviting Nora for coffee on the excuse that she could meet the children——still at school. Nora quickly sees through his shallowness, denounces him and leaves in a huff.

The third presentation depicted Torvald with his second wife, Rona. She too leaves him and takes a train to a small town where she is welcomed into a small café/hotel by Nora. Here Rona appeared on stage but Nora's voice was recorded and played on the loudspeaker. Nora tells us that she had done a variety of jobs on leaving Torvald, chief of which was being a prostitute. Now she runs a small hotel. Through the conversation one learns that this hotel-owner must be Nora but it is never stated explicitly. This presentation was very moving, in particular since the student who recorded Nora's voice was seriously ill in hospital at the time.

> The fourth presentation relied on the historical background of the play twenty years after its performance in China, ie. around 1940. Nora is one of a group of university-educated English professors who were active in Shanxi Province which was then under Communist control. Torvald is the Minister of the Economy in the Nationalist government. They meet, recognise each other, and discuss how their respective parties

> can cooperate to resist Japanese aggression. At the end of the formal discussion, Nora asks about the children and is told that the eldest son is married and running a trading company in New York; her daughter has graduated with a degree in engineering and her youngest son is playing the trumpet at Shanghai nightclubs. Everything seems perfect for a reconciliation. However, a question-mark remains. Anybody who is familiar with history will know that the cooperation between the Chinese Nationalist and Communists did not last long. (*See appendix*)

I should note that the fourth version was my own. I wanted to show how both husband and wife could succeed. The first and second versions tend to make Torvald the dominant figure. In the first Nora is a complete failure. She cannot manage in society at all. In the second, Nora is presented as relatively less well-off financially but more mature in terms of personality. Torvald comes across as skittish. The third gives Nora an even lower social status but one in which she retains her dignity, whilst Torvald learns nothing and repeats the same mistakes with his second wife.

The production of the plays and the discussion of the four follow-up versions was particularly valuable. Students drew on their own experience of family breakup——one of the participants was a lawyer who dealt with such cases——and what they thought of the possible status of women left alone in society. My own feeling is that they had not fully grasped the force of Ibsen's original characterisation of Nora. They tended to think that she conformed to Torvald's stereotype and so used this as the basis for their versions. Perhaps we had not spent enough time on the whole play.

The Clash of Traditions: Assigning grades

While conveying information and encouraging students to think are the priorities of a University education, one cannot avoid the sordid topic of assigning marks. In Taiwan universities are run much like secondary schools with an emphasis on attendance in class. At BA level, I have tried reducing this mark to 10% but such a low mark for attendance results in protests so I keep it at 25%.[2] Of course, even if students are physically present there is

2 My habit is to give 3 marks for attendance at the full two-hour class. This means that attendance at nine classes leads to fulfilment of the quota. A semester has 18 weeks, but holidays can reduce the number to 16 or 17. Of these, two are for exams, so in a typical case, out of 15 weeks for class students need only attend 9 classes to earn full marks for attendance. The purpose of this is to prevent them from doing work

no guarantee that they are not on line, lost in cyber space, or simply asleep, during class. The mid-term exam is a written examination based on the courses taught up to that time. The mark is 30%.[3] This leaves 45% for the final mark which is for the artwork.

> As far as possible I ask students to present their work in class. Some are too shy to do so. This means that other students can assign a mark too, the results of which I will take into account but do not follow absolutely, since students tend to give high marks to their friends or to persons who make a lively presentation. The marks are assigned for artistic creativity (50%), relevance to human rights (25%), and competence in English (25%). The real problem lies in the first two issues. For instance, the student who made a model guillotine certainly worked hard at his project and produced a splendid model. But the guillotine is a rather ambiguous symbol.[4] In his presentation, the student tried to argue that it was a more humane way of carrying out executions than hanging and so an improvement in human rights.[5] Hence while he might get a good mark for artistic skill, though not for creativity, it is hard to see how this work scores in terms of human rights.

In most cases, students do better at presenting abuses of rights, or

for other classes during my class and to enable them to learn how to choose which classes they attend.

3 Two weeks before the exam I put 10 questions on the class website. Students choose any 5 of these. They have plenty of time to prepare; there are no hidden questions. We also have time to discuss the questions in class. However, there are still students who fail to understand the questions (in English) and so give answers that are unrelated to the questions. There is also a tendency to assume that answers are yes or no, full stop. In many cases students try to please the teacher by copying as much of their answer as possible from the class PPT. I try to discourage all these practices. A further problem comes from students who give their own opinions on topics, such as, answering a question about the death penalty in international law, with comments such as the death penalty should never be abolished, even when the question did not ask for the students' own views on the death penalty. I find it hard in a human rights course to support views that are blatantly against human rights. I wonder what the students have learnt. Maybe they have not tried to change their views.

4 Take Victor Hugo's "Le nom de la chose est effroyable, et je ne comprends point comment j'ai pu jusqu'à present l'écrire et le prononcer." (Victor Hugo (Jacques Seebacher ed.), *Oeuvres completes: Romans I*, Paris: Robert Laffont, 1985, p. 464. Or Dickens' "Above all, one hideous figure grew as familiar as if it had been before the general gaze from the foundations of the world──the figure of the sharp female called La Guillotine." (Charles Dickens, *A Tale of Two Cities* in *The Complete Works of Charles Dickens*, Philadelphia: John Wanamaker, n.d., p. 289.)

5 At the conference I ran on the death penalty, the then president of the university gave an introductory speech at which he suggested Taiwan should encourage lethal injection rather than shooting as the best means of execution. I deliberately avoided translating that statement.

situations of abuse, than at presenting a remedy. Even in the MA production of plays 'after Nora leaves home', the emphasis was largely on all the bad things that could happen both to Nora and to Torvald. In the first version, where Nora returns home and becomes very subservient to her husband, the level of violence in Torvald's speech was high, enough to make me feel uncomfortable. The same comes across in much of the painting, with violent reds, pictures of claustrophobia and attack. The few pictures that try to give a totally positive impression of human rights tend to be very flat.

> The highest grades should be assigned to works students have spent a lot of time thinking about and working on, works which are relevant to the theme of human rights. At the same time I also need to think about equality between types of art, so that a short skit using a text I have provided, if performed well, should earn equal marks with an individual oil-painting over which a student may have laboured for weeks. The problem is that uniform grading cannot really reflect the difference and yet the university context demands it.
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> There is a further problem with the BA course that has begun to emerge and that is its popularity. The Law Department of Fu Jen University allows a cap of around 30 students for course taught in English, but this is at the discretion of the teacher. Personally, I do not apply it. The result is that in Autumn 2018 I suddenly find the course expanding to around 50 students, which will put severe limits on the time allotted for final presentations. My feeling is not that there is suddenly a cohort of students with great artistic ability, but rather that they feel there English is not good and that this course will enable them to pass the final exam without so much pressure on learning English.
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> In the MA course, grading is even more difficult. A theatrical performance requires effort beyond that required for a normal class and hence this should be acknowledged in the marking. On the other hand, the skills required──set design, clothing, learning how to act and speak──are not necessarily directly associated with a grasp of human rights, either in terms of an increase in knowledge or in practice. For instance, in a production of *Othello*, one student put an inordinate amount of time into recording the dialogue and then arranging it so that the text could be broadcast to fit the performance. This was done since the class had no time to learn the text in Chinese. He also played a significant role, Iago, and had to control the timing. Without him the production would have failed.

The question of grading highlights the clashes provoked by this form of education. The class is part of a university course which requires certain forms of assessment based on particular kinds of competence. It is part of a system of credits and grades that are the tools by which the course assessment is carried out. Hence, the class is not free to completely overturn this mould. Marks assigned need to be commensurate with those used in parallel subjects taught in the same course. They also need to reflect the overall purpose of the course, which is an understanding of human rights and the ability to articulate the values therein. Artistic competence or theatrical ability may be powerful ancillary skills but they cannot replace the primary goal. Here then we find that the clash between the two models of education outlined by O'Malley is revealed in the very concrete issue of marking.

What do students learn?

In the BA course, where art works are presented in lieu of the final exam, my assessment is as follows. Firstly by engaging in creative activities many students develop their own potential, which is good for self-esteem. In some cases they have real artistic talent which they have been unable to develop because family or economic pressure brings them to study for degrees that will guarantee a more reliable source of income.[6] Secondly, their investment in creating a work of art helps them to focus on a particular issue and results in something that they are unlikely to forget.[7] Thirdly, students do learn that there are ways other than lecturing for putting a point across.

In the MA course, cooperation and discussion within the group was very important.[8] A lot of time was spent on the preparation of the theatrical

6 The student who painted President Tsai Ying-wen wanted to study applied art but deaths in his family meant that he had to move into law, which could guarantee a more stable income. In fact many students do not have a stable economic background. They may be working at night to earn enough to pay for their tuition. There are increasing levels of student debt which leads to poor concentration during class and, in the worst cases, an inability to complete their studies.

7 The topics they choose tend to be ones they are already familiar with before they attend this class. I cannot claim that because of my class they become aware of new issues, though this might be the case.

8 At BA level, students who may not know each other have also cooperated together. I remember one excellent production by a Japanese student and two Chinese students. They were all foreigners in Taiwan and from different departments. The cooperation in itself is a contribution to better mutual understanding. From my own limited experience of NGOs, I think this kind of cooperation is very valuable in fostering appreciation for the varied talents of each member of the group.

presentation as such. Some technical competence is required.[9] A lack of familiarity in writing scripts tended to result in dominance by one character at the expense of others, who in some cases were reduced to the status of a foil. Indeed, this tendency was also visible in the editing of the original in which Ibsen's use of dialogue tended to become the juxtaposition of monologues. The result is that the plays tend towards a hectoring style. The third play avoided this by keeping Nora off stage, only recording her voice.

Conclusion

All the forms of art described here can present human rights both in positive ways and in terms of abuse. However, there is still a need for direct, theoretical discourse. Without this human rights become limited to particular areas and the exclusion of other areas, as noted above. Moreover, in many cases it is easier and more dramatic to portray abuses and wrongs, than to portray a positive image of rights.

The biggest problem, though, from an educational point of view arises in the clash between the university tradition of education with its examinations, set marks and knowledge-based values, and the rhetorical tradition that seeks to work for the good of society by changing opinion through creative and eloquent presentations.

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9 Brecht deliberately wrote his plays so that ordinary workers could perform them without fancy scenery. Hence, one should not seek to get a perfect, polished performance.

如何教授人權：以台灣的大學課程為例

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摘要

本文以作者在輔仁大學學士班及東吳大學碩士班所開設的課程為例，討論大學中科學的／專業的途徑以及伊索克拉底人文途徑兩種教育傳統的貢獻與衝突。在論辯死刑存廢的過程中，作者發現，理性的論說雖然有用，但藝術（包括文學）更能改變人的看法。因此，我開設了藝術與人權的課程。在碩士班，學生共同籌劃戲劇演出，其附加的優點是促進團結，若非政府組織能倣效這個作法，應有助於理念的傳播。我同意葛瑞悌的說法，進行人權倡議時應避免傲慢，自認握有全部真理，不容其他人的挑戰。人權倡議者應學習在民主市場中推動其理念，為此，他們需要有適當的修辭工具。與此同時，大學傳遞知識的傳統仍有其必要，因為我們需要知道我們在說什麼，也必須追求真理。

不過，這種創新的課程仍受限於既有的大學環境，且必須符合其審核規定。從這點也可明顯看出兩種傳統的衝突。

關鍵字

亞里斯多德、伊索克拉底、人權、藝術、教育

A Continuation of Ibsen's *PUPPENHEIM*

In 1937 the Japanese occupation of north-east China turned into a war against the whole of China. In response the KMT and the CCP joined in a United Front, using the language of human rights. Over twenty years have passed since Nora left Torvald. She has been to university and become a leader in promoting women's education in north China under the CCP. Torvald has become the Minister of the Economy in the KMT government and has been deputed to hold discussions with the CCP. Nora is discussing her meeting with a colleague.

Nora: Comrade Chen, good to see you this morning. Are the delegates here yet?

Ms Chen: Almost, I hear they are sending a Minister of the Economy as head of the delegation.

Nora: At least, that sounds as if they are practical. I would not be happy just to listen to propaganda on the Three Principles of the People.

Ms. Chen: But you must watch out in case the minister is one of those anti-Communist capitalist bankers.

Nora: We are open to everyone. Mao Zedong says that if they are anti-Communist, our policy is a dual one of uniting with them against Japan and isolating them if they are anti-Communist.

Ms Chen: The minister is coming… (Torvald enters with his entourage.)

Nora: Welcome to the Party Headquarters. We look forward to your joining us in resisting foreign aggression.

Torvald: Thank you… but, surely not? No? Is it possible?

Nora: Torvald! How can this be?

Torvald: After you left, I thought long and hard. I started to read about human rights and women's rights. It seemed right to me. But, Nora, how are you here? What did you do?

Nora: I decided to go to university where I studied English and education. Then I came to Shanxi to promote women's primary education. In May 1937 we formed our own Association.

Torvald: So, you did indeed educate yourself and also educate others.

Nora: That's right. But, we are not here to reminisce. We have business to do, Minister Helmer.

Torvald: Yes, that's right we must sort out how we cooperate in the future.

(*Nora invites Torvald to sit down.*)

Nora: Our principles are set out very clearly. We are willing to work with your government if it unites with us to save the country, but we do not accept everything your government says.

Torvald: Exactly, the same holds for us. Cooperation is the key word. My brief is economic cooperation in particular.

Nora: So you are still a banker. You know we see bankers as capitalists intent on exploiting the poor.

Torvald: That is only one side of banking. I have come to learn that what matters more is to help the poor to manage their money and ensure financial stability so that we avoid the galloping inflation of the past.

Nora: And how do you propose to do that?

Torvald: The key lies in granting micro-loans to ordinary people so that they can start a small business, like owning a few chickens or pigs and thus earning enough to keep their family going.

Nora: Well, that still sounds rather capitalist. What we really need is a free flow of goods to counter Japanese control of the market here.

Torvald: Then we will have to look into establishing safe communication so that goods can be brought by land up here into northwest China without passing through territory held by the Japanese.

Nora: Exactly, we need secure roads and railways from Hong Kong to Taiyuan.

Torvald: Precisely, by working on something concrete that enables us to rescue our country and our nation and so restore our rights as persons, we can cooperate in building a new, mature China.

Nora: If you agree to that then we can begin to work on the detailed proposals.

Torvald: We will get to work immediately.

(*After the discussion, Nora and Torvald stand up and have a personal exchange before Torvald departs.*)

Nora: I often wonder what happened to Ivar, Bob and Emmy. Did you give them a good education, Torvald?

Torvald: They were all shaken when you left, Nora, and I was not sure how to cope but Kristine helped to find a way ahead. Ivar studied marketing and is now in New York running an import-export business. He and his wife have one daughter, so you are a grandmother now, Nora.

Nora: That's great, and how is Emmy.

Torvald: Emmy seems to have followed you. She was very independent as a young girl and insisted on learning engineering. She has an MA in railway engineering and has just come back to China so I am sure she can help construct the rail lines we need.

Nora: And Bob? That Christmas I gave him a toy trumpet.

Torvald: He is still crazy about that trumpet. It seems he saw it as a sort of substitute mother. Anyhow, he learnt the Blues and is now a trumpet player in the clubs of Shanghai. He will never make much money, though.

Nora: Still, it seems that they were all able to develop independently and in such different ways. It is more than I could ever have expected.

Torvald: Is this the miracle of miracles you hoped for, Nora?

Nora: Maybe it is.