

HUMAN DUTIES AND RIGHTS IN AN INTERCULTURAL PERSPECTIVE

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Abstract: This paper reflects on the possibility of opening new ways of revaluing the role of human responsibilities and duties by establishing a relationship with rights that goes further than a simple correspondence between correlative terms. Approaching the interdependence between the language of rights and the language of duties from an intercultural perspective helps achieve an increasingly broader, but necessarily more complex, consensus. This analysis goes back to the Universal Declaration of Human Rights, which left duties in the background but showed the incipient presence of an intercultural purpose thanks to the work of UNESCO. The final part of the paper is devoted to those international declarations which delve deeper into this purpose and focus on duties. The aim of these initiatives, which originated with dialogue, is to strengthen those bonds of solidarity that involve assuming responsibilities when faced by the requirements of others that cannot be expressed in terms of enforceable powers.

Keywords: Human rights, duties, responsibilities, interculturality, solidarity.

CONTENTS: 1. TWO INTERDEPENDENT LANGUAGES. 2. THE INTERCULTURAL PERSPECTIVE. 3. THE CONTEXT OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS: THE TIMID BUT SIGNIFICANT PRESENCE OF DUTIES. 4. DECLARATIONS OF DUTIES. 4.1. PRECEDENTS. 4.2. THE UNIVERSAL DECLARATION OF HUMAN DUTIES (KAREL VASAK). 4.3. RESPONSIBILITIES AND DUTIES ON THE 50TH ANNIVERSARY OF THE UDHR.

1. TWO INTERDEPENDENT LANGUAGES

This paper is part of an extensive investigation into the scope of human responsibilities and duties beyond the reductive and mechanical sense in which every creditor's freedom corresponds to a debtor's duty (Bea, 2013). According to such schemes based on correlativity, which encompass the legal relationships outlined by W. N. Hohfeld, rights are claims that a subject can assert against another obligated subject and the non-fulfilment of which may generate damages that can be claimed. "Effective access to justice optimizes the potential for emancipation and transformation of law" (Añón, 2018: 22). The question we ask is whether, bearing in mind the undeniable central role of subjective rights, can human rights and duties also meet real needs that are difficult to translate in terms of strict reciprocity? To this end, intercultural dialogue will be considered an

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essential method for deepening these links of solidarity as a catalyst for the construction of a plural and inclusive citizenship.

Given the understandable suspicion that the discourse of duties, linked to organicist and authoritarian conceptions, arouses for historical reasons, and, therefore, sensitive to the lessons of the past, it is necessary to emphasise, as in previous phases of the study, that highlighting this discourse does not imply renouncing the emancipatory dimension and the moral progress of humanity that lay at the heart of the discourse of rights. Placing the term “duties” before the term “rights” in the title of this paper does not imply giving priority to the former over the latter, and even less so conditioning the enjoyment of the latter on the fulfilment of the former. The intention is to draw attention to duties as a category which has been relegated in philosophical-legal analyses. Recalling the eloquent title of Norberto Bobbio’s book (*The Age of Rights; L’età dei diritti*), far from considering closed the era opened by liberal thought under the primacy of rights, in contrast to the omnipresence of duties in pre-Enlightenment thought, the aim is to achieve a reorientation so that solidarity – understood, as Javier de Lucas indicates, as a legal and political principle from which positive duties can be derived (De Lucas, 1993: 27-31) – does not remain in the background. The problem is not the very idea of human rights, but a version of this idea that is excessively individualistic and understands social relations in terms of private interests and the supremacy of individual will. The deplorable and flagrant shortcomings in the realisation of human rights that we are witnessing are largely the result of a social model dominated by the market and by a vertical individual-state relationship that lacks other community mediations or cooperative links. As Javier Ansuátegui states (2018: 3), it is necessary to differentiate between the affirmation of a crisis in the time of rights and that of the end of the time of rights. To speak of crisis does not imply certifying the end of this era but a moment of transformation, just as it would be necessary to distinguish between criticisms of the idea of rights and those directed at a specific discourse of rights. We are interested in those processes which for several decades have been problematising and enriching the relationship between rights and duties – and look towards the viability of a comparative grammar or permeability between both languages.

These processes, which unfold their potential alongside other processes developed in the evolution of human rights, can be interpreted in terms of a deepening of principles that cannot be renounced: such as the universality of human dignity; indivisibility; interdependence between the rights of different generations; and progressiveness (especially of social rights). It is therefore a matter of rehabilitating the language of duties with a liberating intention, that is, a reorientation towards a fairer social order which does not imply renouncing the guarantees and social conquests achieved thanks to the struggle for rights, nor making the enjoyment of rights conditional on community affiliation, nor renouncing legitimate aspirations because they materialise in other forms of expression. Gustavo Zagrebelsky affirmed in the early 1990s that “the imperialism of the language of rights has concealed what is irreducible in the demands of justice” and that “justice cannot be claimed and thought of as being built on rights while rejecting duties” (2007: 94-95). More recently, his sharp denunciation of present injustices – scandalous economic inequality, extreme labour exploitation, border protection, and environmental violence –

led him to express his fears that rights may be used “not as protection against injustice, but as a legitimisation of injustice” (Zagrebelsky, 2017: 6).

Although there is no doubt about the devastating consequences of the ideological use of duties in totalitarian regimes, we must also be aware that the ideological use of rights, without being so lethal, can anaesthetise our capacity to resist evil and place us on the edge of an abyss. As José A. Pérez Tapias warns: “If human rights are at the core of what is now considered humanism – the ‘humanism of human dignity’ – their slide into ideology is a part of barbarism, at least that ‘light barbarism’ of ethical apathy and moral indifference towards others which already leaves us defenceless in the face of the harsh actions that end in the denial of the other and their rights” (2006: 162). The aim, therefore, is to articulate the culture of duties and the culture of rights: an articulation that is only possible if, in mutual interaction, both are relieved of their ideological weight and recharged with utopian density. To this end, instead of a suffocating “we” or an isolated “I”, we must choose an intersubjective prism, in which the “other” is a limit to our will and desires, and a condition of access to our own humanity through the recognition of our common humanity.

The interest in inaugurating a new time of duties, as the reverse side of the time of rights, is an objective that Norberto Bobbio approached in the final stage of his intellectual journey. He went so far as to affirm, in conversation with Maurizio Viroli, that, if he still had a few years left to live: “he would be tempted to write *L’età dei doveri*”, because “if the Declaration of Human Rights is not to be reduced, as has so often been asserted, to a list of pious wishes, there must be an equivalent declaration of the duties and responsibilities of those who assert those rights” (2002: 42). A reflection which, as he comments, arises from the invitation of UNESCO to participate in the preparation of the Declaration of Human Responsibilities and Duties (1998) in commemoration of the 50th anniversary of the Universal Declaration of Human Rights.

This initiative is part of a series of international documents, projects, and declarations which, since the end of the 1980s, have alerted governments and public opinion to the need to strengthen the commitment to respect human dignity and redefine the social bond through new scenarios linked by a broad network of horizontal relations that lay beyond the framework of the state.

2. THE INTERCULTURAL PERSPECTIVE

The goal of international initiatives promoting duties is to reinforce the unquestionable symbolic value of the Universal Declaration of Human Rights by creating a broader and deeper universal consensus. The interest in strengthening the long tradition of human rights implies admitting that these rights are not forever fossilised in the Enlightenment thinking that gave birth to them, nor in the historical conditions of their birth. We can say that they are a concept that goes beyond any conception of rights, hence their universal vocation and capacity to be transformed and enriched – although they are not an infinitely malleable concept. Understood as normative demands of human dignity, human rights can be assumed and reinterpreted in many ways, as there are always critical elements in the face of any attempt at appropriation by a given culture.

Overcoming abstract universalism with new consensuses requires adopting an intercultural perspective, since an authentic universality requires an exchange of cultures in a true pluralism. From this perspective, human rights, rather than being considered a priori universal, are conceived as universalizable (Cruz, 2013: 90). This, in addition to other possible achievements, helps overcome one of the main stumbling blocks for human rights: the lack of harmony and a questioning by those cultures who see such rights as foreign to their practices or even an imposition of cultural domination. The intercultural method makes it possible to prevent nations and cultures in which the language of duties prevails from thinking that human rights are a typically Western issue with which they cannot identify. The advances towards the consideration of cultural diversity as a “common heritage of humanity” thanks to international instruments such as the Vienna Declaration and Programme of Action (1993), the UNESCO Universal Declaration on Cultural Diversity (2001), and the Convention for the Protection and Promotion of the Diversity of Cultural Expressions (2005), have emerged from forums in which Asian, African, and Middle Eastern nations have shown their reticence regarding the Western character of the UDHR and strongly demand a central role for collective rights. In recent years, demands for the recognition of the rights of indigenous peoples have led to an even more radical critique.

Of the various parameters and arguments that could be used in an intercultural approach to the problem of human rights and duties (F. M. Wimmer, R. A. Mall, Tzvetan Todorov, L. Villoro...), the approach we take in this paper is mainly based on Raimon Panikkar’s diatopical hermeneutics, and which inspire various theoretical positions on the subject. The starting point of these intercultural theories is the awareness that *topoi*, places of different cultures, cannot be understood with just the instruments of understanding taken from a single tradition or culture. According to Panikkar: “The belief in the universality of one’s own cultural contents is the essence of monoculturalism and leads to colonialism”; the key to interculturality lies in being “halfway between the absolutisation of one culture and an absolute lack of communication between them” (2006: 130). Diatopical hermeneutics bring different human horizons into contact for a true “dialogical dialogue” (Panikkar, 1984) in the joint search for what is common. Writes Panikkar: “All cultures are the result of a continuous mutual fertilisation. Cultures, like reality, are not static, but are in a process of continuous transformation. Dialogue between cultures, as well as the philosophical work of being aware of one’s own myth, of questioning and transforming it, and finding equivalences between different cultural discourses, constitutes the process by which each person and each culture cooperate in the destiny of humanity and the universe, which, to a large extent, is in our hands. This is human dignity and human responsibility” (2006: 130).

For diatopical hermeneutics the Hindu notion of *dharma* is a particularly valuable finding in a cross-cultural search for a sense of justice that enriches human rights (Vachon, 1990: 171). The basis of *dharma* is a cosmological vision in which the cosmos is understood as a totality that encompasses all beings. What is most genuine in Hinduism is the idea that everything is related to everything else and that there is no essential difference between beings, not even between the divine, the human, and the rest of nature. Self-denial, detachment, and renunciation are needed to attain wholeness and merge into oneness.

Every action in accordance with *dharma* is a contribution to cosmic harmony, while the disruption of the given order or the nature of things produces negative energies, according to the law of *karma*, which is the fruit of what is sown. Raimon Panikkar challenges us to think about justice and human rights in a new way: “A world in which the notion of *dharma* is central and almost omnipresent is not concerned with finding the ‘right’ of one person against another, or of the individual against society, but rather with estimating the *dharmic* (right, true, consistent) or *adharmic* character of a thing or an action within the whole anthropocosmic complex of reality” (1984: 39).

The sociologist Boaventura de Sousa Santos stands out among those authors who approach the treatment of human rights from Panikkar’s diatopical hermeneutics. Both agree that cultures are universes of meaning that are unintelligible from schemes of thought that are alien to the thinker, but however can be understood through the reciprocal exchange of experiences. Diatopical hermeneutics consists in creating a self-reflective awareness of the “incompleteness” of one’s own culture and this awareness is the main condition for being able to participate in dialogue (Santos, 2002: 79). Applied to the field of human rights, it implies affirming that all cultures have different versions of human dignity, though not always in connection with human rights, and that all these conceptions are incomplete and problematic. Diatopical hermeneutics transforms the conceptualisation and practice of human rights from a globalised localism – a local entity that extends its reach over the globe and from there designates a rival entity as local – to a cosmopolitan project linked to the “common heritage of humanity”. As Santos explains, this transformation, which is the central task of the emancipatory politics of our time, is only possible if we avoid both abstract universalism through intercultural dialogue, and relativism through intercultural criteria that enable us to distinguish progressive from reactionary policies as has been highlighted by “counter-hegemonic” human rights discourses and practices (Santos, 2002: 68). The aim is to avoid the abstract universalism that has accompanied rights and which, being based on a paradigm of self-sufficiency, cannot respond to the demands of vulnerable subjects who depend on the care of others – such as the cries of a planet on the brink of collapse or of millions of migrants wandering the world in search of a new home. It is in this scenario that we can find Fernet-Betancourt’s proposal for an intercultural dialogue based on a post-Eurocentric epistemology that integrates a knowledge of indigenous peoples and community practices as an antidote to any type of exclusion (Fernet-Betancourt, 2004).

Following Raimon Panikkar, Boaventura de Sousa Santos tests the scope of the intercultural method by putting the *topos* of human rights in dialogue with the *topoi* of other cultures to assess the extent to which they are mutually fruitful and highlight what constitutes an inalienable heritage. The main conclusion of this comparative process is the following: “As revealed by diatopical hermeneutics, the fundamental weakness of Western culture is that it creates too strict a dichotomy between the individual and society, which makes it vulnerable to possessive individualism, narcissism, alienation and anomie. In contrast, the fundamental weakness of Hindu and Islamic cultures is that neither manages to recognise that human suffering has an irreducible individual dimension that can only be adequately dealt with in a non-hierarchically organised society”. Thus, “viewed from the *topos* of human rights, *dharma* is incomplete because of

its strong non-dialectical bias in favour of the harmony of the social and religious status quo, thereby concealing injustices and neglecting the value of conflict” (Santos, 2002: 72). At the same time, however, we must look to the East to “ingrain in Western culture the idea of collective rights, rights of nature, and future generations; and of collective duties and responsibilities through collective entities (such as the community, the world, or even the cosmos)” (Santos, 2002: 76).

Clearly, the difficulty in any intercultural encounter is that some elements are easy to share, while others reveal with great intensity the distinctive character of each worldview. Fidel Tubino (2009: 157) stresses that even a restriction of rights to the human realm is not a universally shared truth. In the Hindu conception, closely linked to the idea of *dharma*, dignity is not exclusive to humans, which contrasts radically with one of the assumptions of the modern conception of citizenship: that nature has a use value and natural beings have no rights. As we know, there is currently a fierce debate in the West as to whether animals have rights. In a radical way, Judith Butler, inspired by the thought of Emmanuel Levinas, stresses that while human rights have been based on categories such as reason, autonomy, and will, that are considered universal, although not everyone possesses them, the crucial point for thinking about our interpersonal relations and our life in common is the irreducible difference between human beings and the non-human that cries out for protection. In his view, in contrast to liberal thinking, which is based on the self-sufficient subject, we must think of human rights in terms of interdependence being a constitutive aspect of identity, so that our concern is not to promote our own lives, but to guarantee the vital conditions for all creatures whose desire to live must be equally satisfied (Butler, 2012).

The appeal to interculturality – or perhaps transculturality – is anticipated by contemporary philosophers and writers such as Karl Jaspers and C. S. Lewis. Jaspers’ now classic characterisation of the Axial Age is a valuable reflection on the profound reciprocal understanding that can exist between different religious traditions and spiritual quests, which at that moment achieved universality and manifested themselves as a common human experience or a common pool of humanity (Jaspers, 2011). A parallel can be drawn with Lewis who, in *The Abolition of Man*, invites us on a transcultural adventure in search of this horizon of shared meaning, which he terms *Tao*, the content of which implies a series of duties within the framework of the law of general and special beneficence, good faith, truthfulness, piety, and honesty. What Lewis calls “for convenience the Tao, and which others may call Natural Law or Traditional Morality, or the First Principles of Practical Reason, or the First Platitudes” is presented as the source of all value judgements (Lewis, 2014: 21). In short, it is about rethinking ancient wisdom, that of those sages present in all cultures and for whom the “cardinal problem had been how to conform the soul to reality, and the solution had been knowledge, self-discipline, and virtue” (2014: 38).

P. Kirpal’s proposal was to complement the philosophy underlying international human rights documents with the inspiration of traditional wisdom and thus make possible “a new humanism: free, wise, compassionate, and capable of love” (1985: 323). As August Monzon stresses: “This obviously involves a strong emphasis on values, duties

and education”. It is a matter of reconciling “a democracy sensitive to the (irreducible) diversity of traditions, ethical values, and economic solidarity, while simultaneously advancing these traditions in mutual dialogue and respect for the modern heritage” (1992: 126). Thus, the need to reformulate our texts on human rights with those of other peoples or cultures implies doing so with the various religious, philosophical, and political traditions that have arisen or developed in the West beyond liberalism. From this perspective, a universal consensus based on true dialogue requires accepting “as a starting point that the idea that human rights (of *humanitas* or human dignity) is part of the common ethical heritage of humanity and, at the same time, that every culture and worldview contains valuable elements whose loss would affect the entire human family” (1992: 118). For rights, which are unquestionable when speaking of justice, to be accepted by all, we cannot use an imperialist language that destroys any other discourse on the demands of a just order, but rather rights must be presented in a language that does not have the last word and that needs to be enriched through fruitful contact with other worldviews both in a diachronic sense (looking at our own past) and in a diatopic sense (looking at other cultural universes).

It must be remembered that for cultures to be able to question each other, they must be understood for what they are: realities in continuous dynamism and never self-sufficient (De Lucas 1994: 67-69). It is necessary to encourage within them those versions or currents that are more open and inclusive, meaning those that are situated in the widest circle of reciprocity and recognition of the other. Only in this way can there be authentic internal self-criticism. Let us not forget that self-reflection is the other side of dialogue and the healthy way to overcome uprootedness. In other words, do not build from scratch, but neither uncritically accept what is given.

In a recent article in *The UNESCO Courier*, Mireille Delmas-Marty argues that only through an interactive and evolutionary dynamic can relativism and the imperialism of values be avoided: “The rapprochement of cultures must be understood as a process, a movement that gives preference to the metaphor that presents human rights as the common language of humanity”. Three processes with increasing effects lead to that common language: “Intercultural exchange (dialogue) to the search for equivalences (translation), and reciprocal transformation (creolisation)”. Delmas-Marty gives particular importance to creolisation and relies on a definition provided by Edouard Glissant in *La Cohée du Lamentin*: “Creolisation is not a simple mechanism of inter-breeding. It is a mixture that produces something unexpected”. Thus, according to the Glissant: “To produce the unexpected is to find – beyond dialogue and translation, but thanks to them – a new truly common meaning” (Delmas-Marty, 2018).

According to Christoph Eberhard, who also looks for functional equivalents of human rights in other cultures – locating the main reference in the Buddhist vision of the spiritual kingdom of Shambhala (2010) – intercultural dialogue enables us to “resolve the two main challenges to contemporary human rights theory and practice: to escape the impasse constituted by the alternative between universalism and relativism – by introducing a pluralistic approach to law and human rights – and overcome the gap between theories and practices – by introducing a pragmatic approach to law and human rights that does

not remain merely in the realm of ‘official Western-style written law’ but recognises and builds on the actual legal practices of the ‘living rights’ of the world’s peoples” (2002: 256-257).

Dany Rondeau also applies Panikkar’s diatopical hermeneutics to the relationship between rights and duties, and clearly synthesises the conclusions that can be reached. From his point of view: “If the ideology of human rights is transformed and accompanied by an acute sense of responsibilities and duties, many of the reproaches levelled at the liberal conception of rights would become meaningless” and especially “its inability to reconcile individual desires with the needs of the individual and those of the community, meaning the desire for absolute individual freedom and the need for social justice”. Therefore, “the emphasis on rights as well as responsibilities towards the other (the other of today and tomorrow) is intended to achieve the purpose of human rights: freedom and justice without which such freedom is only a privilege for some” (2008: 164).

3. THE CONTEXT OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS: THE TIMID BUT SIGNIFICANT PRESENCE OF DUTIES

The aim of seeking the broadest possible consensus was already an objective of UNESCO in the preparatory work for the Universal Declaration of Human Rights, as can be deduced from the interest shown in discovering opinions on the philosophical foundations of rights from figures representing all cultural traditions, ideological positions, currents of thought, and sensitivities.

The project to contribute to a better understanding between peoples of different cultures, supervised by the French philosopher Jacques Havet, materialised in the sending of a questionnaire to which some 60 relevant personalities responded. Jacques Maritain was one of the figures consulted and is author of a book entitled *Human rights: Comments and Interpretations: a Symposium* (1949) which publishes the most significant responses. He points out that the testimonies gathered in the book give rise to a certain hope that the day will come “when the world can agree on the enumeration of human rights, and the key values that determine the way in which these rights are exercised, and on the specific criteria necessary to ensure that they are respected”. In the meantime, a declaration of rights on which nations agree is already a great step forward and as Maritain writes: “a pledge for the humiliated of the whole world; a harbinger of the transformations which the world needs; the first and necessary condition for the future establishment of a universal charter of civilised life” (Carr, 1973: 31-32).

In a UNESCO survey on the intellectual foundations of a modern bill of rights, the questions on duties were formulated as follows: “What are the relationships between rights and duties (a) for individuals, and (b) for groups? What are the relationships between individual freedoms and social and collective responsibilities?” (Carr, 1973: 386). The answers can be classified in three trends: the first emphasises the responsible acceptance of our social commitments and participation in public life; the second focuses on the positive demands and duties posed by economic, social, and cultural rights; and the third focuses on the contribution of non-Western societies. These three trends are of

great interest because they anticipate the three directions in which human rights have been evolving towards greater richness and complexity: the need to counteract the growing lack of solidarity and civic awareness; the expansion of demands that that could become rights; and the progressive incorporation of cultural diversity in the processes of defining rights.

Within the first group of responses, John Lewis's position stands out and is articulated around the idea that "society is not a social contract for property rights, but an organism through which men seek a common good to be shared... Rights and duties are inseparable. We must recognise that, since the rights we claim are claimed by all, we can only achieve them by accepting a common task and common responsibilities" (Carr, 1973: 88). Sergius Hessen also states forcefully that "the individualistic fiction of a 'social contract' must be replaced by the 'solidaristic' fiction of a 'social debt'" (Carr, 1973: 168-169). Salvador de Madariaga recalls what "an often-forgotten commonplace that there is no absolute individual", and that "man is a synthesis that can be described as individual-in-society" (Carr, 1973: 75). In Teilhard de Chardin's words: "it is not by isolating himself but by suitably associating himself with all others that the individual can hope to achieve the fullness of his person" (Carr, 1973: 160). Along these lines, in Maritain's view, a declaration of rights should "be completed by a declaration of man's obligations and responsibilities towards the communities of which he is a part: particularly towards family, civil society, and the international community" (Carr, 1973: 118). According to E. H. Carr: "no declaration of rights which does not also contain a declaration of correlative obligations can have a transcendental significance"; a correlation that "presents itself much more clearly when it comes to social and economic rights" (Carr, 1973: 38).

We find ourselves before the second tendency which, as we know, was very influential because of the weight of the socialist countries (among other reasons). However, although a large group of authors sought the recognition of this type of right based on the idea of material equality, other authors, such as Kurt Riezler, considered that any addition to the old civil liberties "whether of economic rights or of duties, means in practice a weakening of civil rights and of their influence on the human spirit" (Carr, 1973: 235-236). The dominant idea in the responses was that, despite the many difficulties of compatibility between the two, civil and political rights must be complemented by social rights, which are also fundamental human rights, a consequence of the recognition that to live well and freely, man must have at least the indispensable means to live. Duties correlative to social rights appear to be the most obvious positive duties and should always be explored and insisted upon.

Finally, the third trend, representative of other cultural horizons, was represented by Gandhi's famous letter to the instigator of the survey, the first Director-General of UNESCO, Julian Huxley, whose message is summed up in his opening statement: "From my ignorant but wise mother I learnt that the rights that can be deserved and preserved come from duty well done" (1973: 33). In the same vein, S. V. Puntambekar reflects on the Hindu concept of human rights, which enshrines human aspiration "to the material conditions of a happy life and the spiritual virtues of a good life" (Carr, 1973: 296) and this is along the lines of what has already been said about the notion of *dharma*. Chung-Shu Lo reminds us that "the fundamental ethical concept of Chinese social and political

relations is the fulfilment of duty to one's fellow man, not the claiming of rights. The idea of mutual obligations is regarded as the fundamental teaching of Confucianism" (Carr, 1973: 281). In the works of Confucius, we find a guide to behaviour to be followed by conviction and not by the imposition of external rules of conduct, and in the Confucianist schools, confronted from the 3rd century onwards by the legalist schools, law is subsidiary to ethics. This is because force regulated by law may prevent some excesses – but cannot guarantee the network of relationships that give meaning to human life. Wisdom consists in devoting oneself to one's duties towards human beings and nature. Chung-Shu Lo also referred to three basic demands that are "valid for everyone in the world": the right to life (at the biological and economic level); the right to self-expression (at the social and political level); and the right to enjoyment (at the aesthetic and spiritual level) (Carr, 1973: 284). From this perspective, a holistic view of rights and duties need not renounce any of these dimensions because a fair social order is based on a healthy balance between them.

Chung-Shu Lo was the only non-Western member of the committee of experts that studied the answers to the questionnaire and sent a final report with conclusions to the Commission on Human Rights in August 1947. Given the Commission's limited involvement in the project, it was decided by a majority of eight votes to four, with one abstention, not to incorporate the report into the UDHR drafting process. Despite this decision and the ensuing criticism, the UNESCO research is of undoubted value, as Mary Ann Glendon (2001) has stressed, because it began to show that the history of "the philosophical discussion of human rights and dignity" extends "beyond the narrow confines of Western tradition" (Carr, 1973: 392). It should be noted that the declaration was seen as both a point of arrival and departure by its architects or "founding fathers" – and let us not forget that among them were Dr Chang and Professor Malik, both of European background but respectively natives of China and Lebanon.

The ethos of duty was not absent from the context in which the declaration was made. Thanks to the testimony of one of its main architects, René Cassin, the French representative of Jewish origin, we know that the issue attracted the attention of the UN experts when drafting the text, although even in the preparatory phase there was no serious debate on the subject and it was relegated to the background. The blunt words of the Chairperson of the Commission on Human Rights, Roosevelt, pronounced at one of the first working meetings, practically closed the discussion: "The task entrusted to us is to proclaim the rights and fundamental freedoms of the human being... and not to list his obligations" (Cassin, 1968: 481). The historical moment was decisive as Cassin confirms: "If the mention of the duties of the individual towards society was not admitted in this declaration, it was because the drafting of the new charter followed the horror. In the climate of indignation that animated the drafting commissions, the Universal Declaration of Human Rights was to demonstrate above all the sense of a solemn protest of the human conscience against the unlimited tyranny of the state" (Macheret, 1989: 6). When the declaration was drafted, the only point of union between different, even opposing, systems and currents of thought was the frontal opposition to the excesses committed by fascist states (characterised by making the enjoyment of freedoms conditional on identification with the values represented by the state). The aim of the declaration was to proclaim universal and inalienable rights from whose enjoyment no

human being can be excluded, since they cannot depend on the characteristics of the subject nor on a subject's behaviour.

Despite the initial interest, there is no single direct reference to duties and responsibilities in the Preamble of the UDHR, and only two references are found in the text: Article 1 states that “all human beings... should behave towards one another in a spirit of brotherhood” and Article 29 proclaims that “everyone has duties towards the community”.

The deliberate nature of this choice is reinforced by comparing the UDHR with the American Declaration of the Rights and Duties of Man, adopted only a few months earlier on 2 May 1948 in Bogotá. It is enough to read a few paragraphs of its Preamble to note certain differences in tone: “The fulfilment of duty by each individual is a prerequisite to the rights of all. Rights and duties are interrelated in every social and political activity of man. While rights exalt individual liberty, duties express the dignity of that liberty. Duties of a juridical nature presuppose others of a moral nature which support them in principle and constitute their basis”. Articles 29 to 38 list the duties of the human being towards society in relation to parental and filial obligations, education, suffrage, obedience to the law, payment of taxes, and work. Although this declaration does not properly reflect the pluricultural impulse which in recent years has been emphasised by indigenous cultures, and which has been reflected at a constitutional level in countries such as Ecuador and Bolivia, it reveals an anticipatory approach to duties which, however, was not reflected in the short term in the American Convention on Human Rights (1969).

The two cited articles are relevant despite the smaller presence of duties in the UDHR compared to the American Declaration. Article 1 is a prescription of an essentially moral character, which appeals to universal brotherhood. In a previous wording, it was said that “all men are brothers”. In both versions there is a desire to avoid any kind of fratricidal logic and there is aspiration to establish solidarity between the men and women of the planet beyond mere individual interests and demands. In a declaration that was intended to be only about rights, the allusion to fraternity/solidarity timidly opens the way to duties and lays the seed from which third-generation rights, whose international recognition comes later, will take root.

Article 29 refers to duties in a more explicit but also very restrained manner. To the statement: “Everybody has duties to the community” the article adds “as only within the community is it possible to fully develop the individual personality” – which according to J. A. Carrillo Salcedo (1999: 26) implies that rights as well as duties derive from human dignity. According to Dany Rondeau (2008: 144), the precept reflects the demands of a natural sociability appropriate to a philosophical anthropology in which different currents of thought can be found, such as republicanism and communitarianism. He went on to add that it is a “translation of Taylor's argument” about the duty to sustain a free society as a condition for our freedom (Ost and Van Drooghenbroeck, 2004: 811, 816). Erica-Irene A. Daes also stresses that “it is impossible to draft a declaration of rights without proclaiming the duties that derive from the concept of freedom and that make the establishment of a peaceful and democratic society possible” (1983). According to

Vicente Bellver, in the light of this article, “duties towards others are not a price we must pay to do what we really want, but the condition for a full realisation of our personality” (2019: 3). These ideas are reinforced by Article 29.2 which establishes a certain balance between the due protection of human rights and the requirements of the common good, and by Article 29.3 which says that we establish links and have duties to the state and international community. Interpreted in this way, the UDHR reflects, although in a basic and precarious way, the concerns of those responses to the UNESCO consultation that were in tune with a conception of freedom inseparable from responsibility and participation in social life.

Of the three types of responses to the consultation, those referring to duties as a correlation of social rights were the most influential in the text of the declaration, as these rights were embodied in articles 22 to 27 (accepting the principle of indivisibility with respect to civil and political rights). Bobbio stresses that in Article 22 “social rights refer to the individual in his dimension as a social person” to which “it should be added that society is understood as a group of individuals (one plus one plus one, according to the individualist conception of society) and as a group in which the components are interdependent” (2009: 540).

Since the incorporation of social rights, the expansion of the catalogue of rights has become a constant feature of international life. The emergence of new rights, especially those related to the environment and the interest of future generations, will be largely a projection of the sensitivities of other cultural horizons, as outlined in the third group of answers to the UNESCO questionnaire. Therefore, although at the time its influence on the UDHR was almost negligible, the presence of this intercultural aim should not be underestimated, and we see below how it illuminates a series of subsequent texts focused on human responsibilities and duties.

4. STATEMENTS OF DUTIES

It took 40 years for the international community to start thinking about the need to create international declarations, complementary to the UDHR, in which duty and responsibility would occupy centre stage. These documents were initially private in the sense that they were the result of informal meetings between representatives of different cultures, countries, and mentalities – and were usually sponsored by influential personalities but without sufficient organisational support or relevance. The origin of these texts corresponded to an intercultural method based on the creation of shared spaces. “Dialogical dialogue” or “creolisation” operates at an existential level since the aim is not to dialectically defeat the interlocutor, but to walk together and widen the horizon of understanding. The hope is that something unexpected and new will be created from such encounters. As Diana de Vallescar states: “interculturality is first and foremost an experiential knowledge rather than a theory” (2006: 134). Moreover, since these are spontaneous experiences that are scarcely formalised in an official manner, there is a degree of neutralisation of a risk latent in intercultural dialogue, namely, the risk of asymmetrical power relations dominating within each culture or in the interrelation between cultures.

Some of these documents claim to have a legal value, at least on the same level as declarations of rights, and therefore clearly recognise a series of duties, while others restrict their scope to a symbolic or pedagogical level and merely rethink the role of human responsibility and community values in social life. In either case, these texts inspire political action and legal practice through an ethical motivation that overcomes the individualism of those who are only concerned with claiming their own rights without attending to the needs of others.

Before going into these initiatives, it is necessary to refer to two international instruments of a regional nature that serve as precedents and which deserve to be addressed in greater detail.

4.1. Precedents

The first of these documents is the African Charter on Human and Peoples' Rights (1981), which features a major conceptual innovation by establishing the duty to contribute to the promotion and realisation of African unity, thus reproducing the individual-community relationship inherent to this continent and exalting clearly societal and cultural values. The Algiers Charter Universal Declaration of the Rights of Peoples (1976) corresponds to the search for a new international order in which dependence gives way to the capacity for self-determination and solidarity –and so resisting a history marked by domination, colonialism, and exploitation. According to Tunguru Huaraka, the harmony between duties and rights, or between the interests of the group and those of the individual, forms the moral fibre of society: Participation in the life of the community is a duty and an obligation that at the same time generates rights and duties for the individual (1990). The Bantu notion of *ubuntu* holds special significance here because it shows what binds us to others and makes us interdependent beings. Its capacity to illuminate a vision of intersubjectivity that is open to the future and the past – remembering victims can only be a duty – was demonstrated in the excellent work for restorative transitional justice achieved by South Africa's Truth and Reconciliation Commission (Bea, 2020).

The second of the regional documents is the Declaration of the Duties of ASEAN Peoples and Governments (1983), a little-known text that is notable for its concordance with “the cultural realities of Asia and its religious aspirations”. Its signatories (Indonesia, Malaysia, the Philippines, and Thailand) are moved by “the misery, hunger, pain, suffering and despair of millions of Asians” and outraged that there are still Asian states that have not ratified international human rights covenants. The declaration proclaims first and foremost the duties of the state regarding peace, development, social justice, cultural communities and condemns torture and other degrading practices. It also establishes human duties such as “the duty of all individuals and all peoples to exercise their rights and freedoms in a spirit of human solidarity” (Article 1.3) and “the duty of all persons to abstain from useless or superfluous consumption and ostentatious wealth and power” (Article 3.5). There is a renewed air in this Asian Declaration of Duties that is reminiscent of those thinkers who at the time of the drafting of the Universal Declaration of Human Rights tried to imbue the text with the spirit of Eastern

traditions. This Eastern spirit that will be further revealed in the Bangkok Declaration on Human Rights (1993) and in the movement for the vindication of cultural diversity developed in the 1990s and in which duties play an important role alongside other community references.

4.2. The Universal Declaration of Human Duties (Karel Vasak)

Based on these precedents, the first of the international initiatives proposed as parallel and complementary to the UDHR is the Universal Declaration of Human Duties (1987), as promoted by Karel Vasak. The project remains a private project that has “never been adopted and is often criticised”. According to its introduction, the declaration is “is a synthesis of the duties contained in constitutions and international instruments that identify, as far as possible, each human duty with the same precision with which a right is identified” (Vasak, 1989: 9-16). The intention to give duties the same legal significance as rights and a certain autonomy or priority has been widely criticised, although its supporters insist on the interdependence between rights and duties – and that a duty cannot be a pretext for suspending or relativising a right. Other critics consider it a “useless” proposal because the duties included are either already recognised or simple appeals to individual conscience (Rondeau, 2008: 159). This is one of the characteristic features of general positive duties, their indeterminacy, which makes their legal translation difficult, and the result is sometimes so extreme that it is no more than a recommendation or a reformulation of abstract principles (García Inda, 2021: 111).

The Vasak Declaration proclaims in Article 1: “Every individual has duties towards himself, towards his family and peers, towards his natural environment, and towards the national and international community as it is only in these that he can freely and fully develop his personality”. The articles then specify duties related to education (Article 3), work (Article 4), assistance to persons in physical and moral danger (Article 10), animal and plant species (Article 12), the cultural identity of every human community (Article 13), and peace (Article 20).

The proposal refers to the still cautious attempts to make way for the theory of *Drittwirkung*. This theory advocates the effectiveness of vertical rights (in relations with political power) as well as horizontal rights between individuals (such as the *erga omnes* binding of the system of rights). This demand in German constitutional doctrine has gone together with the idea that fundamental rights embody an “objective value order” (*objektive Wertordnung*) and have a “spillover effect” (*Ausstrahlungswirkung*) on the entire legal system. Vasak’s declaration warned of a growing phenomenon: the economic and social power of large corporations over governments, which means that private actors can cause rights violations that are similar in size and gravity to those of states (Estévez Araujo, 2013). The practical realisation of rights would be greatly diminished if it were the sole responsibility of states, and if a whole network of social groups and private entities, as well as international organisations, were not involved in defending them. For this reason, it is worth analysing the duties of transnational corporations and the instruments for obtaining a minimum of democratic control over their actions (Madrid, 2013).

Vasak points out that the interest in integrating duties is to account for the sensitivities and needs of a third generation of human rights, following the inspired, although debatable, division of rights into generations that he himself coined. Formulated as rights of future generations (also known as solidarity or third-generation rights) these are demands that shape the legal order as the responsibilities and duties of public authorities and private individuals, and which have been constantly extended following the Vasak Declaration.

Over the years, there has been a succession of demands linked to the environment, animals, sustainable development, climate change, peace, cultural heritage, information and communication technologies, and biotechnology, which today, as at the end of the last century, have a clearly collective dimension that implies a great cooperative commitment. This requires the assumption of responsibilities on the part of both public authorities and society and involve essential values of tolerance, empathy, mercy, peace, and non-violence (towards human beings and the natural environment). These demands are derived from a conception of existence as an interdependence between all living beings which requires infinite mutual respect for the world that sustains them. These concepts have been put forward by various sectors of environmentalism extending from radical ecology (which entails a certain sacralisation of nature) to Schumacher's humanist ecology (inspired by Buddhism) and to Kelly's "green politics". The Charter of Human Responsibilities of the Alliance for a Responsible, Plural, and United World is in line with this vision – as is the Earth Charter (2000).

The idea is that many of the rights that guarantee the continuity of a dignified life on the planet, and that even grant rights to non-human living beings, could perhaps be better described with a discourse of duties, since they imply inter-subjective and communal relations, as well as a type of temporality that is difficult to capture within common legal schemes. Neither future nor past generations can properly have subjective rights since there is no holder of such rights who is able to demand them. The rights of those generations are our duties without reciprocity. In Zagrebelsky's words, there is a "*rottura di contestualità*" (2017, 124), which makes a legal relationship according to the classic correlative model impossible: "The constitutionalism of rights, without renouncing its central aspiration of being at the service of resistance to arbitrariness, must discover duties, not simply as reflections, but as counterparts of rights, because where the unity of time has been broken, duties take precedence over rights" (2013, 35). In this connection, he cites Simone Weil's pioneering Declaration of Duties towards Mankind (1943), which is centred on the needs of the body and soul and starts with rootedness (Bea, 2010).

4.3 Responsibilities and Duties at the 50th Anniversary of the UDHR

Almost ten years after Vasak's proposal, and before the 50th anniversary of the Universal Declaration of Human Rights adopted by the United Nations, the Universal Declaration of Human Responsibilities (1997) as proposed by the InterAction Council is the most faithful reflection of a dynamic intercultural call. Its main promoter was the Swiss theologian Hans Küng, who has done much to lead the way to a global ethic that

all religions and cultures can recognise and mutually reconcile. Küng drafted “Towards a Global Ethic: An Initial Declaration” for the Parliament of the World’s Religions (Chicago, 1993), which was endorsed by “representatives of the most varied religions large and small” without prejudice to their undeniable differences. The Declaration of the InterAction Council is the result of synergies between personalities of very different cultural sensibilities, ideological backgrounds, and geographical origins. In addition to Küng’s impetus, the commitment of former German Chancellor Helmut Schmidt was decisive, and he was joined by leaders from other countries. The spirit of dialogue was based on trust in a possible agreement on fundamental issues, rather than a division. However, it was probably excessively mediated by Western elements (including believers and non-believers).

The 1997 declaration is synthesised in Article 4, which underlines that the golden rule of ethics is the source of responsibility: “All people, endowed with reason and conscience, must accept a responsibility to each and all, to families and communities, to races, nations, and religions in a spirit of solidarity: What you do not wish to be done to yourself, do not do to others”. The other major common principle underpinning the global ethic – that all people should be treated humanely – is reflected in Article 1: “Every person, regardless of gender, ethnic origin, social status, political opinion, language, age, nationality, or religion, has a responsibility to treat all people in a humane way”, and in Article 2: “No person should lend support to any form of inhumane behaviour, but all people have a responsibility to strive for the dignity and self-esteem of all others”. These fundamental principles of humanity are the epitome of the inalienable and inviolable dignity of every person, respect for which, nurtured by such diverse religious and humanist traditions in East and West, is the goal of mutual cultural transformation through dialogue.

The following articles reflect the four commitments to action based on shared moral tenets, which have their roots in the Axial Age characterised by Jaspers and have thus proven their resilience and the reasons for their survival over the centuries. The ancient tenet “Thou shalt not kill” is developed in articles 5 to 7 under the heading “Non-Violence and Respect for Life” (which includes the protection of animals and the natural environment). The commandment of “Thou shalt not steal” is reflected in “Justice and Solidarity”, which is specified in the duties of articles 9 to 11 (behave honestly, promote sustainable development, help the most disadvantaged, and use wealth in the service of economic justice). The tenet “Thou shalt not lie” is covered in the declaration (articles 12 to 15) with commitment to “Truthfulness and Tolerance” (speak and act truthfully, be honest, and respect the beliefs of others, which is even more necessary in the case of politicians, the media, and religious leaders). Finally, the commandment “not to commit sexual abuse” is specified in a commitment to “Mutual Respect and Partnership”, referred to in articles 16 to 18 in relations between men and women (to be projected onto children and accompanied by a rejection of sexual exploitation or dependence). Each paragraph of the declaration deserves careful consideration and takes on its full meaning from the cross-cultural inspiration in which it was conceived. The document of conclusions and recommendations evokes Gandhi’s contemporary preaching of the Seven Social Sins, to which we must allude as a reflection of present evils: “Politics without principles, wealth without work, pleasure without conscience,

knowledge without character, commerce without morality, science without humanity, and worship without sacrifice”.

Months later, during the commemoration of the 50th anniversary of the UDHR, the Declaration of Human Responsibilities and Duties was approved within the framework of the Valencia Third Millennium-UNESCO project with the support of the Office of the United Nations High Commissioner for Human Rights. According to Richard Goldstone – the South African Constitutional Court Judge who chaired the expert committee – the main objective of the project was to “emphasise the relationship between rights, duties, and responsibilities and so promote the fulfilment of human rights” (2000: 21). As we see in the preamble: “The effective enjoyment and implementation of human rights and fundamental freedoms is inextricably linked to the assumption of the duties and responsibilities implicit in those rights”. The document was supported by Bobbio and consists of 12 chapters and 42 articles. According to the then director of UNESCO, Mayor Zaragoza, the intergenerational relationship between rights and duties must be established because the rights of future generations are the duties of current generations. This conviction had inspired the Declaration of the Responsibilities of Present Generations toward Past Generations a year earlier.

The Valencia Declaration denounces the inadequacies in civic awareness of public duties and virtues, among other reasons, because it is thought that what is not legally prohibited and sanctioned is easily allowed. It is therefore founded in the claim for an “intersubjective” conception of rights, which, in addition to assuming the indivisibility between rights of freedom and rights of equality, raises the question of the indivisibility between the rights and duties of human beings and calls for a general duty of solidarity (Colard, 1989: 26). From this point of view, human dignity “constitutes the moral ‘source’ from which all fundamental rights derive their sustenance”, as J. Habermas claims (2010: 6), and in line with F. Ost and S. van Drooghenbroeck (2004: 793), entails responsibilities and duties, which shape the legal order even if they do not become legal requirements that can be claimed according to the model of subjective law. What must be avoided, as Ángeles Solanes points out, is “a minimalism that separates human rights from their essential moral impulse, which is none other than the protection of the equal human dignity of each one” (2018: 20). Tommaso Greco, for his part, has shown his distrust of state coercion as the only means of guaranteeing the fulfilment of duties, trusting instead in those primary horizontal guarantees which are manifested in the spontaneous fulfilment of obligations between subjects who reciprocally recognise each other’s dignity as human beings (2010: 337-339; 2021: 62).

In the same year in which the Declaration of Human Responsibilities and Duties was approved, and in reference to the commemoration of the 50th anniversary of the UDHR, Saramago pronounced the following words on receiving the Nobel Prize for Literature: “A Universal Declaration of Human Rights was proposed and with that we thought we had everything, without realising that no right can subsist without the symmetry of corresponding duties. The first duty is to demand that these rights are recognised, as well as respected and fulfilled. Governments cannot be expected to do in the next 50 years what they have not done in the 50 years we are commemorating. So let us, ordinary citizens, take

the floor and the initiative. With the same vehemence and the same strength with which we claim our rights, let us also claim our duties”. Based on this discourse, and again because of plural meetings, convened in this case by the Autonomous University of Mexico together with the José Saramago Foundation and the World Future Society, the Universal Charter of the Duties and Obligations of Human Beings was drafted, and presented in 2017 under the leadership of Cossío (Minister of the Mexico Federal Supreme Court). The 23 articles of the charter, as stated in the introduction, “identify the obligations we shall fulfil in respect to ourselves, our fellow human beings, society, and the environment in which we live, with a perspective to future generations”. The preamble notes that: “the need of all individuals and social organisations in which they decide to participate to fulfil their legal duties and ethical obligations, and under no circumstances can non-compliance serve as a pretext for the State to be exempted from its own obligations”. Among the duties, Article 16 establishes the obligation for hospitality towards migrants, refugees, and asylum seekers. This is an important reference since, according to Javier de Lucas, the right to asylum is the most demanding expression of the bond of solidarity on which the third-generation rights and positive duties of a general and universal scope is based (2016: 64-71).

Thanks to these initiatives, a conviction seems to be taking hold in the international community about what we have been trying to show from the start: that duties constitute the hidden other side of rights, and that both require and enrich each other. “For rights, without responsibility, would be dragged into the spiral of individualistic solipsism and entangled in irresolvable conflicts; while duties, without corresponding rights, would make people hostage to an external and alienating constraint” (Dumont *et al.* 2005: 41).

The Covid-19 pandemic has highlighted dimensions of the relationship between rights and duties on which more reflection is needed. These dimensions include: our common vulnerability and the constitutive interdependence that link us to others, human and non-human; the widening gap between those who have access to protection and those who are exposed; the risks of the spread of a contagion; the global scale of the problems we face; the relevance of cultural differences in the way we deal with a catastrophe; the global scale of the problems we face; the achievements, but also the dangers to individual freedom, of more disciplined societies with a great sense of responsibility in dealing with a pandemic emergency; and the inability of law to fulfil, through prohibitions and sanctions, the behavioural guidance and social control functions needed in an unprecedented health and economic crisis. As María José Añón states: “The lesson to be learnt is that human rights obligations should not be derogated in times of pandemic” (2021: 22). As Sabino Cassese reminds us in his latest book, referring specifically to the issue of vaccination, the pandemic has highlighted that the right to health has as on the reverse side a duty to submit to the interests of the group (2020: pos. 3620). The sense of responsibility, solidarity, and duty of citizens has been put to the test as never before, and it has become clear that, without a profound awareness in this respect, there is little that rights and entitlements, however essential they may be, can do. Perhaps, therefore, the present is a good moment to deepen our understanding of the universality of rights in a way that is more sensitive to the community – that is, the essential interdependence of all living beings and the pluralism of cultures.

REFERENCES

- ANSUÁTEGUI, JAVIER (2018), “¿De los derechos a los deberes? Una primera aproximación”, *Materiales de Filosofía del Derecho*, 6, 1-14.
- AÑÓN, MARÍA JOSÉ (2018), “El derecho de acceso como garantía de justicia: perspectivas y alcance” in García Pascual, C. (coord.), *Acceso a la justicia y garantía de los derechos en tiempos de crisis: de los procedimientos tradicionales a los mecanismos alternativos*, Tirant lo Blanch, Valencia, 19-75.
- AÑÓN, MARÍA JOSÉ (2021), “Human rights obligations, especially, in times of crisis”, *The Age of Human Rights Journal*, 17, 1-26. <https://doi.org/10.17561/tahrj.v17.6406>
- BEA, EMILIA (ED.), (2010), *Simone Weil. La conciencia del dolor y de la belleza*, Trotta, Madrid.
- BEA, EMILIA (2013), “Derechos y deberes. El horizonte de la responsabilidad”, *Derechos y libertades*, 29, 53-92.
- BEA, EMILIA (2020), “La justicia transicional desde un enfoque restaurativo: Una mirada al proceso sudafricano veinticinco años después”, *Anuario de Filosofía del Derecho*, 36, 140-177. <https://doi.org/10.53054/afd.vi36.2377>
- BELLVER, VICENTE (2019), “Educar en Derechos Humanos: orientaciones del Derecho internacional e implementación en la educación superior”, *Revista de educación y derecho*, 20, 1-25. <https://doi.org/10.1344/REYD2019.20.30022>
- BOBBIO, NORBERTO Y VIROLI, MAURIZIO (2002), *Diálogo en torno a la república*, Tusquets, Barcelona.
- BOBBIO, NORBERTO (2009), *Teoría general de la política*, Trotta, Madrid.
- BUTLER, JUDITH (2012), “Precarious Life, Vulnerability, and the Ethics of Cohabitation”, *Journal of Speculative Philosophy*, 26 (2), 134-151. <https://doi.org/10.5325/jspecphil.26.2.0134>
- CARR, EDWARD HALLETT, ET AL. (1973), *Los derechos del hombre*, Laia, Barcelona (*Human Rights. Comments and Interpretations: a Symposium*, UNESCO with an Introduction by Jacques Maritain, Columbia University Press, 1949).
- CARRILLO SALCEDO, JUAN ANTONIO (1999), *Dignidad frente a barbarie. La Declaración Universal de Derechos Humanos, cincuenta años después*, Trotta, Madrid.
- CASSESE, SABINO (2020), *Il buon governo. L'età dei doveri*, Mondadori (Kindle).
- CASSIN, RENÉ (1968), “De la place faite aux devoirs de l'individu Dans la Déclaration Universelle des Droits de l'homme” in *Problèmes des Droits de l'homme et de l'unification européenne. Mélanges offerts à Polys Modinos*, Pedone, Paris.
- COLARD, DANIEL (1989), “Le principe de l'indivisibilité des droits et des devoirs de l'homme” in Meyer-Bisch, P. (ed.), *Les devoirs de l'homme. De la réciprocité dans les droits de l'homme*, Édition du Cerf, Paris, 17-34.

- CRUZ, EDWIN (2013), “Pluralismo jurídico, multiculturalismo e interculturalidad”, *Criterio Jurídico*, 2, 69-101.
- DAES, ERICA-IRENE A. (1983), *Les devoirs de l'individu envers la communauté et les limitations des droits et libertés de l'homme en vertu de l'article 29 de la Déclaration universelle des droits de l'homme: Contribution à l'étude de la liberté*, Nations Unies, New York.
- DE LUCAS, JAVIER (1994), *El desafío de las fronteras*, Temas de hoy, Madrid.
- DE LUCAS, JAVIER (1993), *El concepto de solidaridad*, Fontamara, México.
- DE LUCAS, JAVIER (2016), *Mediterráneo: el naufragio de Europa*, Tirant Humanidades, Valencia.
- DE VALLESCAR, DIANA, *Tender puentes, abrir caminos. Vida consagrada y multiculturalidad*, Publicaciones Claretianas, Madrid, 2006.
- DELMAS-MARTY, MIREILLE (2018), “Creolizing the idea of humanity”, *The Unesco Courier*, <https://en.unesco.org/courier/2018-2/creolizing-idea-humanity>
- DUMONT ET AL. (2005), *La responsabilité face cachée des droits de l'homme*, Bruylant, Bruxelles.
- EBERHARD, CHRISTOPH (2002), “Derechos humanos y diálogo intercultural. Una perspectiva antropológica” in Calvo, M. (coord.), *Identidades culturales y derechos humanos*, Dykinson, Madrid, 255-289.
- EBERHARD, CHRISTOPH (2010), “Más allá de una antropología de los derechos humanos: ¿los horizontes del diálogo intercultural y del reino de Shambhala?” *Revista de Antropología Social*, 19, 221-25.
- ESTÉVEZ ARAUJO, JOSÉ ANTONIO (2013), “La privatización de los deberes” in Estevez Araujo, J. A. (ed.), *El libro de los deberes. Las debilidades e insuficiencias de la estrategia de los derechos*, Trotta, Madrid, 223-255.
- FORNET-BETANCOURT, RAÚL (2004), *Reflexiones de Raúl Fornet-Betancourt. Sobre el concepto de interculturalidad*, Coordinadora General de Educación Intercultural Bilingüe, México, Consorcio Intercultural.
- GARCÍA INDA, ANDRÉS (2021), *Como un Buen Samaritano. Los deberes, entre la ética y el derecho*, Sibirana, Zaragoza, 2021.
- GLENDON, MARY ANN (2001), *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, Random House, New York.
- GOLDSTONE, RICHARD (2000), “Introducción a la Declaración”, *Declaración de responsabilidades y deberes humanos*, Fundación Valencia Tercer Milenio, Valencia.
- GRECO, TOMMASO (2010), “Antes el deber. Una crítica de la filosofía de los derechos”, *Anuario de Filosofía del Derecho*, 26, 327-343.

- GRECO TOMMASO (2021), *La legge della fiducia. Alle radici del diritto*, Laterza, Roma.
- HABERMAS, JÜRGEN (2010), “El concepto de dignidad humana y la utopía realista de los derechos humanos”, *Diánoia*, 64, 3-25. <https://doi.org/10.21898/dia.v55i64.218>
- HUARAKA, T. (1990), “Les fondements des droits de l’homme en Afrique” in Lapeyre, A., Tinguy, F. and Vasak, K., *Les Dimensions Universelles des Droits de l’Homme*, Bruylant, Bruxelles, 237-254.
- JASPERS, KARL (2011), *The Origin and Goal of History*, Routledge Revivals.
- KIRPAL, PREM N. (1985), “Los derechos humanos y su situación actual. Nuevas orientaciones en educación. Mirando al futuro” in Diemer, A. et al., *Los fundamentos filosóficos de los derechos humanos*, Serbal, Barcelona, 1985, 308-333.
- LEWIS, C. S. (2014), *The Abolition of Man*, Samizdat University Press, Québec.
- MACHERET, AUGUSTIN (1989), Préface in Meyer-Bisch, P. (ed.), *Les devoirs de l’homme. De la réciprocité dans les droits de l’homme*, 5-7.
- MADRID, ANTONIO (2013), “Los deberes de las corporaciones transnacionales” in Estevez Araujo, J. A. (ed.), *El libro de los deberes. Las debilidades e insuficiencias de la estrategia de los derechos*, 195-222.
- MONZON, AUGUST (1992), “Derechos humanos y diálogo intercultural” in Ballesteros, J. (ed.), *Derechos Humanos. Concepto, fundamentos, sujetos*, Tecnos, Madrid, 116-133.
- OST, FRANÇOIS AND VAN DROOGHENBROECK, SÉBASTIEN (2004), “La responsabilidad como cara oculta de los derechos humanos”, *Anuario de Derechos Humanos*, 5, 785-843.
- PANIKKAR, RAIMON (1984), “The Dialogical Dialogue” in Whaling, F. (ed.), *The World’s Religious Traditions*, T. & T. Clark, Edinburgh.
- PANIKKAR, RAIMON (1984), “Is the Notion of Human Rights a Western Concept?”, *Interculture*, 82, 28-47.
- PANIKKAR, RAIMON (2006), “Decálogo: cultura e interculturalidad” in *Cuadernos Interculturales*, 4, 6, 129-130.
- PÉREZ TAPIAS, JOSÉ ANTONIO (2006), “Derechos humanos y ciudadanía democrática: la responsabilidad moral por los derechos del otro” in Herrera Guido, R. (coord.), *Hacia una nueva ética*, Siglo XIX, México.
- RONDEAU, DANY (2008), “La relation des droits aux devoirs: Approche interculturelle” in *Aspects*, 1, 141-166.
- SANTOS, BOAVENTURA DE SOUSA (2002), “Hacia una concepción multicultural de los derechos humanos”, *El Otro Derecho*, 28, 59-83.
- SOLANES, ÁNGELES (2018), “The political, legal and moral scope of the Universal Declaration of Human Rights: pending issues” *The Age of Human Rights Journal*, 11, 1-23. <https://doi.org/10.17561/tahrj.n11.1>

- TUBINO FIDEL (2009), “Aportes de la hermenéutica diatópica al diálogo intercultural sobre los derechos humanos” in Monteagudo, C. and Tubino, F., *Hermenéutica en diálogo. Ensayos sobre alteridad, lenguaje e interculturalidad*, Fondo Editorial de la Pontificia Universidad Católica del Perú, Lima, 155-170.
- VACHON, ROBERT (1990), “L’étude du pluralisme juridique. Une approche diatopic et dialogale”, *Journal of Legal Pluralism and Unofficial Law*, 29, 163-173. <https://doi.org/10.1080/07329113.1990.10756419>
- VASAK, KARL (1989), “Proposition pour une Déclaration Universelle des Devoirs de l’Homme. Introduction et texte” in *Les devoirs de l’homme. De la réciprocité dans les droits de l’homme*, 9-16.
- ZAGREBELSKY, GUSTAVO (2007), *El derecho dúctil. Ley, derechos, justicia*, Trotta, Madrid.
- ZAGREBELSKY, GUSTAVO (2013), “Constitucionalismo”, *Derechos y Libertades*, 29, 19-38.
- ZAGREBELSKY, GUSTAVO (2017), *Diritti per forza*, Einaudi, Torino.

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