Human Rights and Citizenship

The phenomenon of universal human rights, as described in the Universal declaration of human rights in 1948 doesn’t seem to be able to exert itself as truly universal. For this, there are two reasons: one is politico-legal in nature, and the other is conceptual. From a politico-legal point of view, human rights are a practice which is perceived as law, a precedent which is still taking place, the illusion of law, a custom practice by a few which aims to become the law of all, practice/"law" which came into being as the consequence of specific historical and political circumstances but strives to impose itself as a kind of universal logos, independent from the geopolitical relations of power. From the conceptual point of view, human rights as they have been determined, are inextricably bound up with the concept of citizenship, but the nation-state is not the universally optimal polis/social order, through which a universal human whose rights are to be protected can be defined. Human rights, as they are defined, are too culturally and historically specific in order to become universal.

As an example, I will give the different treatment received by persons of different citizenship in situations in which their lives are in peril. It turns out that human rights are less (or not at all) protected if the persons in need aren’t perceived as full-fledged members of the group, and hence, cannot fully participate in political life. That is to say, people who are perceived as non-citizens or whose citizenship is perceived as less valuable, and especially those whose existence has been reduced to survival are being politically dehumanized. Human rights remain reserved for so-called active citizens, those who have influence over matters of public importance, which points us to the conclusion that the practice of protecting human rights is completely politicized.

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