

Education, empowerment and struggles for recognition: citizenry rights

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Abstract

The downward revision of certain citizenry rights, such as social and labor rights, in contexts of structural adjustment and economic crisis, is rekindling the struggles for recognition, not exactly as cultural or identity recognition as one has observed with intensity in the last two decades, but in terms of legal recognition, that is, the respect for the expectations that can be met because they are legally protected. Education, faithful to its vocation to defend the integrity of the human person, at least since the Enlightenment statement of such value, cannot be unaware of such fights for legal recognition. It certainly has a role to play in these disputes, but which one and how? This is the subject of the this investigation which leads us to demand three objectives: the first one consists of associating education with the fights for recognition, calling for that effect the “moral grammar of the social conflicts” by Honneth; the second, linking education to empowerment, seeks to show that the latter, notwithstanding interpretative dissensions, may be interesting to define the involvement of education in the struggles for legal recognition; the third and final objective consists of outlining the main articulations of such role in terms of empowerment. The research, by combining Honneth’s framework with the review of the literature on diagnostics of “legal recession” that we have been going through in several contexts, namely in the European countries more strongly affected by the austerity policies as a model or paradigm to respond to the crisis of Euro, of the public debt and the of welfare State, leads us to conclude that the “era of rights” is under threat and that education, by means of those well-defined practices of empowerment, may be strategic in potentiating individual and social reactions to the revival of this kind of threat.

Keywords

Education – Empowerment – Recognition – Struggles.

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Educação, empoderamento e lutas pelo reconhecimento: a questão dos direitos de cidadania

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Resumo

A revisão em baixa de certos direitos de cidadania, como os sociais e os laborais, em contextos de ajustamento estrutural e de crise econômica, está a reacender as lutas pelo reconhecimento, já não propriamente em termos de reconhecimento cultural ou identitário, como de fato se verificou, com intensidade, nas duas últimas décadas, mas em termos de reconhecimento jurídico, ou seja, de respeito por expectativas que podem ser satisfeitas porque estão legalmente protegidas. A educação, sendo fiel à sua vocação de defesa da integridade da pessoa humana, pelo menos desde a afirmação iluminista desse valor, não se pode alhear dessas brigas pelo reconhecimento jurídico. Tem seguramente um papel a desempenhar nessas contendas, mas qual, e de que modo? Esta é a questão de investigação que leva a demandar três objetivos: o primeiro consiste em associar a educação às brigas pelo reconhecimento, convocando, para o efeito, a “gramática moral dos conflitos sociais” de Honneth; o segundo, vinculando educação e empoderamento, procura mostrar que este último, não obstante dissensos interpretativos, pode ser interessante para definir o envolvimento da educação nas lutas pelo reconhecimento jurídico; o terceiro, por fim, consiste em delimitar as principais articulações desse papel em termos de empoderamento. A investigação, conjugando o quadro analítico honnethiano com a revisão de literatura sobre diagnósticos da “recessão jurídica” que hoje se vive em diversos contextos, nomeadamente nos países europeus mais fortemente atingidos pelas políticas de austeridade como modelo ou paradigma de resposta à crise do euro, das dívidas públicas e do Estado de bem-estar social, leva a concluir que a “era dos direitos” está sob ameaça e que a educação, mediante práticas de empoderamento bem delineadas, pode ser estratégica na potenciação de reações individuais e sociais ao ressurgimento desse tipo de ameaça.

Palavras-chave

Educação – Empoderamento – Reconhecimento – Lutas.

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Introduction

The landscape of social conflicts around recognition, along two decades of intense and tough debates involving multiculturalism, especially in the destinations of greater migratory attractiveness, is still alive in the arenas of public discussion not only for this reason: the respect for idiosyncracies and cultural specificities of people and collectivities often different from each other. Whereas this is also the way they go through, the struggles for recognition are not limited to these fights for identity. The extent of the struggles is wider, as in fact we started to realize in the face of the rekindling, not surprising at all, of the fights for legal recognition of the citizenry rights, which suffer onsets from the neoliberal project, especially after the 2008 financial crash and the consequent negativ readjustment of standards of life of many population segments in a great number of industrialized societies, with particular incidence onto the countries in the European zone that are implementing governmental programs of austerity with the purpose of reducing public deficits and the sustainability of the welfare State, however affected by the crisis of the single currency, that is Euro, and the very economic crisis that has settled after the seismic shake in the world financial system.

The downward revision of the citizenry rights, namely those associated with labor and social security, is arousing indignation among the affected populations and, education, faithful to its normative vocation of defending human integrity, at least since the dawn of Western modernity, cannot standby idly and merely watch this situation. Its agenda, under this perspective, goes much further from the formation of “human capital” and provide training for the workforce. It also includes, given the current circumstances, the active involvement with the struggles to defend the legal person and his/her rights, by helping in terms of empowerment all those who resist, in

the context of the shrink of such rights, the attacks of an entire program of reforms clearly aligned with the most retrogressive positions in terms of citizen prerogatives.

As a first task, and the first objective, there appears the need to locate education within the context of the struggles for recognition, particularly emphasizing the issue of the citizenry rights that have become so fragile nowadays. Here, and as framework for the analysis, it makes sense to re-update Honneth's conception of the fights for recognition, taken into account in this concept specifically the legal recognition as a way of respecting an individual's integrity, whose background or context of reference, are the Western social scenarios where such battles are fought.

As a second task and, therefore, the second objective, it is important to articulate education and empowerment since it is by means of the latter that education best turns out to be a supporting element of the struggles for recognition in the field of Law. The point, amidst the arguments utilized, is to bring from above the controversy of meanings that is associated with this relationship between education and empowerment.

Last but not least, it is necessary to show how the strategic role of the empowerment is structured in these fights to defend the legal person and his/her rights, when one observes, with concern, some evanescence of the “era of rights”, not to say its sunset, in the countries submitted to policies of austerity, socially more punitive than effective in overcoming the crises (economic, financial, budgetary) in relation to which they present themselves as an antidote or as a solution.

The intent of this article is, therefore, the following: associate education with the struggles for recognition, especially in the front of the citizenry rights that are most fragile today recurring, for the effect, to Honneth's “moral grammar of the social conflicts” and showing how the empowerment, impelled by education, may play in these fights a relevant

role in order to hold back, if not to end, the blatant erosion of certain fundamental rights of the citizen, wherever it takes place, or where it is taking place, as is the case of the European contexts of legally recessive policies.

The issue of the citizenry rights:
contextualizing education in the struggles
for legal recognition

The increasing commercialization of education subjecting it, apparently without opposition, to the logic of the labor market and its alleged needs of “human capital”, even without apparent improvements in the prospects of employment in the zones most hardly affected by the post-2008 crisis (STANDING, 2014, p. 129), is making us forget that the normative agenda of education, at least since the dissemination of the Enlightenment ideals of freedom and emancipation, cannot be summarized and is not limited to such utilitarian dimension. Education is much more than professional adjustment of people. We would be in trouble if education were restricted to “produce *well adjusted people*” (ADORNO, 1998, p. 96) in professional terms, it is what is taken today as a priority in a series of policies of neoliberal nature, mainly in the countries most flogged by last years’ economic-financial recession, particularly some of the countries in Europe and in the Euro zone which, due to rescues and policies of structural adjustment, were forced to reconfigure their educational systems in compliance with this *market friendly* orientation.

The normative reconstruction of education, to use a language inspired by the methodological strategy so much appreciated by Axel Honneth (2014, p. 20) in his works on “the theory of justice as an analysis of society”, certainly brings up other aspects of this praxis. It is not only the formation of “human capital” and the development of employability that gives it a name and an identity. It also gets a name and an identity, at least since the dawn of modernity and, especially, since the Enlightenment (KANT, 1995, p. 11), from

defending the freedom, the emancipation and the social integrity of the human being, all of them necessary to the respect for and the esteem of an individual who is entitled to rights.

It is through the affirmation of these values and ideals that education relates to the struggles that are fought today on behalf of the respect for the human person, in spite of an entire tendency that intends to silence it by recurring to “several forms of public pedagogy” (GIROUX, 2011, p. 134) whose characteristics are markedly neoliberal. What is at stake, using the critical social theory of the current director of the Social Investigations Institute of Frankfurt, that is, Axel Honneth, is the active involvement and commitment of the educative practices with the struggles for recognition, struggles that cannot be explained, according to Honneth (2011, p. 215-226), by the logic of pursuing collective interests, both material and cultural and symbolic, but by a grammar that articulates moral claims from the moment the expectancies of recognition are defrauded in three fundamental spheres: the sphere of intimate interactions (love, friendship); the sphere of legal relations (law, right); and the sphere of social relations (social life and labor).

Within these spheres (that configure the socio-moral order of the bourgeois capitalist society) specific forms of recognition develop (affective recognition, legal recognition, and social recognition) due to the principles that rule these spheres: love (in affective recognition); legal equality (in legal recognition) and social appraisal (in social recognition). The normative expectancies of the individuals, groups and organizations are that these principles will materialize adequately, or in a fair way, in the different spheres of human interaction. When this does not happen, individuals and collectives feel morally relegated and socially humiliated. In short, they are disrespected in their normative expectancies:

What motivates individuals or social groups to question the prevailing social order

and to put in place practical resistance is the moral belief that, regarding their situation or particularities, the principles of recognition taken as legitimate apply in an incoherent or inadequate manner. (HONNETH, 2006, p. 124).

The lack of respect, in this order of ideas and, therefore, in this particular meaning,

Must be considered the motivational grounds of all social conflicts: the subjects or groups consider they are not respected in some aspects of their capacities or characteristics because they have convinced themselves that the institutional practice of a legitimate principle does not reflect these dispositions in an unjustifiable way. (HONNETH, 2006, p. 124-125).

What Honneth intends to demonstrate, combining philosophical thinking with the handling of empirical data, is that the negative, partial or distorted experiences of social recognition are, actually, the “source of recognition, emotionally linked, of social resistance and the collective uprisings” (HONNETH, 2011, p. 193). Thus the social struggles are settled on moral claims of social recognition. One can then see that the grammar of these struggles is moral, even in the case where one realizes on the surface of these struggles a pursuit of material and cultural interests (HONNETH, 2011, p. 223).

Concerning legal recognition, of interest here, withdrawing fundamental individual rights, or rather the deprivation and exclusion of such rights, is in this domain the true reason of indignation and rebellion. The “Era of the Rights” (BOBBIO, 2004), inaugurated with modernity and, especially, with jusnaturalism, came to say that all human beings are holders of rights and deserve equal treatment in this realm. However and despite discrepancy that can be found in several places, among *de facto* rights and *de jure* rights, the feeling of injustice

is great when someone has denied “the right to have rights” (ARENDETT, 1978, p. 383), and not only in the primary meaning of belonging to a political community (BIRMINGHAM, 2006, p. 59), but also in the sense of being entitled to “subjective rights” (RICOEUR, 2004, p. 291) according to the traditional division of these rights into civil, political, and social rights.

Honneth’s explanation of the social struggles, namely when legal recognition is concerned, is good ground for a framework that leads us to understand the struggles for advocating the citizenry rights which currently are somehow spread all over, especially in the contexts where the effects of the post-2008 recession are more outstanding, all the more when these struggles are featured, to a large extent, by social movements whose self-comprehension and self-naming are done in moral terms. A paradigmatic example of that, due to the notoriousness reached over the last years, is the movement known as *Los Indignados* (the outraged).

What is happening, and that is what one understands as being Axel Honneth’s “grammar”, is an assault to the universal rights of citizenship, namely the social and labor rights, provoking a great deal of indignation in the populations most affected by the downward revision of such rights. One would say that there is nothing new under the sun, since the assault of the subjective rights did not started yesterday. It has been occurring since, at least, the late 1970’s and the revival of the neoliberal political agenda in the governmental actions of many countries, both in emerging market economies as well as wealthy economies.

If this is all true, going so far that one can say, with Ferreira (2014, p. 30), that the “dissolution of consensus, caused by the economic crisis of 1970’s, has announced the blame of the Welfare States, the neo-Keynesian economies and the citizenry rights”, one can also rightfully say that we cannot ignore a situation increasingly problematic for such rights. Unfortunately the citizenry rights

became the object of choice of the neoliberal onslaughts, a kind of barrier that is necessary to put in order to impose, first of all, more personal responsibility for the trajectories of life and, secondly, to favor in a context of systemic crisis the implementation of flexibility, which would allegedly bring for competitiveness, more growth, and more employment. This is an increasingly more radical way of thinking that is legitimating, without any decency, the unprecedented assault to the citizenry rights, mainly the labor rights, by turning precarious the bonds between employees and employers, or by reducing the prerogatives of negotiation between both of them, and the social rights, which are now subjected to regimes of conditionality that withdraw their universality, that is, regimes that deny the universal nature of these rights according to criteria established and redefined at each moment by the social policies of paternalistic kind.

The reduction of rights, namely in these two areas, equals to (and translates) a disruption of citizenship, that is, it transforms people into sub-citizens (*denizens*), that is, into second- or third-class citizens: “A sub-citizen (*denizens*) is someone who, for a reason, has a set of rights more limited than a citizen” (STANDING, 2014, p. 40). The disruption of citizenship is another way of saying that we are increasingly pushed towards a state of “naked citizenship” (APPADURAI, 2013, p. 147), a citizenship severely compromised in the entirety of its rights, at least as such rights are proclaimed, with rhetoric intensity, in the constitutional framework of most nations nowadays.

What is really unsettling, besides the fact that his “naked citizenship” mocks “most of the constitutional documents and the government promises”, as sourly notes Appadurai (2013, p. 151), is the core of the increasing generalization of such condition, somehow everywhere:

The numbers of people around the world who do not have at least one of these rights is increasing and, as such, these people end

up having only sub-citizenship (*denizenry*) rights but not citizenry rights, no matter where they live. (STANDING, 2014, p. 40).

“The world”, says the author further on, “is filling with sub-citizens” (STANDING, 2014, p. 177), not by work and grace of a transcending power, or by a combination of devilish forces, truly unspeakable, but because the “State is more and more converting more citizens into sub-citizens” (STANDING, 2014, p. 275).

The slimming of citizenry rights is a disturbing reality, mainly if we take into account the importance of the rights as “source of protection and preservation of individuals in their physical, mental and social integrity” (FERREIRA, 2014, p. 420), all the more we are ontologically fragile and vulnerable. If the social structure in many places is producing vulnerabilities and worsening the lives of large sections of the population, the the effective legal defense of people becomes inescapable in order to safeguard and ensure a little decency and dignity. The matter, therefore, consists of knowing how to build this defense, because, as it is expectable, it is not a manna that shall freely fall from the skies. An action most certainly will have to come up, but it is not enough to wish for such action, it is necessary to be empowered to give it continuation and effective materialization. This way there emerges the issue of empowerment in the social struggles for legal recognition, to which the education of emancipating and liberating character is linked, as well as it emerges with more or less intensity in its normative reconstruction.

Education and empowerment: the discovery of dissent

As a “form of disrespect” in the sphere of law and rights (HONNETH, 2011, p. 177), deprivation or subtraction of individual prerogatives and, in its full extension, the very exclusion from this sphere, which is equivalent to Arendt’s “kill the legal person

within the man” (ARENDDT, 1978, p. 381-383), is a necessary reason, even if not sufficient, to unleash social struggles for recognition in a variety of contexts. It is a necessary reason because it impels these struggles by means of feelings of injustice and indignation, resulting from frustrated normative expectancies in this sector, that is, expectancies according to which we all deserve rights to protect our integrity as human beings. But it is an insufficient reason because the silent rebellion against this affront of denying rights is not enough. What lacks, as Honneth (2011, p. 219) underlies, is to “articulate and legally process in the public space the violations and disrespects experienced as typical”. A struggle for recognition only becomes truly a struggle for recognition when “the personal expectancies of disrespect may be exposed and interpreted as something that can potentially affect other individuals” (HONNETH, 2011, p. 218). The social struggle to expand recognition, especially when recognition withers away and occasionally is denied by unjustifiable reasons, it should then be understood as a:

Practical process in which individual experiences of disrespect are interpreted as typical key lived experiences of a whole group, so that they can conjoin, while motifs guiding the action, to a collective demand for the expansion of the relations of recognition. (HONNETH, 2011, p. 218).

Agency, that is, the capacity of acting in the meaning described above and, occasionally, further, is something that is placed in the struggles for recognition, namely in the legal sphere, because one cannot see how this recognition could be developed, both “in the plan of listing the subjective rights defined by their contents” and “in the plan of assigning these rights to new categories of individuals or groups” (RICOEUR, 2004, p. 290), without claiming capacity and actions well conducted in the spaces that make up the public sphere.

The privatization of discontent in relation to the denial of rights, a fruit of “a massive individualization of the allocation of responsibilities” in several fields of activity, such as paid labor, but not limited to it (HONNETH, 2014, p. 333), certainly makes it difficult to socialize the claims and the very process of resistance to such denial of rights. In any case, and this is an aspect that probably we will not be able to get around, it is difficult to set a quarrel or dispute around the legal recognition aside the agency of the people who structure human collectivities, that is, the authors and actors who casually feature this struggle. Thus and in order to fulfill this condition, it is necessary to articulate education with empowerment, because empowerment, leveraged and undertaken by education, which is in better conditions to improve the capacity of acting, reinforcing the personal powers of critical reading of the reality and other resources and powers that casually will support a struggle to meet normative expectancies in the sector of citizenry rights.

Educational involvement with empowerment, as it is strategic due to the reasons above, needs to be surrounded by a great deal of care, since empowerment, in addition to the literal meaning of getting more power or added power, is a concept disputed in the spectrum of the current political orientations, and triggers as a consequence a interpretative dissents. In the light of Bacqué and Biewener (2013, p. 15-17), and utilizing with some adaptations their illustrative vocabulary, it would be convenient to take such notion of empowerment in perspective in three types or models: the radical type, as it corresponds to the practice of organizations and movements which see empowerment as power acquisition for the purpose of social change and emancipation; the social-liberal model, conceived by those who want to reform the Welfare State; and neoliberalism, currently prevailing in the discourses and practices of ultraliberal governmentality.

Empowerment, in the first case, is simultaneously an individual and collective process whose objective is to help everyone to lead their lives and also to be emancipated, so it is important, in the line of theories of social change by Paulo Freire, or the most radical branches of the feminist movement, to perform a process or dynamics of “awareness growth” as it begins with a process of action: “one thinks in order to act, and this real capacity of action is fundamental for a intervention leading to *empowerment*” (PINTO, 2013, p. 53). Based on the awareness of social oppression, of inequalities in the share of power and resources, this conception of empowerment aims to allow individuals and groups to increase their “power of acting” (LE BOSSÉ, 2003, p. 45) in the sense of being competent to exert influence on the partition of social resources and on the eminently political definition of the legal order that rules life in society. Thus, and for that effect, the becoming critically aware is combined with the critical and political engagement of individuals and groups.

Radical empowerment, seen in its wholeness, articulates three dimensions: the individual or inner dimension, which designates the process allowing each individual to develop a critical awareness and his/her capacity of acting, giving rise as result to the construction of a positive self-image, the acquisition of knowledge and competences that favor the critical comprehension of the environment, the development of individual resources and the making of strategies to reach personal and collective goals; the interpersonal, organizational or collective dimension, which designates the development of the capacity of acting in cooperation and in a concerted fashion on people and resources from the surrounding environment; and finally, the political or social dimension, which places the question of society’s change through collective action, namely when the normative expectancies of its stakeholders are not satisfied in any of its spheres.

Corresponding to reformist views of both democracy and the regulation and management of public assets, the empowerment that is characteristic of the social-liberal model, or leftist liberal, as it could also be named, does not go that far in claiming the political nature of this process, at least not as far as it is desired by the empowerment advocated by feminist organizations and grassroots movements. The empowerment at stake here certainly appreciates the reinforcement of the individual’s powers, namely the power to make multiple choices and the power to make decisions for his/her own life, such as resist, or not, to the humiliation of his/her legal person, however, it does not really question the structural dimensions of the asymmetries and inequalities that end up recoiling many opportunities.

The social and political dimensions of empowerment, when they are present, are exclusively considered, as Bacqué and Biewener (2013, p. 94) emphasize, in the “only perspective of making the institutions more representative and encourage the reform of public policies, helping to set up coalitions around such commitment”. Thus, even if it affects the capacity-building of the individual towards the more democratic forms of handling public management, prizing the social capital, responsibility, inclusion, citizenry and participation, the social-liberal empowerment is cautious from the political viewpoint and attenuates significantly the radical sense of the first empowerment model, since it does not grant due importance to the questioning of the power differentials that make up the grounds of disempowering, both of weakened people and vulnerable groups.

The de-politicization of empowerment and the consequent neutralization of its radical outreach is particularly visible in the neoliberal empowerment. As a project aimed at reinforcing powers or capacities, such empowerment is strictly individual. It consists, firstly, of actions to make individuals accountable, and these actions are oriented in the end towards self-help (BACQUÉ; BIEWENER, 2013, p. 45),

that it, towards the care and help of oneself. Empowerment, according to this model, leads to individuals who must treat themselves: it is expected that, reinforced in their capacity of acting, they will be able to deal with adversities and to live up to the circumstances, making adequate choices and not blaming anyone else but themselves, when things do not go well. Being empowered means, then, to be provided with capacities that allow to defy – on one’s own – the issues that come up in the several spheres of human interaction, be it material resources or moral humiliations. The emancipating promise of empowerment, in its more integral version, is put here between parentheses. The real question is to empower the individual in order to strengthen his/her resilience to adversities. This does not contemplate, not for a single moment, the organization of social struggle against the structural causes of a number of setbacks, as it may be the case, in the light of what we have been discussing, of social instability of the citizenry rights on the part of governmental policies that are ultraliberal and neoconservatives.

What can be figured out from the presentation above is the fact that empowerment, although it always refers to change, alteration, transformation, in terms of power or capacity of acting, it does not necessarily have the same meaning in its different types or models. It is crucial to bear this in mind, either when one sees education as empowerment, that is, as an action to strengthen the agency of people and groups especially deprived, or when one wants to outline, for the effect of pedagogical orientation and fundamentals, the instrumental role of empowerment in the struggles currently being fought in the legal sphere for the purpose of recognizing citizenry prerogatives.

Instrumental relevance of empowerment in the social struggles for legal recognition

Under the light of Bacqué and Biewener’s interpretative framework, empowerment leaves

a sour-sweet sensation: whereas it might be interesting to potentiate social struggles for legal recognition, in the sense that Honneth’s gives to such struggles (HONNETH, 2011, p. 218), it causes as well confusion about them, due to the political connotations of the concept, and not only in the more notoriously politicized versions, as is the case of the radical or integral versions, but also in all other versions or usages, as the leftist liberal ones and those currently prevailing in the references to empowerment: the managerial and the neoliberal versions (BACQUÉ; BIEWENER, 2013, p. 136).

The neutralization of the confusion, even if it is hard to operationalize, due to the fact that it is settled in quicksand grounds, ends up as something important, because not all empowerment can play a decisive or strategic role in the social struggles for recognition. It must be noted and reminded that these struggles, namely in the front of the citizenry rights, are demanding and challenging for the individuals who are their protagonists, either because the context is little receptive to legal claims of a certain nature, as is the case at present of the social and labor rights in the context of the so called post-2008 “Great Recession” (STIGLITZ, 2013, p. 191), or because these struggles, based on feelings of injustice and experiences of disrespect, according to Alex Honneth’s (2011) “moral grammar of the social conflicts” invariably test the competences of the individuals: firstly, because the individual subjects need to articulate their claims “in an inter-subjective interpretative framework” (HONNETH, 2011, p. 220) in order to achieve as a group such demands; afterwards, because the success of the struggles cannot be dissociated from the capacity to act in an organized and collective manner in a given sociopolitical context.

The point is, concerning these conditional factors, to know how empowerment may take a strategic role in the struggles for recognition, namely legal recognition, and under what meaning or model.

A minimally clarifying answer includes several elements. Firstly, empowerment with such function or role cannot forget the eminently political nature of the social struggles for the recognition of rights. A nation's legal order, on which relies the recognition of individual and citizenry prerogatives, is a political construction which depends heavily on the forces at play. Widening "the terms of recognition" (APPADURAI, 2013, p. 234) in a given society involves redefining this legal order and, possibly, changing society as a whole. When a struggle for legal recognition is unleashed, either to advocate for rights or to expand them, it is a political "battle" that is fought by new forms of living together, with more respect and more equal consideration for everyone, as the normative expectancies of the citizens, in a democratic legal order, are settled on this equality. The problem, of course, is when there is *de jure* equality but not *de facto* equality. But in this case, yet, the replacement of parity between one and the other depends on struggles that are essentially political.

To empowerment, in the political sense other than doctrinal, of the social struggles for legal recognition, it is necessary to add, secondly, the personal and interpersonal dimension of such struggles, that is, the awareness that one must act both individually and collectively in order to achieve positive results. Whereas on the individual side it is important that indignation and rebelliousness emerge regarding disrespects and humiliations, it would be almost useless if these emotional reactions did not make way for collective actions of protest and change of the *status quo*, no matter how difficult it is to take this step due to the increasing individualization of the social protests, as itself is the very consequence of the "mechanism of laying the blame on the individuals" (FERREIRA, 2014, p. 239) in the current neoliberal sociopolitical configurations. In any case, and to be relevant or decisive in the social struggles for legal recognition, empowerment needs to take on, and be coherent in pragmatic terms, this

double shape (individual and collective) of the struggles for the law and lawfulness.

The change intended as a result of empowerment, consisting basically and, according to Le Bossé (2003, p. 34), of "increasing people's capacity of individually or collective influence their reality according to their aspirations", involves, thirdly, the understanding that his change has two equally required references: the individual resources (including cognitive competences, the belief in oneself, self-esteem, participative competences, the capacity to imagine alternate futures and to raise a protest) and the collective resources (for example, the presence of possible individual and collective actions, conditions to access and utilize services, availability of financial funds). In order to play a decisive role in the struggles for legal recognition, as may occur in the contexts where rights are denied and withdrawn, empowerment feels the need to play with such polarization, either to avoid the oblivion of structural changes, related to the modification of the structural conditions, or mainly to unleash, among the persons involved, his/her capacity in terms of competences, that is, powers to act in the environment where these struggles are fought.

Placing the touchstone on the side of the individual resources, obviously without embracing "the mirage of self-empowerment" (LE BOSSÉ, 2003, p. 42), that is, the idea that individual change is sufficient to make the people's aspirations come true, it would be convenient, necessarily in a brief manner, and for the effect of the pedagogical practice aimed at empowerment, enclose the major areas where this practice takes place. As it may expand to several topics and make way to broad developments, the objective of synthesis identifies, at least, three great areas of empowerment practices that are of enormous interest to the social struggles for legal recognition.

First and foremost, the cognitive empowerment underpinned, on one hand, in the reinforcement of the power to comprehend

the social realities that affect people's lives, namely the differentials of rights that create subaltern positions and indignities, and, on the other hand, in the development of a critical consciousness in the development of a critical consciousness whilst a previous stage to a transforming and emancipating action, either under the form of "raising awareness" (FREIRE, 1975, p. 30; BACQUÉ; BIEWENER, 2013, p. 69), notwithstanding the difficulties of access to the increasing complexity of the social systems.

A second area of pedagogical practice of empowerment that makes it relevant in the struggles for legal recognition, and which incidentally comes as a supplement to the work performed in the area of cognitive empowerment, is what can be called, based on Zimmerman (1995, p. 581), "psychological empowerment", that is, the action that reinforces the individual's belief in him/herself and in improving his/her self-esteem and self-confidence making them to believe that, despite the antagonistic forces and invalidating powers, it is possible to reach a social order that is fairer and more respectful of the human person's integrity. Empowerment, whose aim in this case is to suspend the person's disbelief in him/herself, in his/her possibilities and capacities, leads to the improvement of the self-image and the widening of the horizon of possibilities. It is important, in this latter sense, to focus on the reinforcement of the "capacity of aspiration" (APPADURAI, 2013, p. 237), that is, the strengthening of the power to imagine alternate futures and other possibilities.

Political empowerment, in the end, provides configuration to another area not less important than the previous ones, due to two reasons: first, because it is essential to politicize the legal issues by potentiating the capacity of political reading of such issues, especially when affronts to the basic rights of people are at stake under the form of of circumstantial ideological justifications, as is the case of the emergency policies in reaction to the crisis of the deficits and public debts in a considerable number of nations. Then, secondly, because political

empowerment is seminal in generating powers without which it is not possible to exert an engagement that is collaborative, clear-sighted and critical in the change of the systems of legal norms that are responsible for the precariousness, insecurity, suffering and the fear of living face by an increasing number of people around the world, as we have already mentioned in the light of this important study by Standing (2014): *O precariado: nova classe perigosa* (originally published as *Precariat: the new dangerous class* in 2011 by Bloomsbury Academic).

What is expected, in this third area of empowerment, is the reinforcement of the political agency of citizens or, rather, its political competence both in what it assumes as literacy of the legal problems and in what concerns the active participation in the struggles to modify the terms of recognition in which they are encompassed.

The way these three areas of empowerment can be leveraged by pedagogical practice towards people and communities is something open and depends much on the actual circumstances: "It is always necessary to modify a precise reality with the help of actors clearly identified and following ways that vary according to the contexts" (LE BOSSÉ, 2003, p. 35). In any case, and in the light of good examples listed in the work *Women, education and empowerment*, by Carolyn Medel-Añonuevo (1995), one can always say that the pedagogy required supposes the active participation of the persons intended, the respect for their culture and knowledge, horizontal relations, the rejection of paternalism, the discussion of problems, the community of dialogue and learning, the workshops of awareness, the appreciation of the existing competences instead of laying the blame and highlighting weaknesses, the cognitive or epistemic respect, that is, taking seriously the way people see their world and, also, the cognitive participation, that is, the right to participate in defining the situations that are the scope of intervention, as may be the case of a struggle for legal recognition.

Pedagogy with these points of reference may support multiple educative actions and is especially appropriate to strengthen the individuals who need to have their voices heard when their citizenry rights are object of limitation or denial. The book by Carolyn Medel-Añonuevo, mentioned above, presents interesting narratives to update this work in contexts of community intervention, but it is not the only one. Properly, one could also call for the works by Paulo Freire, namely due to his examples in terms of awareness raising (FREIRE, 1967, p. 101-122), since it is out of question to make savings of this step of the empowerment processes with the purpose of legal recognition and social justice for the individuals particularly more vulnerable in the face of the neoliberal and neoconservative policies.

Thus, empowerment cannot develop according these standards if it is not placed in the sphere of radical empowerment, a kind of empowerment that is defined as a process through which social actors “develop a ‘social consciousness’ or a ‘critical consciousness’ to allow them to develop an ‘inner power’ and achieve capacities for action, a power to act that is personal and collective at the same time, inscribed in a perspective of social change” (BACQUÉ; BIEWENER, 2013, p. 8). This is the type of empowerment that best updates the versions from the 1970s, taken by feminist groups and grass-root movements, both in Europe and in the American continent and in South Asia, and which is better adjusted to the educative work that is aligned with the main thrust of the capacity-building for those who need to defend their most elementary legal prerogatives.

Conclusion

When someone says, in a dramatized fashion, that “the sun is setting over the ‘Era of Rights’ and there is no need of a lot of data to serve as the ground for this conclusion in the current situation of globalization” (ZOLO, 2012), this is not for sure good news for those who are

more exposed to the factors of precariousness in their everyday lives, such as the implementation of the “flexibility gospel” (STANDING, 2014, p. 57) in the sphere of labor, with the consequent dis-regulation of the labor relations and the decrease in the provision of social services in the situations when they are most needed, as is the case of long-term unemployment, disabling disease and retirement.

We have been watching, in fact, an erosion of the universal rights of citizenry, and this unleashes in many places struggles for the replacement of such rights, or even the expansion thereof, and as the normative reconstruction has demonstrated, this cannot be ignored by an education of liberating or emancipating character. That was how in this article we have connected education with the struggles for legal recognition and we have anticipated that, with due specifications, the best way that education can assist in these struggles is to link itself to a radical empowerment, the only one capable of reinforcing the powers of acting onto oneself and onto the environment and of liberating the voice of those who are indignant with the present situation of disrespect toward the most primary prerogatives of social citizenship.

What we have attempted to show is that empowerment, leveraged by education, may play a strategic role in the struggles against deprivation and withdrawal of rights, in a moment when sub-citizenship is growing everywhere, that is, a second-class citizenship, that does not encompasses all the rights associated with it, from the civil and political rights to the social and cultural rights.

Therefore, we may conclude that empowerment when properly taken on by education, under the terms presented in this article, may be the “spearhead” and some sort of barrier against the return of Hobbes’ state of nature, even if in tiny formats, and not so dramatic, as it has happened in the past, when there was an attempt of “killing in the man the legal person” (ARENDDT, 1978, p. 381-383).

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