

European Inter – University Center for Human Rights and Democratisation

E.MA Master Thesis
2012 - 2013

'Skepticism and the Radical Critique of Human Rights in Contemporary
Philosophy:

What Are The Possibilities for Universalism
After Foundationalism ?

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Abstract: An investigation of the history and present of human rights skepticism must begin with an inquest into right's grounding in both it's essentialist and foundational modes. Skepticism of human rights of the anthropological, relativist, anti-imperialist, communitarian and economic stripes are considered. The 'anti-political' position of the newly emergent human rights position is debunked and it's normative and hidden relations with the economic goals of the neo-liberal regime are exposed. The second section contains an in depth analytic and deconstruction of right's formal qualities and leads us away from concepts of justice towards those which are more easily assimilated by non-Western actors (such as dignity). Human rights are shown to be a Western construction based in a Judeo-Christian eschatology of redemption that the enlightenment was unable to strip away with the application of rationality. The contemporary human rights regime is shown to lack grounding structures. This brings us to the conclusion that the universality of rights is a social construction. The last chapter is an exploration of Hanna Arendt's idea of the ontology of the 'right to have rights' and what it means from the standpoint of human rights foundations. The concluding chapter explores new directions for the cosmopolitan ideal of a globalist human rights to proceed along with it's newly found insights about communitarian rights.

Keywords: Skepticism, Universalism, Arendt, Isaiah Berlin, Jeremy Waldron, Michael Ignatieff, Wendy Brown, Makau Mutua, Justification, Verification, Jeremy Bentham, Natural Rights, Neo-Liberalism, Analytical philosophy, Utopia, Essentialism, Foundations, Continental philosophy

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