

- Sagnik Anupam (India) - [Essay](#) medaglia di bronzo Montenegro 2018

Topic 3: Because a (narrower or wider) universal community widely prevails among the Earth's peoples, a transgression of rights in one place in the world is felt everywhere. – Immanuel Kant

The Impact of Transgressions of Rights Kant claims that since a narrower or wider universal community prevails among the people of the world, the impacts of an action are not restricted to the local region, but have a global impact as well. In this sense it is important to look at what can be said to be the concept of a universal community, and whether such a state of affairs exists or not, as Kant claims it does. In this essay, I will attempt to defend Kant's viewpoint, and address objections to his argument, by first evaluating the meaning of the terms in the quote, constructing a defense of his argument, and then considering other viewpoints. What is Universal? The concept of universal is a very broad idea, seeing as it aims to encompass the extent of all that is known to humans. To describe anything as universal would be to ensure that it describes all that exists in the universe, and all that is known about. As such an idea leads to few things being called truly universal, one can take an approximation to include the sum of all things relevant to the matter at hand. So a universal community would ideally deal with mankind and the impacts of our actions and ideas, such that all of mankind, and all that has been thought of, or felt by mankind, are encompassed in this. Some might argue, and go on even further to include the other species of this planet as well, seeing as how our actions, and our ideas impact them, and yet others would indeed expand it to include the universe, seeing as how we have the power to shape it, or change it, or understand it. So for instance, would colonies in space come under the umbrella of a universal community? If not, is there a distance factor while calculating universal communities (since we typically take universal to assume our tiny Earth only)? If there is a distance factor, then what is the precise distance? Would the people in the UK and Australia be in the same universal community? What about the astronauts and scientists on the International Space Station? The reason behind the need to reason out the nature of the universal property is to understand the degree and extent of the global impact of actions which Kant talks about. For the purpose of this essay, I would indeed take a universal community to be the total sum of humans, whether they be anywhere – in separate countries, in separate planets, or even in separate eras (for I believe that the impacts of actions live on longer than the humans who caused them). The reason I am excluding animals, or other species, is because Kant

is talking with respect to the rights of people, and if the development of such a universal community among the people of this world has led to people feeling the transgression of rights everywhere. It is here that I would like to draw attention to the fact of narrower and wider universal communities, which Kant mentions. As we have examined above, universal communities vary in their size and range as people perceive themselves, or others, to be part of a different universal community. If someone was making statements about a universally accepted idea about democracy being the best form of government, perhaps that person is not being inclusive enough about the kings, the noblemen, etc. who lost power due to the rise of democracy, who may not necessarily agree with what is being said. In my opinion, Kant is trying to highlight, or bring about the different perspectives above “universal” as a description or as a descriptive property. The more inclusive “universal” is, the wider the community, and more exclusive ideas of “universal” would refer to “narrower” communities with respect to the inclusive, wider, communities. A problem that one might raise with Kant’s chain of reasoning is an issue with his premise. Kant presumes the existence of such a universal community to obtain his conclusion, but his very usage of the terms narrower and wider refutes the concept of a truly universal community. A community which is truly universal cannot be subject to interpretation or perception of individuals with respect to whether they belong to the community, or not. For instance, it is perhaps up to my identity, or my choice with regard to who I am, when I identify as a member of a religious community, or as an atheist or agnostic. But when I am defining a universal community, whose objective is to include everything, it cannot be so that I choose to be in that community, and nor should it be possible to exist outside of it. Thus the very idea of a narrow universal community is subject to the feelings or to the identity of people, and thus it is not universal, as people can be excluded from it, or exclude themselves from it. A response to this idea would be consider the idea of approximation with regard to relevance. When we choose to grant the property of being “universal” to a certain attribute, it is unwise to consider irrelevant examples, as they sit within the universal set, but as empty, hollow elements with trivial cases if the problem in question is applied to them. So if I argue that democracy is universally accepted as the best form of government, it makes no sense to ask the sheep what it thinks about this statement, given that the sheep is not relevant to political systems, since it cannot feel their impacts, at least not in the same context of rights and transgressions which humans feel it in. But on the other hand, humans do have opinions with respect to political systems, and it makes much more sense to

“narrow” the set to the relevant people impacted by the “universal” idea. Similarly, in other cases, it might make more sense to “widen” the set to include various other viewpoints. What are Rights? Humans are different in innumerable ways, be it ideologically, physically or with respect to mental abilities. To define a universal community, and in turn to define rights with respect to such a universal community, one also needs to question whether we do have any similarities at all other than our biological DNA and common biological functions (we walk, we grab, we bend in more or less the same manner). Rights are one such example of a property that (people claim that) all humans have. Rights can be defined as a moral authority to perform actions. If one claims one has the right to education, one also has a moral authority to get educated, and one can claim moral superiority, at least in this isolated context, over someone who is denying them their education. A lot of different bases for rights are given in different contexts. Some claim that rights necessitate a legal foundation, which grants people the moral authority to use them. Others claim that rights are a product of sociocultural feelings, and revolve around the societies by which they are influenced. And some would go ahead and contest my definition by claiming that authority can be ideally claimed by any person. I might go ahead and claim authority to kill someone: would that automatically give me the right to kill? The keyword that I would like to note as central to the definition of a right is moral. Rights grant individuals and communities moral authorities, thus they must be grounded in moral values, or in a moral code of conduct. Rights are seen as a product of a moral ideology, as legal/political institutions with different ideologies would grant different rights. The right to free speech, for instance, may not be seen as having a moral basis in a monarchy, but is well-grounded in the moral values underlining the spirit of a democracy. To see why my definition of rights holds, one must attempt to see society in a vacuum, before the existence of legal or political “right giving” institutions, such as courts and monarchs. My argument would be that if one has a moral code, one has a concept of rights ingrained into it. So for example, today, we claim that discrimination present in certain places goes against the rights of people in those places. The courts may allow this discrimination to take place, and deny people legal guarantee of their rights. Society may condone oppression, and deny people social support for their rights. But even then, we can see a violation of these rights, rights that would not otherwise exist if one took definitions pertaining to society, or to legal institutions. Thus, once the concept of rights is established, we can examine the transgressions of rights. Transgressions would be actions which either act against the concerned right (for instance, murder

acts against an individual's right to life), or denies them the exercise of that right (denial of education denies people the exercise of the right to education). Transgressions may happen in different places, in different manners, and one cannot define them in absolute ethical terms, by making blanket statements such as "transgressions are morally correct", and "transgressions are wrong". This is because while it may feel intuitively easy to make moral decisions about transgressions in an isolated system (for instance, denying the right to education of a person feels wrong), rights are often used in conjunction with other rights, and sometimes clash with other rights as well. For example, if the government seizes the land of an individual to build a school which is of the utmost importance to provide education in the area, then the right to education is clashing with the right to property, and whichever way an ethical viewpoint takes, a transgression will necessarily be committed. So there cannot be an absolute metric to decide whether transgressions are always right or wrong, because ethical viewpoints (save those which do not believe in rights and wrongs) will need to make a decision with regard to whether this action was right and wrong. Thus, we have notions of universal communities, of their rights, as well as their transgressions. In the next section, I will try to examine the impacts of transgressions of rights and see whether their impacts are as widely felt as Kant says. The Impacts of Transgressions of Rights Kant claims as his premise that we do, indeed, live in universal communities, however narrow or wide they may be. But since we do live in such communities, transgressions of rights taking place in a particular area will be felt everywhere. The idea of everywhere is vague in this sense that one cannot calculate the extent to which everywhere extends. For example, a transgression of the right to life does not seemingly have any impact on Jupiter, but can we claim that Jupiter comes under Kant's "everywhere"? I would restrict my concept of everywhere to include all locations of my universal community, because I have constructed my universal community (however narrow or wide it might be), to have rights in the first place. An ant does not comprehend the notion of the right to education, and neither does it claim moral authority in the same manner an illiterate child might. For a transgression of rights to be felt, it must be possible for the person feeling it to have that right in the first place, even if he or she is unaware of it at the moment, just like small children are unaware of their right to education. Thus, for now, we are considering our "everywhere" to extend to the places which have humans in it, as we are concerned with humans feeling the transgressions of rights. In the previous section, I demonstrated that transgressions of rights are not necessarily good or bad. But

impacts are felt of both good actions, and of bad actions. Suppose we assume a deontological perspective, and think of ethical judgments along Kant's maxim to act in a manner such that it is universally possible to act so. Within that moral code, I can lead myself to believe that some actions are condemnable as they take away or hinder some "good actions" which are universally applicable (at least in my opinion), and thus we can observe transgressions of rights. If such transgressions of rights take place, even if they might be good for some people, my perspective would not allow for certain actions to be good with respect to circumstance. An example would help illustrate the point: murder is not universally possible by Kant's maxim. To commit murder to rid children of their abusive parents, who deny them the right to education, cannot be called good, and is a transgression on the parents' right to life. Thus while one transgression of rights was prevented, according to the moral code, another was committed. But would you agree as to this action being right or wrong? Maybe you would, maybe you wouldn't, and perhaps certain legal systems (and ethical viewpoints) would be more sympathetic to the perpetrator of this crime as compared to, say, an arbitrary murder by a serial killer. But the impact it did have is that it called into doubt or supported the logic behind Kant's maxim. Some of us would defend the action passionately as being right, and others would cry foul, and demand that the perpetrator be put behind bars. So it did impact us, even when different viewpoints would be impacted differently. Thus, I would argue that transgressions of rights do impact us, and this is because rights have objectives in mind when being framed. I had defined rights as a moral authority to perform actions, but there must be a performer to perform actions, an objective to grant someone (or something) a moral authority. It is this performer who is impacted if the transgression of a right occurs, and other performers like him, who are impacted by this transgression. Thus people feel this transgression, whether the feeling is internal (mental or emotional) or physical. Now one must examine Kant's claim of universal communities. The argument says more regarding where this impact is felt. If one were to support Kant's viewpoint, one takeaway that one would need from the entire argument of the existence of universal communities is regarding that of communication. An important feature of being in a universal community is that humans do not exist in vacuums. We exist in shared ecosystems, environments, countries, etc. and we have the ability to communicate with each other. An example can be that of the Internet, where people from around the world can connect with each other. But what happens when we see a transgression of the right to life in war-torn areas, like Syria? As we share common features with Syrians (as well as

people of other nationalities), a threat to these features are detected. The argument was that the performer of the action is impacted by the transgression, so Syrians dying in the war are impacted, and they feel the transgression. But we, as humans who can live (and die) like they do, we, who can feel pain and anguish at the loss of loved ones, like they do, we, too, are impacted to an extent by what we see. The feeling of sadness, and pain, and everything we observe is universal in our universal community, and we react to this mixture of emotions. But how do we guarantee it being felt everywhere? There seems to be an obvious counterargument that not all the places in the world, even where members of our universal community exist, have access to the Internet (or other means of communication), and do not necessarily have knowledge of Syria. Here is a point that differs from the practical reality of sharing knowledge, since not all knowledge reaches everywhere. Here I would like to divide the concept of the feeling of transgressions of rights to two parts, which involve the capacity of feeling, and the eventual feelings. The capacity for feeling can be performed as a theoretical experiment involving taking copies of the news about Syria, taking them with you, to places without Internet, and explaining what is happening there. The reaction you would provoke would vary from people to people, depending on what their notion of rights involves. In another war-torn area, this might be seen as regrettable, but regular, and people might empathize with the Syrians. But in places which have not experienced war for a long period of time, this might be seen as shocking, and disturbing. So the only hindrance to the impact being felt is a practical one involving the sharing of knowledge, as everyone does have the capacity to feel the impacts of transgression. Note that the nature of this feeling varies from place to place, and this is because people have different notions of what their rights are. But for people who recognize the right being violated, and identifying with it, this capacity to feel exists, and they would sympathize with the people whose rights are being violated. The eventual feelings are feelings which make it to these places without communication, somehow, in some manner, centuries after the occurrence of the actual events. This is a consequence of living in a shared world, as ideas and ideologies spread and percolate among people in different manners. The war in Syria, and the justifications for the war, may not be immediately relevant to people who do not know about it simply because of the transgression of rights. Food shortages might be felt, the value of the currency may go down, and other practical impacts might be observed, and these would be consequences of the transgressions, and these would also count as feeling the transgressions of rights. But a more direct impact of the transgressions

of rights would act in something similar to what happened in the aftermath of World War II. As Hitler lost, and his crimes were discovered, many people around the world vilify Nazism, and point out flaws in its ideology, and so on and so forth. Had Hitler won, we might have ended up with entirely new kinds of philosophy who might have taken Nazism as a model example, to be defended at all costs. These philosophies might have provided the ideological groundwork for further transgressions of rights to be committed, and these would affect other areas, including those who had no idea what Nazism was during the war, and who were otherwise unaware of the Nazis. So one must also look at feelings on a timescale, because while transgressions of rights may not impact us directly, they might provide ideological bases for future violations, which would in turn impact us. Thus the seed for the impact of such feelings has already been sown in the transgression of these rights. In the following few sections, I will evaluate a few other viewpoints that would differ with Kant. Are Morals Required for Feeling the Transgressions of Rights? One possible way of arguing against Kant would claim that the concept of rights does not have a solid foundation. When defining rights, I argued that rights are subject to moral codes of conduct, and ethical ideologies. If we consider a nihilistic approach, holding, according to Nietzsche, that nothing is true, everything is permitted. Then the groundwork for rights is annihilated, as moral authorities do not make sense when looking at Kant from that perspective. Transgressions of rights would merely be sequences of events, and people can choose to feel or not feel anything about them. Different people might have different ideas with respect to right and wrong, and thus different notions of rights, and each would be correct and wrong in their own manner. Thus Kant would be unable to guarantee the necessity of the feeling of the impacts of transgressions. What the nihilistic approach explained over here pre-supposes is that people are passing judgment on actions as external observers. They may not agree with what is right and wrong, and since we cannot come to conclusions about right and wrong, there may not even be any absolutely right and wrong actions. But when Kant is examining the feelings of individuals, he is assuming a fundamental notion regarding whether they believe they have rights or not. Certain individuals might be predisposed towards choosing certain actions over others, as they believe that they might be morally better, and thus believe in rights and transgressions. Others may act like nihilists and treat transgressions indifferently, and not “feel” anything about it of their own accord. But the reasoning behind the performance of actions can be used to justify the performance of other actions as well. So suppose a nihilist treats a doctor’s act of

reviving a nearly-dead patient and the murderer's act of killing people with the same indifference, eventually, if left to their own ends without any external interference, the nihilist would observe a change in the manner in which society operates, since all is now permitted. Thus murderers would be free to murder, and doctors free to operate, without any ethical consequences. This, in turn, would be a change from the previous society, in which doctors were allowed to operate, but murderers were not allowed to murder. This change is the impact that the nihilist would feel. Thus, irrespective of the nihilist, due to the transgressions of rights, there is an impact being felt all the same. Do All People Want Rights? Another issue with this statement might regard the assumption that Kant has made supporting the premise that a universal community does exist on this world. Granted that humans can define their own notions of universal communities, and narrow and widen them, it is perhaps likely that humans might not want to see themselves in the same light as other humans, and claim that the only similarities existing between them are biological in nature. Thus, one can argue against Kant by claiming that, for example, certain tribes in certain parts of the world choose to indulge in their own practices and in their own ideologies with respect to how they live. They refuse to be influenced by modern advances, and instead wish to maintain their traditional culture and way of life. Similarly, one might have popular monarchs who deny people their rights. Kant's argument for the impact of transgression of rights seems to fail here, as such people would be unlikely to be impacted by the transgression of rights in other parts of the world. One way of responding to this objection would be to look at it from the perspective of living in a shared world itself, and looking at those tribes and kingdoms living in such a manner. Their very ability to lead different lifestyles relies on the moral authority that has been exerted by them in accordance to foreign powers, or other governments, namely the right they have to being left alone, as they are. The de-recognition of this right would force open their gates to external influence, making them the same as the rest of us. Thus, while they might believe that a particular transgression is ethically correct or wrong, it does impact them irrespective of their choices because of the intrinsic nature of the sharing of information that takes place. Even their non-recognition of matters relating to rights and transgressions is a right in itself, in which they claim moral authority to their own way of living. Thus, the concept of transgressions of rights impacting a universal community holds even if people may not choose to belong to that universal community, for recognizing their choice is a right accorded to them itself. Furthermore, if the cases of capacity of feeling, and eventual feelings, were carried



out, even such individuals might feel these transgressions. Thus, they belong to at least this aspect of the universal community, even if they may not identify themselves with the rest.

**Hidden Transgressions** Another objection to Kant can be considered with regard to the notion of hiding transgressions. If possible to hide transgressions, very efficiently with regard to revealing to the public of the true nature of such transgressions, such that none come to know of the happenings of that time period, then wouldn't Kant's ideas regarding feelings become obsolete? Indeed, while Kant's ideas seem grounded in the practical belief that concealment of transgressions for eternity is an unlikely happening, theoretically, too, one can examine the feelings Kant is talking about. An interesting example to take here with regard to hiding the nature and occurrence of transgressions involves the Nazis carefully hiding the existence of concentration camps and policies of extermination which they followed. While eventually, the horrors of the Holocaust were discovered later, in the event that they had not, our ideas with respect to Nazism might have turned out to be very different. Today, consequentialists can look at the ruins of these camps, and of the symbols of Nazi power, and ethically determine the impact of racism at such a scale, and condemn Nazism. But had these transgressions been hidden from the public, Nazism would have been seen merely as a political ideology of the twentieth century, and not as a social, economic and political framework dedicated to the destruction of the lives of Jews. Thus, the commitment of these transgressions has impacts felt as well, even if we do not know it. Thus, the absence of the evidence of Nazi transgressions would have been "felt", but in a different manner than their presence is felt today.

**Conclusion** In this essay, I have attempted to define concepts of a universal community, rights and transgressions of rights, and tried to construct a defense of Kant's ideas. I have further considered opposing viewpoints which disagree with Kant, and tried to show that they are false. Thus, transgressions of rights are felt everywhere, even when committed at one place in the world, because of the narrower or wider community which prevails among the people of the Earth.