

2. Do the values that are called 'human rights' have independent and universal validity, or are they historically and culturally relative human inventions?

This question, I presume, concerns the 'Human Rights' as stipulated by the UN. However, it also implies a broader question, namely whether *any* values are *ever* universal, and I intend to use the 'Human Rights' as an occasion to discuss this. The question is not only whether values are universally accepted by humans, but whether they exist on a more transcendental level, being independent from humanity itself.

At a first glance, it seems obvious that accepted values have varied widely through the course of history, and still do across cultures. While the world, the 'western world' at least, strives towards democracy, despotism, oligarchy and absolute monarchy seems more prevalent historically; while a fundamental principle of the Human Rights is that they apply to all humans equally, we frequently see discrimination and deprivation of rights based on arbitrary circumstances such as gender and ethnicity; while the Human Rights promote Freedom of Speech, blasphemy and contrary political views, have been, and are still, suppressed to varying extents in different regions. In short, there seems to be little consensus concerning which rights should be universal, if any at all.

This would lead me to tentatively assume a relativist position. If people, even intelligent people, disagree so gravely on fundamental issues such as these, then how can there be a right answer? After all, thinkers such as Knut Hamsun and Martin Heidegger are infamous for supporting Hitler's Nazi regime to some extent or another, whereas others, such as Albert Einstein and Noam Chomsky, strongly objected to it.

Drawing conclusions based on the merits and number of those who make the arguments would be silly, of course. The fact that there is no agreement does not prove that there are no truths to be known. We can easily think of instances where common beliefs falsified in other matters: the Copernican revolution shifted the popular paradigm from a geocentric to a heliocentric view of the universe; Newton and his colleagues gave evidence of a mechanistic universe governed by cause and effect, which was somewhat in contrast to the earlier mysticism, and which was corrected by the later emergence of quantum mechanics. None of the paradigms represent ultimate truth, and there will certainly be further adjustments to our world views in the future - it goes to show that consensus is a fleeting thing.

Some have seen an analogy between the apparent refining of scientific paradigms and the change in prevalent values throughout history, which leads them to conclude that the Human Rights, is the pinnacle of a gradual moral evolution – that we are striding towards moral perfection. However, progress does not automatically entail improvement. While paradigm-shifts in the sciences often result from more refined methods and technology, and Newton might have been convinced by proponents of modern quantum mechanics, disagreements over values seem to arise on a more fundamental level. The notion that ‘all humans are born equal’, for instance, presumes a fundamental sense of altruism that is not a matter of course, and we can conceive of many instances where people eschew it. Many religions and ideologies speak of a ‘chosen people’ or a special class of people that are somehow elevated above the rest. The notion is a necessary consequence of a *feeling* rather than something which can be arrived at through observation or a logical argument. I cannot conceive of any such arguments, at least.

To justify the Human Rights to others, I could assume a fundamental principle, e.g. that one should always strive to do that which brings the most well-being to humanity as a whole. On this basis, I could construct reasoned arguments proving the validity of the Human Rights:

If one wishes to bring the most possible well-being to humanity,
And the right to Free Speech promotes this well-being,
Then there should be a right to Free Speech.

If one wishes to bring the most possible well-being to humanity,
And the right to Free Association promotes well-being,
Then there should be a right to Free Association.

And so on...

Notice, however, that, as always, the conclusion is contingent upon the premises. To arrive at these rights, I had to assume the fundamental principle, and while it seems fundamental indeed, it must be *assumed* by appeal to intuition. Not everyone makes this assumption; some may argue that the adherence to deities or a cause is more important than well-being, for instance. There simply is no obvious, logical *reason* to assume it. In short, the differing opinions on the validity of certain values is not only a question of fallacious reasoning on someone’s part, but also a question of fundamental values, between which no final judgment can be made.

This far, the essay has chiefly been concerned with the Human Rights and values in general from a subjective, human point of view. We have assessed the difficulties of, not to say importance of, establishing consensus. Another important aspect of the question was whether values exist *independently* of humanity.

Indeed, the Human Rights were stipulated by humans. Animals do not seem to abide by any particular moral code; we even consider them unable to do so because they seem to lack our conscious minds, which we consider to be necessary for making decisions. If one cannot make decisions, one has no need for values by which to judge different alternatives. Nature, it seems, does not actively promote any particular set of values. One could of course argue that a certain sense of values that has allowed humans to thrive as a species, but that would not prove that the universe somehow 'approves' of our values, or that their existence is somehow independent of us. Many humans are naturally predisposed to develop psychoses, but this does not imply that psychoses are good, or lead to truth.

As a conclusion, I would say that the Human Rights cannot be called universal. While they can achieve some degree of acceptance from humans, full consensus is hardly possible. Even if such consensus were possible, it would still be a matter of *inter-subjectivity*, i.e. a subjective notion held by all. One could assess the validity of the Human Rights by looking at the extent to which they conform to our most fundamental values. The problem, however, is that the latter vary, and this is the scourge of all values.