

Education and democracy: the role of parents and teachers

1. I wish to express my thanks for your invitation to participate in this very important meeting. I'm honoured to be here and to have the opportunity to share with you all my conviction about the role of parents and teachers in education to build a strong democracy under the rule of law.
2. Having been a magistrate for over 30 years, first as a judge, then as a deputy prosecutor and again as a judge, I resigned roughly 10 years ago, namely 14 years before my retirement was due. My decision depended on the fact that despite enormous efforts in investigating or sentencing, justice was inefficient, incredibly inefficient. So, I began wondering whether, for the justice to be efficient, I should look into something before courts, judges, prosecutors, lawyers, sentencing, acquitting and so on. In the end I understood that the way involved principally the relationship between people (better, individuals) and rules. If people don't understand the meaning of rules, if they don't feel what rules produce in their lives, they will breach the law whenever they have the opportunity. I eventually found my central focus in education. I resigned from my office and began to increase what I occasionally used to do in my spare time. From that time on my primary activity consists in holding meetings – mainly in schools – to discuss with attendants about the convenience of complying with rules, especially when they are focused on the person (as in the case of the Italian Constitution) and the benefits ensuing. From 2007 to 2012 I held approximately 400 meetings per year – 300 of which with students – analysing the aforesaid subject, and afterwards I continued meeting students, roughly fifty thousand every year.
3. In order to respect rules one needs to share them, to understand their meaning, and the connection they have with day to day life and their impact on it. Otherwise rules are to be imposed forcibly as the case of a dictatorship. Traditional society is organised considering discrimination as a reference. In other words, people should share the value of discrimination: for example male and female, ethnic groups, religion and so on. This was based on giving people more or less value on the ground of a supposed different importance in a hierarchic society. This kind of society worked on obedience which was considered as a value. So the pivot of education for the majority was obedience. Therefore people in that society were convinced that rules are source of duties. Speaking about Italy, the common opinion is that rules are not linked to the

freedom of choice and it is difficult for people to respect rules because they have a positive relationship with coercion.

4. The Italian Constitution (roughly the same as the Declaration of human rights and the European Convention on human rights) changed perspective: rules do not aim to defend discrimination anymore, but to abolish discrimination and to recognise the same opportunities for each human being. The founding principle of the Italian Constitution considers dignity as the utmost value on one hand and the difference of each person on the other (with regard to gender, ethnic group, language, religion, political opinions, personal and social conditions). It compares diversity, which is naturally evident, to universal acknowledgement which is not evident in nature, although it was accepted inside the various social groups. The same acknowledgement was only considered by traditional society for people at the same level of hierarchy: rich males with rich males, slaves with slaves, poor females with poor females and so on. So we have persons not identical but with equal rights being recognised by the law so that everyone has the opportunity to go to school, to hospital, call the police and so on (this opportunity is not actually equal, not because of the law, but because individuals do not respect the law). Rules make free and they don't coerce.
5. Surely they do not consider only rights but duties as well. Actually it is impossible to recognise a right without thinking about a consequent duty. We can make numberless examples: the right to express one's opinion corresponds to the duty not to shut someone else up; the right to instruction, to treatment, to security corresponds to the duty to supply resources to build schools, hospitals, and pay income to teachers, doctors, policemen, which means that everyone must pay taxes. Duties however are justified and can exist only if they serve the correspondent right, if they serve in granting the rights effectiveness. So, belonging to a community based on a Constitution that makes all its members deserving fundamental rights beginning with the right of expressing one's own difference, taking one's own share of duties becomes convenient. These duties build the rights of the whole community sharing them. The result is that this kind of perspective is not only different, but opposite to the traditional one. However it is unusual to think that rules changed from an instrument of oppression into an instrument of freedom. Apart from a typical Italian case, where generally people ignore Constitution, this happens because tradition drags into the present time rules belonging to the past. These ancient rules survive for a very big part of society, although they are no more enforceable.

6. Speaking with students about the above items is crucial, and equally crucial is the technique of communication, but I will speak later about technique. In my opinion understanding the whole system is essential. It's necessary to highlight that in such system duty exits from the moral sphere, losing its character of "*categorischer Imperativ*" that *per se* doesn't need to be justified, and remains still only a means. "If I want to cross the street I must walk": here "must" is not identified with coercion but it belongs to cause-effect. Its real meaning is "If I want to cross the street I need to walk". Equally, once I have perceived causality between paying taxes and the practice of specific rights, paying taxes is no more coercion, as I have understood that if I want the right to education, treatment, security, and so on, I need to pay taxes. More simply if I want a right to exist my paying taxes is necessary. So "I must" becomes "I want to": I want to pay my taxes because I ensure the effectiveness of my rights (the case of tax revenues wastes away by poor administration is another matter). I want expresses freedom and not coercion. In this system freedom represents the characteristic of the human being and not of the privileged; not only from the formal point of view but from the substantial one.

7. Understanding the exact meaning of freedom requires changing one's mind about the relationship between freedom and limitation. Even one who identifies freedom with omnipotence (where "freedom means I do anything I want, and that's all"), anyway he/she implies, maybe unconsciously, that some limitation exists: "Anything I want", in fact, does not include what human beings cannot do because they are human beings: they cannot fly autonomously, they cannot drink and sleep at the same time, and so on. He/she, on the contrary, does not imply limitations depending on recognising peer other people's dignity. In a hierarchical society the discriminated distribution of rights and duties involves a large extension of the range of freedom for people having only rights, where "freedom" is equivalent to "arbitrariness". In a "horizontal society", recognising that everyone has peer rights and duties prevents that equivalence, and the meaning of "freedom" includes naturally (if you consider the characteristics of this society) the existence of another limitation, another border, constituted by the need of balance between rights and duties of individuals. Eventually, "freedom" means "I do what I can as a human being living in a community of peers". Which means that freedom includes accountability. When you realise that freedom implies acknowledgement of other people then you are accountable to them (and not to imposition or prohibition). That again means that your first duty (instrumental to all your rights) is solidarity. All these ideas have to be internalized if one wants to follow rules without external or internal impositions (I do this because I want and not because I must). And education,

in this field, consists in following young people on the path of understanding, through common meditation.

8. It seems obvious that you can build a strong democracy under the rule of law only if people, generally speaking, voluntarily follow the proper rules of democracy, and a little part of them breaches law (it is impossible that everyone, everywhere, follows rules, as we are human beings, and so bowed to our passions, sensations, and so on). If rules are imposed to the generality, you don't have democracy, but dictatorship.

9. But, if parents and teachers aim to educating to democracy, they have to bear in mind the meaning of the word "democracy", and share it. The majority of people who comment the word give it a formal meaning, that can be summarised by the sentence "one person one vote": according to this opinion democracy only is a system for choosing the government (either parliament or properly government). Other people give the term a substantial meaning, the one considered by the Universal declaration of human rights, as well as by the Italian Constitution (and not only): democracy is based on the principle that every human being is worthy, and his dignity is the same of every other human being. Democracy is, in this way, on the opposite side of discrimination. And democracy cannot be transformed into "dictatorship of the majority" just because the fundamental rights of the minority cannot be cancelled by the majority. So, democracy is not only a system of government, but it is also the system where every person is protected just as every other individual.

My personal opinion is that the meaning of democracy we have to consider is the latter, the substantial one. Otherwise we must agree with the statement that dictatorship can legally follow to democracy every time the majority decides so. It happened, e.g., when democracy moved to Nazism last century. This definition of democracy coincides with the one the Italian Constitution and other refer to, and for this reason substantial democracy is also called constitutional democracy.

If we agree that the proper meaning of democracy is the substantial one, we have a big problem. Since the origin of humanity, and *up* to the beginning of the past century, society used to be organised considering discrimination as a value, perhaps the most important value. You can look at the date when the universal suffrage was introduced into the legal system of the European Countries to consider how long the gender discrimination lasted. Roughly the same happened around the world as regards race discrimination, religion discrimination and so on. It means that for centuries and centuries almost anybody has been educated to the contrary of democracy, and a so lasting education cannot be changed easily. Also people considering themselves truly democratic, have in their mind a strong culture of discrimination, and are not

aware of that. I can give you many and many examples about my firm belief, at least speaking about Italy: women's salaries are less than man's; only rarely there are mosques, but many and many churches; members of parliament frequently have privileges that common people don't have (a very short term to achieve pension, for example). In the school world many little details show how the pyramidal conception of living together is widespread. The director has a reserved car park, maybe some teachers, but the students; if a student delays she/he takes a warning, if a teacher delays she/he says "Sorry"; students cannot have their cell switched on, teachers can; teachers have bathrooms for themselves only (and so on). So, if parents and teachers want to educate to democracy, they have, first of all, to change their mind and to educate themselves to democracy. Only in this way you can effectively communicate the above exposed items.

10. Speaking with students is not enough, if you really want that education to democracy is passed on them. As education (that means to teach to behave properly) is made more by behaving rather than telling, you have to behave coherently with what you say. So, i.e., you cannot say that smoking is dangerous for your health while you are smoking, you cannot say that mobile telephones have to be switched off in the classroom while yours is switched on (it happens frequently in Italy), and so on. And you also have to avoid to give a positive meaning to not evident, but sure, symbols of the hierarchic society. In Italian schools, i.e., we have bathrooms for teacher only. The examples I *made in* the previous paragraph show what I mean, about teacher behaviours; both teachers and parents, frequently unconsciously, behave as the basic principle was discrimination rather than equal dignity. They have to convert their mood to the latter from the first, otherwise they cannot educate to what they don't practise.
11. Democracy is commitment, is work. While subjection does not demand for involvement, democracy does demand to work for it to be effective. The first section of the Italian Constitution states that "Italy is a democratic republic based on work". It means, as well as other many meanings more intuitive, that Italy can be a democracy only if Italian citizens work to make Italy a democracy. Parents and teachers have to show that they keep working to build democracy.
12. Democracy also needs participation: parents and teachers have to educate to participation, if they want to educate to democracy. They need to change their attitude and listen to the students more and more than now. They have to do their commitment, their job together with their kids or their students, and don't impose to behave in a way, but keep them to understand the reason because it is better for them to behave so.

13. Punishment has to be replaced by a program aiming to making students aware of what is right and what is wrong. Young people have to behave in a “democratic” way not because obliged, but because convinced. Democracy can be effective only if people is not educate to obey, but they are educate to be free (it means to be able to manage their freedom). Democracy can be learnt giving reasons rather than giving orders or prohibitions.
14. The way of communicating is important too. Your purpose being to educate to democracy, communication has to be “democratic”. First of all it is necessary to attract young people into the subject you are going to deal with. Once they trust you they will recognise you as their interlocutor, they will listen and accept what they are listening to, they participate. How do you gain their confidence? Through your knowledge, coherence, didactic relationship, helpfulness, and respect as well. By participating they will grasp the subject: it becomes their own and not extraneous. The person you are addressing to should feel that the problem of legality belongs to her/him. That it is her or his problem, that legality has to do with her/his existence. In meetings with high school students for example (or even with younger ones) a good question to begin can be “in your opinion is there a relationship between being happy and respecting rules?”. So that your discussion goes immediately to what attracts the young people’s interests. Another introduction can be “If I say ‘rules’ which will be your emotional reaction: pleasant or unpleasant?”. When I ask them they generally answer “unpleasant”, I ask “why” and they answer “because rules limit our freedom”, and I again ask “are you sure?” and the discussion goes on until they find that rules are what gives them freedom. In other words you need to avoid front lessons and use the method of dialogue. Obviously the location must be fit to the dialogue. It means that in the case of a classroom it would be better not to have a teacher desk but a little, low table where to put school items; that student’s desks should be arranged in semicircle; that cooperation between students should be preferred to individual work and so on.
15. In conclusion, parents and teachers aiming to educating young people to democracy only have to be truly democratic in their behaviour and in their word. This is my warmest wish for you and for myself too. Thank you very much.