



Human Rights Law and the Marginalized Other

William Paul Simmons

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This is a groundbreaking application of contemporary philosophy to human rights law that proposes significant innovations for the progressive development of human rights. Drawing on the works of prominent 'philosophers of the Other' including Emmanuel Levinas, Gayatri Chakravorti Spivak, Judith Butler and, most centrally, the Argentine philosopher of liberation Enrique Dussel, this book develops an ethics based on concrete face-to-face relationships with the Marginalized Other. It proposes that this should inspire a human rights law that is grounded in transcendental justice and framed from the perspective of marginalized groups. This would continuously deconstruct the original violence found in all human rights treaties and tribunals and promote preferential treatment for the marginalized. It would be especially attentive to such issues as access to justice, voice, representation, agency and responsibility. This differs markedly from more conventional theories that prioritize the autonomy of the ego, state sovereignty, democracy and/or equality.

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