Postmodern Openings

ISSN: 2068-0236 | e-ISSN: 2069-9387 Covered in: Web of Science (WOS); EBSCO; ERIH+; Google Scholar; Index Copernicus; Ideas RePeC; Econpapers; Socionet; CEEOL; Ulrich ProQuest; Cabell, Journalseek; Scipio; Philpapers; SHERPA/RoMEO repositories; KVK; WorldCat; CrossRef; CrossCheck

2022, Volume 13, Issue 1, pages: 186-197 | https://doi.org/10.18662/po/13.1/391

The Natural Human Rights within the Postmodern Society: a Philosophical Socio-Cultural Analysis

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Abstract: This article aims to define natural human rights in the context of forming postmodern views on an individual today. Natural rights exist, regardless of whether they are enshrined somewhere or not: they are clear from the natural context and essence of human activity. The postmodern world is experiencing a crisis of fatigue from life, fatigue of culture, which for the global world has become a political and economic crisis of ineffectiveness of the policy of multiculturalism and poly-culturalism and the growing dangers and threats associated with it. Therefore, it is crucial to find out how natural human rights are realized in postmodern society. Importantly, the article analyzes the basic theoretical and methodical principles of creating the postmodern environment and its impact on people. It also defines the main concepts and categories of human rights in the context of evolution of postmodern society. To study the socio-cultural impact on personality development in the postmodern era, the article explores how legal culture is formed in the course of civilizational-evolutionary development of society. Research methods are as follows: analytical methods (to determine the key principles of postmodern views on the legal perception of personality development), descriptive and explanatory methods (to define the basic research concepts), synthesis and analysis (to consider natural human rights in the course of development of postmodern society). The obtained results prove that natural human rights manifest the evolution of cultural progress and prospects for further analysis of their socio-cultural effects on the development of postmodern society.

Keywords: *fatigue from life and culture, global world, political and economic crisis, social inequality, social elite, personalization of life.*

How to cite: Kultenko, V., Morska, N., Fesenko, G., Poperechna, G., Polishchuk, R., & Kulbida, S. (2022). The Natural Human Rights within the Postmodern Society: a Philosophical Socio-Cultural Analysis. *Postmodern Openings*, 13(1), 186-197. <u>https://doi.org/10.18662/po/13.1/391</u>

Introduction

The idea of natural right in philosophical discourse has its origins in ancient philosophy. It was first articulated by the ancient Greek sophists, who began to use nature to understand human. The concept of right originated in the course of the historical development of society. It combined people's needs to regulate social relations in terms of sharing opportunities and resources. This concept marked the beginning of national development and the philosophy of human existence. After all, human rights are an integral part of human life. Social life requires one to establish collective rules that originated in primitive society. To hunt a large animal, people joined teams (Kim, 2021). The first states emerged in ancient times when people began to settle by rivers. To irrigate the land, they united as it was important that everyone should perform their function in the collective cause to survive. It was then that the rules of social behaviour appeared and facilitated the development of legal culture at both individual and general levels.

The struggle against social inequality as an evil began in socially heterogeneous, stratified societies, in which enlightenment and progressive movements were born, nourished by high tastes and elitist demands. The social elite, reflecting on its own elitism as guilt before the oppressed, sought happiness and equality for all. The conquest of democratic equality led to the averaging of life, to the focus on average tastes and gave rise to the phenomenon of mass art, mass culture. As a result, the achievements of previous times in all spheres of life (politics, economics, society, family, individual, religion, art, culture, science, education, philosophy, etc.) began to be overestimated from an ironic-contemptuous-tired point of view. The axiological system has acquired signs of instability and syncretism (Stezhko, Hryshchenko, Kultenko, Savytska, Suprun, & Rusko, 2021). The situation can be optimized by personalizing of life. Appeal to personalized influence involves focusing on the multidimensionality of the human personality, the heterogeneity of its nature, vital needs and ways to achieve harmony and fullness of life.

The right is a constant that reveals one's social need to prove oneself in society, express one's personality. It follows that rights realize the natural human need for self-fulfilment and, therefore, act as an integral part of life. This is explained by the fact that right is one of the factors in the creation of the socio-cultural sphere of human life and reflects the idea of higher social justice. Positively enshrined right ensures the actual implementation, protection and restoration of violated rights of the citizen, establishing mutual responsibility of the state and the individual. It allows everyone to prove themselves (Nerubasska & Maksymchuk, 2020; Nerubasska, Palshkov, & Maksymchuk, 2020; Kulbida, 2017; 2020; Sheremet, Leniv, Loboda, & Maksymchuk, 2019; Onishchuk, Ikonnikova, Antonenko, Kharchenko, Shestakova, Kuzmenko, & Maksymchuk, 2020). However, when the right is legitimized in the form of law, it acquires signs of dogmatism, rigidity, immutability.

The right develops as a norm of social order, given that it manifests the rules of human life in society and, at the same time, the philosophical essence of human socio-cultural values. Human relationships are complicated by social processes. Everyone has life goals and strives to meet their natural needs. To do so, people use different mechanisms (Aristotle, 1997). Rights are one of such mechanisms that were formed in the context of social development, changed their essence and eventually became a human value.

The situation of Postmodernism, which is essentially Modern

Natural right performs in relation to positive legislation an important social function, which lies in its regulatory nature and constantly evolving nature as it exists at the level of a philosophical idea (Brukner, 2013). This connection between rights and law is a traditional subject of philosophical research. Natural right influences positive legislation, correlating it towards universal justice.

An ideological feature of modernist views on legal transformations is a hierarchically organized, closed, conjunctive system. At the same time, postmodernism considers them to be an anarchic, open, disjunctive antiform. It can be explained by the fact that modernism is characterized by its own goals, intentions, plans and other factors that adhere to separate rules expressed in the legal dimension. The postmodern worldview is more focused on a narrative in the legal sense and creativity in the context of legal ideology. Modernism relies on the essence of ideological development and postmodernism on the procedural one. In the legal interpretation, modernism is perceived as a holistic rational dimension, whereas postmodernism tends to be pluralistic and discursive in the context of legal manifestations of ideological views on human life.

Today, people are quickly adapting to the changes that have resulted from their activities in various fields. With regard to legal philosophy, it is essential to be aware of the difference between the present time and modernism. The present is identical to modernism and, yet, it reflects a more social manifestation of changes that distinguishes the present from the past (Waldenfels, 1991). Besides, it illustrates the post-industrial world in the political and socio-economic life of people, as well as manifests the evolution of today's vision on social development. Modernism characterizes more artistic-philosophical changes of the current era after industrialization, informatization. Modernism has changed human vision on the development of culture.

The consequence of this state was the desire of people to adapt, to provide for their urgent needs with minimal risk and effort. This pattern of behavior largely dominated the desire for self-realization and freedom. Human consciousness, being dissolved in the collective consciousness, formed an irresponsible, socially apathetic conformist man. In a situation of "total betrayal of existence" often with dubious methods, humanity provided its urgent current needs. Thus, it can be stated that in a traditional society, the essence of law was revealed by the category of the general, and the individual was a means of solving social needs.

In modern society, the situation has changed in favor of a rational justification of the legal model. The goals of modern society, defined rationally, consisted of the following list. First of all, the realization of natural rights, such as: the right to life, liberty, property and the achievement of happiness in their own sense. Such implementation inevitably required the provision of a number of rights, without which the pursuit of happiness for the majority remained a purely declarative norm. Therefore, the task was to overcome poverty in general, improve medicine, education, social sphere, free from unnecessary forms of state coercion and exploitation of man by man.

As noted by Castellarnau (2020), "for Marx, the defence of natural rights didn't correspond with the objective conditions to which the process of industrialisation gave way. He adapted a theoretical-practical task for synthesising this normative core for the comprehension of the economic transformations underway as well as for a socialist political agenda".

For more than two centuries, the European civilization has carried out a fairly consistent implementation of the Modern project (Davydov, 1966). However, at the turn of the 19th and 20th centuries, humanity understood: the concept of Modernism is largely limited since it fails to focus on progress.

The tragic history of the twentieth century demonstrated the progressive one-sidedness of modernist ideas, namely, the emergence of the "culture industry" characterized by its mass, imitation, standardization. This clearly confirms the existing order as the alienation of man from man, from society and from nature (Kozlovsky, 2003). There is some evidence to

defend his opinion: 1) the duo of rationality and humanistic morality led to two world wars, 2) the total nature of culture subtly turns into a slave of every member of society, 3) the cultural industry promotes the acceptance of a perverted world as humane, happy, attractive, forming a false consciousness and inability to understand the true order, 4) culture becomes a product of the functioning of social relations and thus confirms the global alienation.

The concept of human rights is the philosophy of the socio-cultural development of society in the course of the evolution and progress of human achievements in axiological terms. All individuals are equal in the sense that they are born with certain inalienable natural rights. A postmodern understanding of rights appeals to human values formed in the context of historical events in previous centuries, given that the new era is marked by wars and loss of value of human life. Human life loses its meaning, which changes the philosophy of human rights development. Modernism launches the ideological transformation of humanity from the value of basic human needs to the critical principles of postmodernism. In turn, postmodernism illustrates human dissatisfaction and negative attitudes towards social problems of the new era because everything that has been created by people so far has collapsed in human perception of reality.

As a result, starting from the last quarter of the 20th century, the world finds itself in the situation of Postmodernism, which is essentially Modern, but not realized as it seemed. In the postmodern world, there is a steady tendency to deduce the essence of right through the categories of the individual, the personal. Man and his natural rights are proclaimed the value goal of the rule of law. Shifting social priorities in favor of man over the rights of any other community forces the state to become a means of development and unleashing human potential. An understanding is being formed that only through a person can one come to a truly holistic and harmonious social order (Zhukova, 2010). Personality, perceived as the highest social value, also arises as a real force of the state. At the same time, philosophers of the postmodern era note the playful nature of life and culture, pointing out that the individual values of all people are too numerous and too relative to be taken seriously. Given that seriousness in Postmodernism is a bad mood, postmodern man implements his projects in the form of games, simulations, ironic attitude to the grand narratives of the past.

Both a great achievement and a big problem of the post-modern era is the situation when the process turns out to be much more interesting and more important than the final result. On the one hand, it reflects the desire

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for tolerance and maximum democratization of life, attempts to reconcile everyone with everyone, on the other hand, this position leads to a total relativization of values, replication, fragmentation, deconstruction, simulation of life (Ortega-y-Gasset, 2003). This is due to the rejection of the categories of the absolute: absolute truth, absolute values, absolute good and the like.

With regard to postmodernism, rights are perceived through discursiveness and multi-subjective understanding of reality, in the context of which "natural rights" are seen not as a phenomenal vision of human life but as a fair distribution of resources and opportunities in the course of social development (Marcuse, 2015). Concerning modernism, one cannot guarantee the natural development of needs and opportunities which leads to a new type of thinking. Natural inclinations and capabilities have resulted in a technological revolution. The latter has become the key to success. At the same time, human life has ceased to be controlled since scientifictechnological advances change social development and people lose control. Consequently, the very philosophy of social development is changing.

High classical ideals, being thrown off the pedestal on which they stood in traditional and modern society, have given way to everyday life. The latter, in the words of Waldenfels (1991), has become a "melting crucible of rationality", a changing and varied rationality of postmodernism, dissolving the general order and regulatory principles. On the "humus of anonymity", a tradition is created within everyday life, which gives a chance and an opportunity to establish oneself for outsiderism, unusualness and extravagance, and finally - for innovation. We can say that the idea of natural right in these conditions overcomes its purely naturalistic content and acquires cultural connotations, often ambivalent.

The modernist philosophy of human rights is perceived as a natural need to realize one's talents (Pepelyayev, 2005). People strive for self-improvement and emotional satisfaction from self-fulfilment. Subsequently, this becomes a factor in forming the legal basis for regulating relationships (Toffler, 2004). Everyone exercises their right to education, leisure, dignity, opinion and, therefore, obtains the opportunity to develop their personality, fulfil their potential and express their ideas which later will underlie social achievements.

According to some relevant experts, the educational process should focus on a system of values, including social and family education, and develop children's and young people's communication skills for successful socio-cultural activities, language proficiency, formal discourse. communicative critical thinking behaviour. and tolerance when communicating with different communicators. The current Ukrainian educational project does not yet seem particularly successful (Kulbida, 2020). There is a decline in the educational level of children and youth, and this trend seems to be characteristic not only of Ukraine but of the entire global digitalized world.

Sociocultural life in postmodern society

Political activity, socio-cultural life in a postmodern society is mainly based on ideologemes or simulacra, which arise as a powerful force to control, and, if necessary, manipulate the masses through the use of indirect, soft and non-violent instruments of coercion (Kulbida, 2017). Today's Europeans, analyzing the European experience, point to the feeling of guilt, awkwardness, typical for the representatives of the Western European (North American) civilization, which they have been experiencing over the past century. It was formed as a result of awareness of one's own (Western European) well-being, achieved through the exploitation of other peoples. Socio-cultural ideologues of today in this situation offer them a "tyranny of repentance", emphasizing the responsibility for the fate of the peoples exploited or offended by previous generations of Europeans (Christmas, 2021). And there is a situation when the representatives of the Western European-North Atlantic world, as if they want to help the offended, promise that everything will be fine. It is impossible to correct the mistakes of the past. At the same time, it is possible to draw real conclusions and avoid the same mistakes in the future. It must be noted that socio-cultural values have been formed in the context of historical development and differ from individual to individual. However, there are some common ideological ideas on people's values, as well as there are values specific to a particular nation. The value of human life was established in the course of historical evolution. This trend became especially relevant after the First and Second World Wars, when human losses were so numerous that it could lead to the global catastrophe. Therefore, the 21st-century philosophy of human rights is aimed at solving humanitarian problems and establishing the principles of social development.

After all, in a democratic world, an intellectual civilization, we are faced with the popularization of culture and the "revolt of the masses" (Ortega-y-Gasset, 2003). Mass culture has its own special symbolic code, which is perceived by many as the full equivalent of reality itself. Based on this, it is concluded that culture can be used (and is used) outside the aesthetic plane - in the field of politics to gain power. Kim (2021) vividly describes how the idea of history naturalness is manipulated in today's South

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Korean literature on the example of Han Kang's (2017) novel "Human Acts". Kim (2021) considers this work as an example of speculative philosophy "that frame human rights violations, particularly in the context of the South Korean Cold War, within longer natural histories. In Han's imaginary, it is the specifically gendered body that labors to resolve Cold War memory into a natural history of capitalist destruction". Such flirtation with culture has added dirt and profanity to the socio-cultural discourse: the authorities are automatically positioned as the elite (on the principle of money-power), however, the government, unfortunately, does not always embody the representatives of the elite.

In the second half of the 20th century, theorists of postmodernism noted changes in mass culture. The form in which mass society exists is gradually changing: the masses that are controlled are being replaced by the "masses that are controlled" (Kultenko, 2017). This type of massification is denoted by the term "schizophrenic" with its characteristic features: a rigid hierarchical structure, a high level of psychological "infection", a contrasting perception of others at the level of one's own. The leadership of the masses is carried out through the media, often through impersonal contacts, by soft means of indirect pressure, the tools of which are various temptations, the imposition of desires, instilling the consumer slogan "must have".

There is an expansion of visual, game forms and genres, which replace the "book culture". This substitution leads to a change in the mode of perception: because it is carried out mainly visually, without involving other sensory abilities of man, it loses its versatility and becomes dot-shaped, becomes one-dimensional, clip. A new type of man is formed, called by Marcuse (2015) "one-dimensional". By such a simplification of a person, life is ensured the effectiveness of methods of socio-political management, because it is carried out with the tacit consent or approval of the masses. Approval is achieved when the simple individual-proprietary needs of the population, dictated by human nature, are taken into account. Simply put, the slogan "Bread and circuses!" Works, still retaining its relevance. If the natural human rights to a dignified life and the pursuit of happiness at the end of the 18th century. formed the basis of the first constitutions in the world, then in the 21st century. on their basis, ideologemes-simulacra have been created: the pursuit of a rather ghostly happiness, a society of packaging, glamour, wrappers without candy inside. There was a radical transformation of the value system - traditional values were supplemented by new, more popular, but also more illusory. As a result, the mass society perceives any ideas, as long as they are presented in an attractive way - in the wrapper of tolerance, creativity. Irony as a modern dominant method of

philosophizing, as a lifestyle helps to consolidate the idea of its (life) ease - be funny, "do not get carried away", do not worry, be "cool".

In the postmodern world, standards of consumption and a permanent desire for pleasure and pleasure are spread at the global level, and the culture is conformist in nature. Technological reality has deprived culture and art of the pathos of distance: unattainable when cultural ideals become reality. Personalized elite art has slipped into the accessibility of mass culture; instead of protest, it defends the existing order of things. The symbolic meaning of culture has changed - it no longer educates, does not dispose to high moral ideals, but reconciles a person with reality: even if reality is not perfect, however, who is perfect? Assessing this situation, you need to remember Marcuse (2015). He insisted that the symbols of art, his images are alive as long as they deny and refute the established order, destroy the automatism of direct, socially oriented experience, liberating the living sensuality of man. Only such art becomes a project of transformation of anthropological structure, a new person, overcomes the boundaries between life and culture, losing its own purely artistic essence. Aesthetics is associated with politics, "acting both as a category of art and as a category of political thinking" (Marcuse, 2015). That is, culture becomes politics, and politics becomes culture, forming the phenomenon of cultural policy as an alternative to the corresponding ineffective traditional social institutions.

Conclusions

Thus, we can say that the postmodern world is experiencing a crisis of fatigue from life, fatigue of culture, which for the global world has become a political and economic crisis of ineffectiveness of the policy of multicultural and multiculturalism and the growing dangers and threats.

Globalization, being the defining process of today's world, has a significant drawback. Under its influence, the positions of self-identification in large human communities are changing, religious, cultural, and national traditions are being lost. As a result, interstate contradictions are aggravated, alienation is growing in various forms and manifestations. The principles of natural law are increasingly losing their ethical meaning. Pressure is exerted on a person by implicit coercion to a mass sample. Despite the fact that the slogan of mass culture is the thesis "Be yourself!", in practice, people's behavior follows a fairly typical and primitive consumer model.

Although culture and art do not provide definitive and unequivocal answers to ways to overcome problems, they do not contain generally accepted conclusions, but the constellation, rhizome nature of culture presupposes and encourages mosaicism, pluralism of thought, multi-vector life and diversity of ways of living. Thus, the long-suffering goal of preserving the multiculturalism of the world in the context of its globalization, a tolerant attitude towards excellent cultures and their carriers, ensuring and realizing the rights of everyone can be achieved.

Acknowledgements

The contribution of the authors to this paper was as follows: Valentyna, Kultenko collected and processed relevant data and worked on the presentation of the obtained results in writing. Svitlana, Kulbida worked with multiple databases of WOS and organized references. Nataliia, Morska and Galyna, Fesenko worked with Google Scholar database. Galyna, Poperechna worked with research methodology. Rostyslav, Polishchuk performed the proofreading.

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