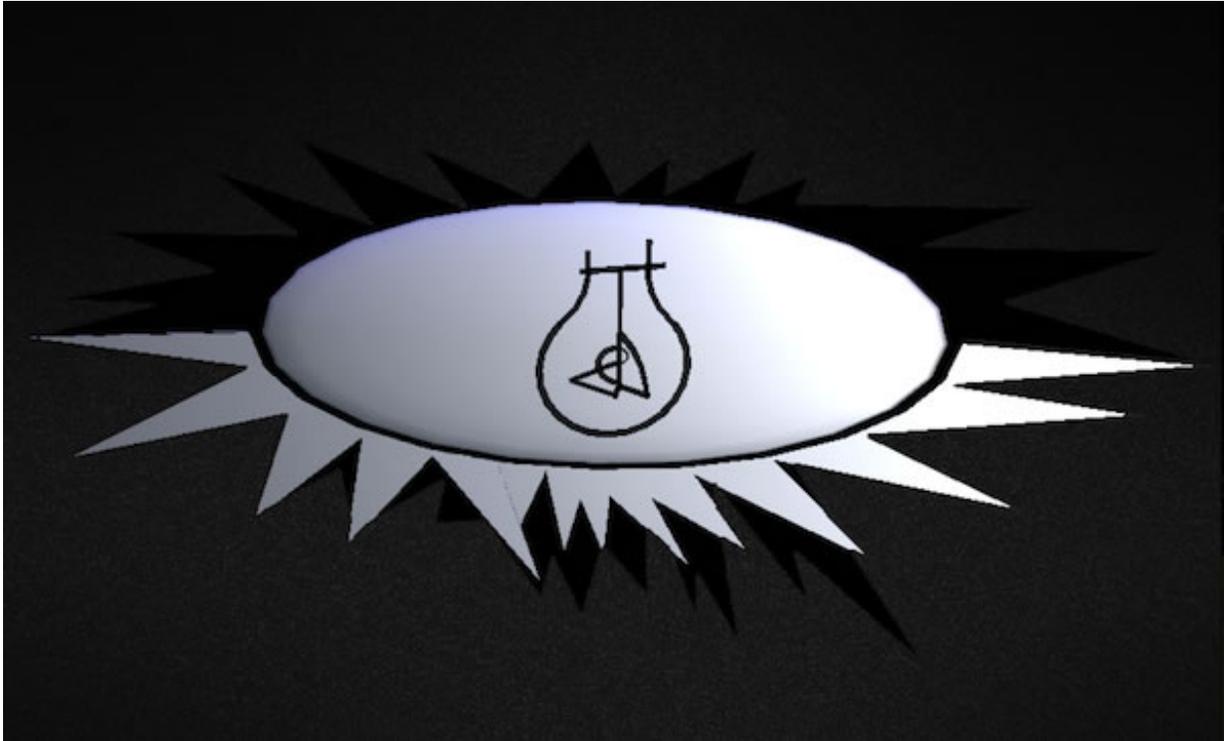


Seven Theses on Human Rights: (4) Universalism & Communitarianism are Interdependent

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Costas Douzinas

Thesis 4: Universalism and communitarianism rather than being opponents are two types of humanism dependent on each other. They are confronted by the ontology of singular equality.



The debate about the meaning of humanity as the ground normative source is conducted between universalists and communitarians. The universalist claims that cultural values and moral norms should pass a test of universal applicability and logical consistency and often concludes that, if there is one moral truth but many errors, it is incumbent upon its agents to impose it on others.

Communitarians start from the obvious observation that values are context-bound and try to impose them on those who disagree with the oppressiveness of tradition. Both principles, when they become absolute essences and define the meaning and value of humanity without remainder, can find everything that resists them expendable.

Kosovo is a good example. The proud Serbians killed and 'cleansed' ethnic Albanians in order to protect the integrity of the 'cradle' of their nation (interestingly, like most wild nationalisms, celebrating a historic defeat). NATO bombers killed people in Belgrade and Kosovo from 35,000 feet in order to defend the rights of humanity. Both positions exemplify, perhaps in different ways, the contemporary metaphysical urge: they have made an axiomatic decision as to what constitutes the essence of humanity and follow it with a stubborn disregard for alternatives. They are the contemporary expressions of a humanism that defines the 'essence' of humanity all the way to its end, as telos and finish. To paraphrase Emmanuel Levinas, to save the human we must defeat this type of humanism.

The individualism of universal principles forgets that every person is a world and comes into existence in common

with others, that we are all in community. Every human is a singular being, unique in her existence as an unrepeatable concatenation of past encounters, desires, and dreams with future projections, expectations, and plans. Every single person forms a phenomenological cosmos of meaning and intentionality, in relations of desire conversation and recognition with others. Being in common is an integral part of being self: self is exposed to the other, it is posed in exteriority, the other is part of the intimacy of self. My face is “always exposed to others, always turned toward an other and faced by him or her never facing myself.” ¹

Indeed being in community with others is the opposite of common being or of belonging to an essential community. Communitarians, on the other hand, define community through the commonality of tradition, history, and culture, the various past crystallizations whose inescapable weight determines present possibilities. The essence of the communitarian community is often to compel or ‘allow’ people to find their ‘essence’, common ‘humanity’ now defined as the spirit of the nation or of the people or the leader. We have to follow traditional values and exclude what is alien and other. Community as communion accepts human rights only to the extent that they help submerge the *I* into the *We*, all the way till death, the point of ‘absolute communion’ with dead tradition. ²

Both universal morality and cultural identity express different aspects of human experience. Their comparison in the abstract is futile and their differences are not pronounced. When a state adopts ‘universal’ human rights, it will interpret and apply them, if at all, according to local legal procedures and moral principles, making the universal the handmaiden of the particular. The reverse is also true: even those legal systems that jealously guard traditional rights and cultural practices against the encroachment of the universal are already contaminated by it. All rights and principles, even if parochial in their content, share the universalizing impetus of their form. In this sense, rights carry the seed of the dissolution of community and the only defence is to resist the idea of rights altogether, something impossible in global neoliberalism. The claims of universality and tradition, rather than standing opposed in mortal combat, have become uneasy allies, whose fragile liaison has been sanctioned by the World Bank.

From our perspective, humanity cannot act as a normative principle. Humanity is not a property shared. It is discernible in the incessant surprising of the human condition and its exposure to an undecided open future. Its function lies not in a philosophical essence but in its non-essence, in the endless process of re-definition and the necessary but impossible attempt to escape external determination. Humanity has no foundation and no end; it is the definition of groundlessness.

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1. Jean-Luc Nancy, *The Inoperative Community* (Minneapolis: University of Minnesota Press, 1991), xxxviii. ←
2. Ibid. ←

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