

Seven Theses concerning the claim of the universal validity of human rights

Thesis 1 In order for certain rights to be recognised as human rights, in the full sense of the words, they must claim *universal* validity. This universality is based on the idea of the *unity of the whole human race*. In this context "one human race is without question a product of Christian thought – it determined not only the teachings of the Church Fathers about the universality of the human race but also Spanish and Dutch thinking about natural and international rights in the 16th and 17th centuries". (H. Maier)

Thesis 2 Although the universal character of human rights can be deduced from a Christian tradition (cf. Thesis 1), this very tradition betrayed, again and again, the principle of the unity of the human race – beginning from the point where a theology sanctioned by the Church constructed a strict *opposition of Christian and heathen*. In this way, a Christian internal ethic surreptitiously replaced the universal nature of mankind and the idea of the Christian West took the place of the *whole* world.

Thesis 3 In view of this situation (cf. Thesis 2), the German writer and philosopher Gotthold Ephraim Lessing (1729-1781) has his character Nathan ask

(in the play *Nathan the Wise*, 1779): "Are Christians and Jews more Christian and Jewish than human?" An important step forward was taken when the Enlightenment loosed the concept of *one humanity* from its Christian anchorage, thus restoring priority to the concept of humanity over the concept of being a Christian. Against the often fierce resistance of the Church, the idea of the unity of the whole human race, originally present in early Christianity (cf. Thesis 1), was re-established.

Thesis 4 Human rights are grounded in the autonomy and freedom of humanity, which builds upon the view of the universality of human rights referred to above (Thesis 3), as Immanuel Kant says: in "being an end in themselves", a "finality apart from any end" (*Critique of the power of judgment*, § 17). The debates about human rights in the 19th and 20th centuries are clearly influenced by this Kantian philosophy.

Thesis 5 "The after-effects of Christian traditions in the 20th century are most noticeable in two areas: in their validity before the level of the state, and in their effect in limiting the state. Both, going beyond the secular explanation, refer to the Christian division of powers (Mat 22:15-22; Jn 18:36) as the legitimising reason for the independence of the individual and the autonomy of conscience over against the power of the state in the West." (H. Maier)

Thesis 6 In the meantime, however, the universalistic thinking which had been hiding behind the appealing mask of equality and freedom, stemming from the Enlightenment, has been revealed (cf. Thesis 4):

- as the legitimisation of questionable (in terms of power politics) claims of dominance – sometimes subtle, sometimes obvious,
- as the mark of identity of a Western, Eurocentric cultural imperialism,
- as a vehicle for the subjugation of women in so-called highly developed industrial societies,
- as a catalyst of violence, which has produced not only war and deportation, but also (in the heart of supposedly civilised Europe) concentration camps and the Gulag,
- and as the legitimisation of a globalised capitalism which is producing more and more poverty.

The project of the enlightenment was rightly submitted to critical analysis and its ambivalent character can now be perceived. "The question as to how Auschwitz was possible in a modern and enlightened Europe and why the same horrors might be perpetrated here today is again – thank God – occupying the minds of European thinkers". (J. Valentin)

Thesis 7 To banish the danger of totalitarianism which is inherent in thinking (even about the universal validity of human rights), a post-modern "deconstruction" of the Western metaphysical discourse is necessary. Only then will we be able to recognise differences and heterogeneousness, and above all accept the Other as Other.

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