

HUMAN RIGHTS' PHILOSOPHY: UNIVERSALISM AND CULTURAL LOCALISM

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Abstract: The research analyzes the clash between universalism and cultural localisms, aiming to carry out an epistemological analysis of the discursive foundation of human rights. We problematize the existence of an apparent dichotomy between universalism and cultural localism. Methodologically, it uses discourse analysis, with an emphasis on deconstructivism. At the discursive level, the research points there is no contrast between universal human rights and different cultural localism. But if we understand human rights as a universalized Western culturalism, there is no opposition between them and other cultural localisms that could contribute to different dimensions of dignity. The research contributes to the field by presenting the discursive element of universal human rights, manifesting its philosophical foundations.

Keywords: Philosophy. Human rights. Universalism. Cultural localism.

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1 Introduction

Human rights are legal texts that seek to guarantee rights and dignified life for all human beings. Born in international treaties with multilateral and/or global scope, which affects the signatory states, especially with the scope to protect the people who live in these territories. However, since the emergence of the United Nations in 1945, especially with the Universal Declaration of Human Rights (1948), the universality of the aforementioned texts of rights has been reiterated.

More specifically, what is meant by human rights is a cultural construction dating back to the 15th century. It emerged as a way of reacting to a specific context of human relations, the one that predominated in Western Europe. In this sense,

the universality of human rights, formulated in the Preamble and in article 1.1, of the 1948 UN Declaration, stems mainly from the rationalist and enlightenment philosophical formulations, originating from the 17th and 18th centuries. Above all, it comprises the maxim: either human rights are universal or they are not human rights.

This rationalist foundation is a tributary of the Kantian metaphysical philosophy, for which there is the possibility of synthetic aprioristic and universal judgments, including on God, world, substance, and other metaphysical realities. Within this thought, there is a difference between the phenomenon, which is the reality of human understanding, and the noumenon, which is the reality itself. Thus, knowledge of things in themselves is not possible, only phenomenal knowledge is possible. For Kant (1983, p. 70), when the judgment is synthetic, and a priori, the knowledge that is obtained is universal, necessary, and true. So, pure intuition is necessary, and equal in all human beings.

Especially concerning universalism, we must consider that Kant (1993, p. 25; 2002) understands the human essence from moral laws that have the force of law, because they are considered to be founded a priori and necessarily. For the aforementioned author, moral precepts oblige all men (let us remember that the author does not use the notion of humans) because everyone is free and endowed with practical reason. Therefore, all men are rational beings and deserving of dignity and respect. Dignity, therefore, requires treating all people (or men) as ends in themselves. Therefore, the two universalist categorical imperatives appear: (a) act according to a principle which, in his opinion, should constitute a universal law; and, (b) people must be treated as ends in themselves. This is the conception of humanity as an end, that is, as an absolute value.

This philosophy, according to Sankey (2002, p. 156), explains why the Kantian principle of respect applies to the universal human rights discourse. It means that, in Kant, justice obliges us to preserve the human rights of everyone, simply because everyone is a rational human being and deserving of respect. In this sense, Grubba (2015) states that Kant's essentialist philosophy is a theory behind the United Nations human rights norms, supporting the notion of the inherent universality of essential rights.

Also, for Sandel (2014), the conception of humanity as an end, from the second Kantian categorical imperative (treating people as ends in themselves), implies the obligation to preserve human rights for all, because all are rational, and deserve respect, that is, because everyone has an intrinsic (a priori or inherent) dignity. That is the essentialist foundation of the universal human rights discourse.

The universalist foundation presents the vision of human nature, endowed abstractly with rights: everyone must have human rights because they are inherent

rights to the human being and, consequently, universal rights. On the other hand, several contemporary discourses contest the universalist foundation of human rights. These discourses suggest the existence and validity of local cultural conceptions regarding rights: a non-hegemonic, decolonial, and postcolonial concept, which postulate views of human rights connected to the concrete needs of each population.

This research seeks to carry out an epistemological analysis of the discursive foundation of human rights, especially the dichotomy between universalism and cultural localism. We problematize the existence of an apparent dichotomy between universalism and cultural localisms, especially Herrera Flores culturalist conception. Methodologically, it uses discourse analysis, with an emphasis on deconstructivism. The research suggests there is no contrast between universal human rights and the different cultural localisms at the discursive level. If we don't understand human rights as universal, but as a universalized Western culturalism, there is no opposition between them and other cultural localism that contribute to different dimensions of dignity. The research contributes to the field by presenting the discursive element of universal human rights, manifesting its philosophical foundations.

2 Human rights: universalism and culturalism

According to John's Gospel Chapter, present the founding book of Christian civilization: *in the beginning, was the Verb/Word*. But not everything is word, speech, speech. If we attribute the world creation to the word itself, it would mean that only the symbolic build human relationships and contexts of interaction, including materialities. In contrast, cultural processes arising from human interaction build language as an instrument of communication, creation, and attribution of meanings. This language also influences the creation of perspectives, identities, and things, as understood by post-structuralist analyzes.

Not everything is a word, but the verb (language) is the origin of the mental process of human creation for the attribution of meanings to the world, making it possible to understand it (BAKHTIN, 1997) and fulfilling the creative function. From human representations – the construction of signs – natural products are transformed into cultural products, manifesting in human issues and the intersubjective spaces of coexistence.

An explanation of culture origin was formulated by Freud (2010) in his book *Malaise in Culture*, in which the cultural process constitutes the set of perceptions that humans build to represent symbolically the contextual relationships in which they locate. Freud says that the expulsion of Adam and Eve from paradise

constitutes the mark of Judeo-Christian culture to leave the natural to enter the cultural one.

In the beginning, it was the verb since there were no direct cultural perceptions of reality – they were all mediated by human symbolic creations. There is no mental mirror in humans that reflects materiality (RORTY, 1995; 2007). The search to see the world as possessing an intrinsic nature or essence can be perceived as the temptation to privilege a language with which we describe the world over other existing ones. When we accept the idea that most of reality is indifferent to our descriptions of it, and when we accept the idea that the human self is created through the use of a vocabulary, we will assimilate that truth is constructed, not found (RORTY, 2007, p. 31). Thus, truth itself is a property of linguistic entities.

Things are attributed meanings, and everything that supposedly exists in the world is conventionally named and renamed by human mind creations, not corresponding to the hidden essence of the molecules to which they refer. In this sense, humans build theories, always temporary, before which the senses and meanings created are, at all times, liable to be refuted (POPPER, 1974).

Still, Fish's view, for whom language acquires an interpretation in a community (interpretive community):

Interpretive communities are made up of those who share interpretive strategies not for reading (in the conventional sense) but for writing texts, for constituting their properties and assigning their intentions. In other words, these strategies exist prior to the act of reading and therefore determine the shape of what is read rather than, as is usually assumed, the other way around. If it is an article of faith in a particular community that there are (SIC) a variety of texts, its members will boast a repertoire of strategies for making them. And if a community believes in the existence of only one text, then the single strategy its members will employ will be forever writing it. The first community will accuse the members of the second of being reductive, and they in turn will call their accusers superficial. The assumption in each community will be that the other is not correctly perceiving the "true text," but the truth will be that each perceives the text (or texts) its interpretive strategies demand and call into being. (FISH, 1980, p. 171)

Law, more precisely human rights, does not escape this linguistic rule. They are words, which are human creations manifested through legal texts - they are universal or regional international treaties, with legal validity in the signatory states. Like this, as much as there is a desire for homogeneity in the cultural sphere, mainly with universal rights treaties; it exists, on the other hand, the consecration

of differences that separate some collectives from others, inclusive from some sets of cultural products that grant a closed identity (HERRERA FLOWERS, 2009b, p. 97).

Despite the abstract universality, based on human essence/family idea, human rights are legal texts from a culturally and geographically western historical construct. Abstract universality, therefore, does not hide the origin of the treaties: they are Western cultural and linguistic products - a culturalism in universal dignity through international rights regulations. Thus, it seems philosophically unfeasible to differentiate universal culturalism from other culturalisms that seem to be opposed.

Herrera Flores (2009b, p. 97), for instance, states that even before the capitalist expansion, there were human struggles against inequality. There were struggles for dignity in all historical moments as well as in all geographical spaces. The human rights category is historically located, which means that it is one of all struggles, occurring from the 15th and 16th centuries, when the western colonialist countries met other models of civilization.

Precisely in this sense, Edward Said critics (1996) universal culturalisms. From the colonialist territorial expansions initiated in the 15th century, through different imperialist experiences, all social struggles had to oppose the model of social relationship and economic production imposed globally by the Western and European world ideology. Hence the malaise of non-Western or non-hegemonic societies about the capitalist, colonial, imperialist and Western origins of the claims of abstract universality of human rights (SAID, 1996; 2007).

In short, philosophical and sociological criticism is based on the foundation of human rights - universalism is a hegemonic Western culturalism, that is, human rights are justified because of their universality, forged in Western Enlightenment thought (ARRUDA JÚNIOR; GONÇALVES, 2004, p. 36).

Mainly, the criticisms focus on the aprioristic universality - a common human nature (essence) founded on western bourgeois molds, which disregards other forms of life. Returning to Rorty (1995), it is possible to offer a first philosophical critique of the human rights universality foundation: if human rights universality stems from a common human nature, and not from a political coalition; and if the human nature cannot be truly known; so that one language is privileged over others, then metaphysical universality is a philosophically doubtful presupposition. Thus, the entire construct of human rights becomes questionable.

However, for Habermas (1979; 1984), Rorty disregards the critical force of reason. If Rorty is right in his metaphysical critique of truth, he fails to consider, in Habermas' perception, the rational effort to ground universal validity claims in contextualized communicative actions – rational consensus. If we should not base law over an a priori morality, on the other hand, we can base law over ethics of

discourse and consensus. And in this sense, Habermas (1984; 1989) gives us a clue about the importance of grounding the human rights discourse:

[...] every valid norm must satisfy the following condition: that the consequences and side effects, which (predictably) result in the satisfaction of the interests of each individual from the fact that it is universally followed, can be accepted by all concerned (and preferred to all the consequences of alternative and known possibilities of regulation. (HABERMAS, 1989, p. 86)

What if the foundation of the universality of human rights rested on a political coalition between States – a rational consensus – and not on common human nature? If that were the case, the human rights validity foundation would rest on communicative rationality, not a metaphysical foundation. In this sense, as Toledo (2005, p. 48) states, compliance with the rules of argumentation (the correction of arguments) can confer universality on conclusions (such as the consensus on what human rights are) reached by consensus.

But the rationalist or culturalist analysis of the universalist model itself is not accepted by various thinkers in the area. Norberto Bobbio (2004, p. 26-30), for example, does not acknowledge the culturalist character of human rights universality. He understands that human rights are nothing more than the manifestation of a system of values that are humanly founded and recognized based on a consensus, historical and not absolute, but general of its validity. From this foundation human rights - values that are consensually founded by all - are *de facto* universalist and not just by principles, with a sharing of common values worldwide. For Bobbio (2004), the Universal Declaration of Human Rights of 1948 placed the premises for the transformation of individuals, and no longer just States, into legal subjects of international law. It follows that the scope of the Declaration is universal to all people and, consequently, the universal character (and not universalization) of human rights.

Also, Gregório Peces-Barba (1999) does not accept the idea of universalism-culturalism. For him, not only are human rights timeless and humans hold them for being human, not being affected by the historical development of humanity, but there is the recognition of these rights worldwide. Therefore, universalization is temporal and, at the same time, spatial.

On the other hand, starting from the context of the emergence and justification of human rights, it seems undeniable to understand that in the UN discourse of human rights, these same universal rights proclaimed are only valid in state territories when the treaties are signed and/or ratified. Hence the great paradox:

on the one hand, human rights are universal to all people, understanding the existence of a common human essence and the universality of dignity; on the other hand, rights are legally required for States parties to the treaties. Thus, the discourse of universality finds the impediment in the cooperation of States, making it believe that there is an attempt to universalize human rights, instead of a fundamental abstract universality.

That said, it seems possible to understand the culturalist critique of the notion of universal rights, which seeks to universalize Western cultural values, including the category of dignity. In the understanding of Herrera Flores (2009b), for example, human rights must be understood as cultural products, being the result of the symbolic manifestation of human relations in a specific context – around relationships –, intersubjectively established (social) in subjectivity itself (psychic) or with the natural world, as, for example, the novels, theories or even conceptions of human rights and others. They are connected to the context and, in turn, condition the contextual reality from which they emerge and in which we insert them (cultural reaction circuit).

Cultural products, such as human rights, are neither neutral nor apolitical, as they depend on the context in which they arise and for what purpose they serve and may tend ideologically to maintain the order given or, from openings, to enhance emancipation (HERRERA FLORES, 2009a).

The current extension of human rights across the globe (universalization) stems from the agreement of the 1948 Universal Declaration, which elevates some (juridical) goods to great axiological content and universalizes it to different cultural and life forms. These goods, in addition to shape a formal justice agenda (pretension of universality), intend to have the most normative, ethical, and philosophical evaluative content (SÁNCHEZ RUBIO, 1999). But traditionally and hegemonically, human rights – texts, declarations, pacts – are Western cultural products (SAID, 2007).

The universalist conception itself finds a counterpoint to the philosophical and political problem of natural rights – absolute and natural morality, which does not exist to solidify the foundations of the material universality of human rights. If law/human rights are coercive and normative orders that regulate human conduct, it differs from morality, a non-coactive order. Although rights and morals connect to customs, we need to understand that “law can be moral – and fair –, but it does not necessarily have to be” (KELSEN, 2012, p. 71). Besides, “all law is a moral (relative) value” (KELSEN, 2012, p. 74), which seems to mean that Law, impregnated with moral values, never welcomes moral universality, but only relative values.

In other words, “Law is a value precisely because it is a norm: it constitutes the legal value that, at the same time, is a moral (relative) value” (KELSEN, 2012,

p. 74). The notion of the universality of human rights – of a standardized universal morality – is part of the very problem of the foundation of jusnaturalism. If there is no supra-human legislative authority, legislated rules will always constitute relative values, which does not exclude the possibility of other rules that prescribes another relative value. By political and legal decision, a standard can be considered more accepted or the only one in force in a given time-space, but we cannot say that it constitutes an absolute (or universal) moral, since its universality is due to political and legislative order.

In this sense, Kelsen (2012, p. 19) explains that although we may consider any of the norms that prescribe conduct based on relative moral values to be valid, we cannot grant their validity at the same time in a single order, such as the sovereignty of a State to legitimize in its territory. On the other hand, in international law, the absence of sovereignty and the need for diplomacy removes the existence of a single law-making body. In this way, the United Nations' capacity for the promulgation of human rights treaties imposes the express agreement of the signatory states, which have different cultural values, different economic and political models; there are no universal natural values a priori.

On the other hand, the notion of universality is a rhetoric of convincing. Starting from Kelsenian criticism, it is possible to understand that when a constitutive norm of a certain relative value is represented, who prescribes particular conduct as coming from a superhuman authority, like God or nature, this norm “presents us intending to exclude the possibility of validity (shelf life) a standard that prescribes the opposite conduct.” (2012, p. 20) The notion of a priori universality, therefore, takes the fundamental value of human rights norms into the essential ideal of human beings and their nature, making the natural right become an absolute positive value, in contrast to the other manifestations for non-traditional rights, western or hegemonic, considered relative.

Still, it seems that it is precisely the requirement of the separation between Law and Morals that imposes the independence of the positive legal order concerning the absolute and only valid Moral. If the validity of a rule of positive law does not depend on the validity of a moral norm of justice, we are under the aegis of legal positivism (KELSEN, 2009, p. 49).

Hence a second problem of the philosophical foundation of human rights: the positivist character linked to the doctrine of essentialist and universalist jusnaturalism. In other words, human rights treaties prescribe universal rights for all humans as they correspond to a common human nature. With positive norms that can be deductively extracted from nature, universal human rights are philosophically arbitrary, although politically important.

In other words, if the “real nature of man is concluded for norms to which this real nature corresponds, such a conclusion is not only logically false but also leads to practically impossible results” (KELSEN, 2009, p. 109). Furthermore, there is no immutable human nature, which is why there can also be no natural right deduced from such a nature and immutable. The problem lies in the fact that the doctrines of jus naturalism, like the traditional and western discourse of human rights, grant the individual the illusion that the norm of justice comes from a superhuman authority, like nature, endowed with absolute validity, excluding the possible validity of a standard from human authority.

Including, even in the context of the positive rights, the apparent and false universality was laid in check at the end of the 20th century, when human rights conventions began to proliferate whose fundamental objectives were to update the Universal Declaration and its correspondence to new conflicts, like the notion of the environment, emission of toxic gases, women’s rights, indigenous communities, and quilombolas. Within these new movements, they consider that there is not one truthful conception about life or about an adequate environment.

In addition to the positivist debate, on the other hand, it is important to point out the view expressed by Sellers (2007). If the natural foundation of Law (international and, consequently, of human rights) is a source of difficulty for supporters of positive law, for Sellers, its history reveals a deep commitment to republished principles. Mainly, the authority of Law against powerful states, in addition to the rights of individuals and peoples. For the author, States, and people adhere to and respect international Law because they internalize and believe in justice to regulate international society.

Perhaps the most important thing is not to judge which conception of dignity or human rights is more important, juster, or faithful, but to understand that there are several ways to fight for dignity and to realize the importance of creating meeting spaces (DELEUZE; GUATTARI, 1988). Understanding human rights in a critical and contextualized way imposes an understanding of the philosophical foundations that support human rights, since decontextualizing the symbolic of human relations or theories of materiality (reality) makes all the elements that grant cohesion to the formulation of invisible signs.

3 Universalism and cultural localism

Through the philosophical analysis, the universalist discourse of human rights seems to configure an attempt to universalize a relative morality. In other words, a universal culturalism that has Western roots from the ills of World War II and

the effort of several countries, mainly Western ones, to guarantee a conception of dignity.

Although the political importance of human rights for world peace and human development is not questioned, including inhuman and degrading practices eradication, we must consider that the foundation of such universalization is arbitrary. It would be different, in due course, if the foundation of human rights were a policy of coalition of the signatory countries, to the detriment of the arbitrariness of a priori universality founded on a non-existent common human nature and culture. Even if we consider human rights value, political, and juridical content, its philosophical foundation still seems to carry a universal culturalism. Consequently, it is necessary to analyze the apparent dichotomy between “universalism” and the different cultural localisms.

The central issue of human rights, regarding the discussion of its construction and guarantee, according to the didactic exhibition by Herrera Flores (2009a) it is centered on two visions, rationalities, and practices: (a) abstract: without reference to circumstances and centered around the western conception of law and the value of identity; and, (b) localist: in which the self prevails, centered around a particular ideal of culture and the value of difference. To Herrera Flores, both views have reasons to be defended and coexist in the world. The universalist view, which presupposes the naturalist idea of a natural human right valid for all, is reasoned mainly by the United Nations. On the other hand, local rights are defended by cultures different from continental and American European, under the argument that rights, including human rights, are historically and culturally constructed, meaning they are different in different cultures.

In this sense, there seems to be a false disjunction or an apparent dichotomy between universalism and cultural localism. Universalism and particularism oppose relativism – the idea that all rights are equally valid and we cannot contest them. On the other hand, both views don't seem to relate to real contexts in which humans are located, presenting hypotheses imposed as golden measures, or as a point of reference for the interpretation of other forms of life and different ways of being in the world. Both views presuppose the idea of truth since only the category of truth allows the comparison between ontological theories created and the other theories, enabling the defense and attempt to universalize the vision and rationality considered to be true (HERRERA FLORES, 2009a).

More specifically, universalism develops its abstraction from the idea of the human in the essentialist void of transcendental nature, finding itself unrelated to the human being's. On the other hand, cultural localisms that oppose universalism are based on different contexts and affirm, based on multiculturalism, that all contexts are equally valid. In this way, the localist notion also works with the idea

of truth by assuming that its view must be the best, the most correct, and the one that must prevail over the others.

Both views seek a hermeneutic closure of the interpretation of their premises. The abstract conception is based on formal rationality, reducing the rights to its legal component and postulating the internal coherence of the normative system and the possibility of universal implementation. According to Mialle (1979) this conception of human rights, of an a-historical universalism, transforms an idea into an explanation of everything and has the effect of shifting the geographical and historical context in which ideas and theories were effectively produced, becoming a set of notions “universally valid (universalism) without the intervention of a true story (not history). Idealistic thinking becomes a phenomenon in itself feeding on its production” (1979, p. 48). Like this, this model of thought manages to abstract itself from the society that produced it, to express pure reason and universal rationality – valid and applicable in any historical-temporal-spatial context and for any human being, absolutist of his pretensions and rights and just naturalist about natural human rights.

In this sense, the metaphor of Sánchez Rubio (2010), who perceives human rights as a kind of clothing, of an elegant male suit, with jacket and tie, which ideally dresses everyone. It ideally dresses, including humans who do not need to use it because they have another way of conceiving or making clothes, or also because their bodies do not fit the mold, shape, or size. It is about the contemplation of a homogenized world without fissures (HERRERA FLORES, 2009b, p. 181).

Still, it is undeniable that the universal conception of human rights itself is functional to globalizing interests, which for Said (1996) culminates in the transformation of a local view, that of the hegemonic West, in what should be, according to this conception, the universal. There is, therefore, a Western interpretation of values that should be universal. Regardless of the different approaches, they all share a common premise: the way of life, human relationship, and Western values are superior, and that moral progress requires its universalization. Only this way would rationality and legitimacy be guaranteed (MOUFFE, 2003, p. 23).

On the other hand, particularist localism creates a diverse universalism and closes in on material rationality as means of resistance to abstract colonialist universalism. It closes in on the culture itself and postulates a radical difference and the impossibility of a later universal synthesis of different cultures.

Franz Boas (1964), for instance, transposed Darwin's evolutionary theory to Human Sciences, more specifically to the interpretation of culture. He questioned the idea of a people's superiority and cultural inferiority in front of another. To him, different cultures determine different forms of behavior. There is a need, in this sense, to break with the comparative method of evolutionism, which implies

ethnocentrism, and, from a so-called cultural relativism (cultural localism), each human being perceives humanity from their culture. That is, there is a relative value for all cultures.

Cultural localism or particularist localism points to the validity of any cultural system. There is a denial of the possibilities of moral appreciation of different cultures since moral values categories related to each culture individually and socially approved. This localist-private conception does not point to interculturality, but to multiculturalism, in which the existence of multiple different and absolute cultures is bet, and that, in the end, now it leads to conservatism - to consider only one culture as a standard of measurement. Also, it can lead to progressive liberalism, considering all cultural expressions to be the same, but the inferior ones must approach the hegemonic from the hierarchical respect.

Thus, universalism and localism constitute closure claims in a single conception that bases all individual or social practices in a universal, absolute, and truthful way. In other words, there is a self-validation of his claims.

Universalism is absolutized by universalizing a single conception of the human and the rights that must be inherent to them, disregarding the other forms of manifestations, cultures, and life. In turn, different localisms absolutize themselves when conceiving that all forms of human manifestation have equal value. And so, the view of equal value of all local manifestations is absolute to the detriment of any others, that is, there is equal value, except the superior view that attributes equal value to all views.

4 Conclusions

The research aimed to point out why human rights are not natural, nor universal. The article problematized, in the first place, the fact that human rights are considered natural. To this end, the conception of human rights as Western cultural products was presented, that is, Western histories were built. In this sense, human rights are not naturally constituted but are the product of human relations with their surroundings.

The universalist human rights strategy of taking norms as a fundamental value was also addressed, founded on the ideal and essential of the human being and its nature, in contrast to the other manifestations for non-traditional rights, western or hegemonic, considered relative.

From this scenario, it is understood that there is no contrast between universal human rights and different cultural localisms. If universalist human rights cannot be considered natural and universal, they are a Western culturalism that has been

universalized through international norms. More than that, if human rights are to be understood as the result of processes arising from the framework of Western social relations, they must be understood as cultural products. And so, being a cultural product, it is obvious that human rights find a historical origin combined with a concrete mode of cultural relationship. In this sense, human rights are not natural, but a permanent historical construction. Human rights were universalized through international norms in a hegemonic way. Human rights are therefore Western culturalism.

With the analysis of universalism and localisms, it was found that there is no dichotomy between the universalism of human rights and cultural localisms. These aspects are not opposed, since the universalism of human rights is a Western-Hegemonic culturalism that universalized its premises. In addition, both universalism and localism are absolutized, as they constitute claims of closure in a single conception that bases all individual or social practices in a universal, absolute and true way.

Filosofia dos direitos humanos: o universalismo e o localismo cultural

Resumo: A pesquisa analisa o embate entre o universalismo e os localismos culturais, objetivando realizar uma análise epistemológica do fundamento discursivo dos direitos humanos. Problematisa-se a existência de uma aparente dicotomia entre o universalismo e os localismos culturais. Metodologicamente, utiliza-se da análise dos discursos, com ênfase no desconstrutivismo. A pesquisa apresenta como resultado a inexistência de uma contraposição entre direitos humanos universais e os diversos localismos culturais ao nível discursivo. Entendendo os direitos humanos como um culturalismo ocidental universalizado, não existe oposição entre eles e os demais localismos culturais que contribuem para diversas dimensões da dignidade. A pesquisa contribui para a área ao apresentar o elemento discursivo dos direitos humanos universais, manifestando seus fundamentos filosóficos.

Palavras-chave: Filosofia. Direitos humanos. Universalismo. Localismo cultural.

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