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## UNIVERSALISM AND PARTICULARISM: EXPLORING THE NEXUS

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### ABSTRACT

*This paper endeavours to analyse the conflictual relation that the concepts of 'Universalism' and 'Particularism' share and how the debate informs our understanding of Human Rights. To study the concept further, the paper takes the case of the current Covid-19 pandemic to explore the tensions and possible assimilations between universalistic and particularistic frameworks, using empirical evidences to explore the intersectional impact on Human Rights in current times.*

**KEYWORDS:** *Universalism; Particularism; Conceptual Conflict; Human Rights; Covid-19; Intersectionality.*

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### 1. INTRODUCTION

Universalism and Particularism are two issues in Political Philosophy which seem to have seemingly irreconcilable strands, the debate between the two spanning decades of differences, which somehow seem relevant even in current times.

A universalist conception implies an attempt to 'find ways of transcending cultural differences to achieve some universal principles- principles binding on all under all or most circumstances...how can we as a community, made up of diverse individuals and groups, find a way to transcend those differences in order to reach a consensus on some matters of common human welfare' (Callahan 2000: 37). A particularist point of view on the other hand, 'means a respectful interest in the values and ways of life of different cultural and ideological groups and a commitment to taking those interests seriously' (Callahan 2000: 37).

Both of these seem to have different reckoning of reality, the ways to look at it, and different proposed solutions to the problems encountered in it. The debate between the two approaches has not quite come to any neatly shared-out solution and there are strong contenders of unwavering support on both the sides. While universalism is all for framing of rules, principles, precepts, systems and solutions which are insistently coherent, objective and those which transcends most of the spatio-temporal dimensions, if not all; particularism deems all situations, problems, regions, places, cultures, communities to be situated in a particular context, and hence requiring a solution, framework, system, norm, rule, or principle which is contingent to those circumstances, times, peoples and places.

Advocates of universalism identify how resorting to particularist tendencies may play out in a manner not desirable: "how easy it is for local or national identities and their associated hatreds to be manipulated by self- seeking individuals for their own gain" (Nussbaum 1997: 60). On the

other hand, a particularist deems it equally hazardous for a seemingly timeless and eternal ethical 'truths' to hold sway over all peoples, places, circumstances and times. The idea seems dangerous on many fronts. It absurdly simplifies the complexity and the many faceted aspect of reality, placing a single particularity of the rich, the elite, the White, the male, the heterosexual, the predominantly Western identities as universal axioms, as normality. This has been succinctly highlighted in a plethora of academic studies and movements such as postcolonialism, neo-colonialism, postmodern theories, post-structuralism, Critical Studies, intersectional studies, gender studies, studies on the subalterns- which seek to provide a voice to the hitherto eclipsed particularities which were marginalized, suppressed, oppressed, un-identified and diffused into particular mould that the 'universality' prepared.

These differences are not of merely theoretical and scholarly debates, but their practical manifestation is exhibited in stark contestations in the current pandemic scenario, especially when it comes to the issue of Human Rights.

## **2. HUMAN RIGHTS: A UNIVERSALISTIC-PARTICULARISTIC TANDEM**

There certainly cannot be any prescription of a universal panacea to sort out all the ills that plague humanity, with there being not only different, but antagonistic versions of what constitutes a 'good life' or how the perennial concepts such as, 'Justice', 'Rights', 'Identity', and the like are to be defined or what they are to mean. But the whole idea of coming upon the notion of any approach, value-system, ideology, or ethics and morality collapses if the Universalist notion is completely thrown out. It forms a bedrock on which can flounder, flourish, compete and exist the various particularities. A scenic sight of this harmonious co-existence can be seen in the conception of the Human Rights, which, with their birth, ironically set to stage the debate between the two approaches. A Kantian approach is more at place in the conception of these 'Universal Rights'- a universal legislation aiming to come up with notions which could more or less withstand the vicissitudes of times and could be applicable in all places. In fact, it comes as no surprise that the inception of Human Rights further paved the wave for many other 'rights' with a new zeal- Civil Rights, Feminist movement, Minority Rights, and other identity-based rights, which carry well on to this day, with discourses being framed, debated, contested, formulated in movements which have assumed a social, political, and more importantly, a global character. These movements, though seek emancipation of a particular, marginalised identity and a group that has been suppressed, but it inevitably finds roots in certain moral and ethical precepts such as- justice, equity, rights, freedom- which are characteristically universal. Moreover, what strikes more prominently in these debates and new discourses being formed is the issue of individuals belonging to a certain group, merely by what Mill calls an 'accident of birth', being denied the status of being an individual, a fellow human being, the perpetrators of such injustice, being 'impelled by feelings that were primal yet paradoxically wholly impersonal. Feelings of contempt born of inchoate, unacknowledged fear-civilization's fear of nature, men's fear of women, power's fear of powerlessness. Man's subliminal urge to destroy what he could neither subdue nor deify' (Roy 1997). The Dalit- Bahujan movement in India too rests on the quest to seek release from shackles of injustice which have bound a particular humanity for far too long. This seems to blur any distinctive boundaries of debates which seek to clearly demarcate and compartmentalize the concepts of individualism and pluralism, individual rights and group- rights, universalism and particularism- all of them seeming to be irrevocably entwined.

However, there is need to focus on the double-edged impact and nature of these Rights, i.e., these Rights are particular in their application, down to every member of the human species, in that, they are enablers to most fundamental levels of existence (Right to Food, Right to Security) and expression (Right to Freedom of Expression, Religious and Cultural rights) along with, their

universal applicability which transcends any national, cultural, ethnic, religious, or gender barrier. With the Univers a list approach as the backdrop, which in a way seems to draw from the rational, impersonal drives, particularity does have an important segment to fill. The Universalist principles, and especially in this particular context, seem to provide a broad and objective guideline, which hardly any particularist would be opposed to- for example, the ‘Right to Food Security’ is a ‘Universal Human Right’, but the contents it has to be filled with cannot be divorced from the regional, cultural, religious, ethnic, geographical realities. What would be the methodology adopted for defining the nature of this food security, what kind of food and nutrients are to be provided, would a Public Distribution System be an efficient method for achieving it- are, but a few issues for which no absolutist, universal decree can be prescribed. These must inevitably be resolved in the nuanced particularities they are to deal with. But the harmonious nexus lies in how the monitoring of all these issues can be done at the global level, with comprehensive sets of data and figures and how the global and regional coordinates then come together to achieve the desired objectives.

### **3. THE COVID SITUATION AND THE INTERSECTIONAL IMPACT**

Article 3 of the ‘Universal Declaration of Human Rights’ states, ‘Everyone has the right to life, liberty and security of person’, a right which was asserted by Hobbesian and Lockean accounts to be of prime importance, and is fundamental to a sentient human existence. This right, encapsulates within itself a wide range of conditions to be present, in order to be effectively used by individuals to live a fulfilling life. The world being gripped with the affliction of the novel corona virus, ‘right to life’ is what is being threatened in the most direct fashion, and with it come the dialectics of inequality which play out in different manner in different sections of populace; along with the universal characteristic morbidity of this situation, the virus has had far reaching socio-economic and political ramifications, which differ qualitatively as well as quantitatively in the phenomenological experiences of different particularities manifesting in the different intersectional positions. The infection in itself, and the living experiences as they have been shaped as corollary, have had vastly exacerbated, heterogenous impact on people from the marginalized sections of the society, on the poor, the migrant workers, the women, the ones working in the informal sector, the ones living in regions which have suffered from additional disastrous setbacks in forms of natural disasters such as floods (in many regions of South Asia), earthquakes, hurricanes, tornadoes, wildfires (in America), and all those who are at the bottom rungs of the socio-economic hierarchy. In fact, its glaringly visible how the virus has impacted and widened the gulf between these subordinated and the more privileged sections, the inequities and the inequalities existing in the societies becoming more pronounced, aggravated, and intensified, as António Guterres, secretary-general of the United Nations, while delivering the 2020 Nelson Mandela Annual Lecture, said:

The COVID-19 pandemic has played an important role in highlighting growing inequalities. It exposed the myth that everyone is in the same boat. While we are all floating on the same sea, it’s clear that some are in superyachts, while others are clinging to the drifting debris.

The observation is based not only on anecdotal evidence, but has been backed up by empirical evidence too. According to Oxfam International, ‘As many as 12,000 people could die per day by the end of the year as a result of hunger linked to COVID-19, potentially more than could die from the disease.... the global observed daily mortality rate for COVID-19 reached its highest recorded point in April 2020 at just over 10,000 deaths per day.

‘The Hunger Virus,’ revealed how 121 million more people could be pushed to the brink of starvation this year as a result of the social and economic fallout from the pandemic including through mass unemployment, disruption to food production and supplies, and declining aid.’

This shows how the virus, is detrimental to all humans, but apparently, many are more vulnerable than others, or in Orwellian terms, all human beings being equal, some are more equal than others. It also shows the ‘small doses’ of terror, violence and mortality being inflicted on those at the fringes in this ‘Necropolitics’ (as the philosopher Achille Mbembe calls it), working through structural policy-making, it’s implementation or through the ideological intentionality. One of the media briefings of Oxfam says, ‘Unchecked, the virus could take as many as 40 million lives. Yet the devastation will not end there. All over the world, the virus is having a huge economic impact as economies shut down to try and stop the spread of the disease. The International Labour Organization (ILO) estimates that 25 million jobs could be lost, and that is likely to be a significant underestimate... Workers are projected to lose as much as \$3.4 trillion in income... Women workers will be among the hardest hit, as they are more likely to be engaged in informal and precarious work....’

There is statistical evidence of the impact the virus has had on the drastic increment in the number of poor specifically, around the globe, showcasing how much worse it has proven for the marginalised and the downtrodden than for the rich, as the following table shows:

<b>Number of poor at \$1.90 (million)</b>					<b>Additional poor (million)</b>		
<i>Aggregate</i>	<i>Status quo</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>
East Asia and Pacific	47.0	57.1	70.2	107.6	10.1	23.2	60.6
Europe and Central Asia	7.8	9.0	10.2	13.8	1.1	2.4	6.0
Latin America and the Caribbean	25.3	27.9	30.8	38.5	2.6	5.5	13.1
Middle East and North Africa	14.1	16.3	19.1	26.4	2.2	5.1	12.3
Other high income	7.7	7.8	7.9	8.2	0.2	0.2	0.6
South Asia	215.2	259.8	311.2	445.1	44.5	95.9	229.8
Sub- Saharan Africa	419.6	445.9	472.6	531.5	26.3	53.0	111.9
<b>World Total</b>	<b>736.7</b>	<b>823.7</b>	<b>921.9</b>	<b>1,171.1</b>	<b>87.0</b>	<b>185.3</b>	<b>434.4</b>
<b>Number of poor at \$3.20 (million)</b>					<b>Additional poor (million)</b>		
<i>Aggregate</i>	<i>Status quo</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>

East Asia and Pacific	254.0	287.8	326.1	416.4	33.8	72.1	162.4
Europe and Central Asia	27.4	30.3	33.6	41.3	2.9	6.1	13.8
Latin America and the Caribbean	66.4	72.8	80.2	98.6	6.4	13.8	32.1
Middle East and North Africa	55.5	62.6	71.3	90.6	7.1	15.8	35.1
Other high income	10.3	10.6	11.2	12.0	0.4	0.9	1.7
South Asia	847.1	914.4	984.8	1,126.7	67.3	137.7	279.6
Sub- Saharan Africa	675.8	697.3	719.5	762.8	21.6	43.7	87.0
<b>World Total</b>	<b>1,936.5</b>	<b>2,075.9</b>	<b>2,226.6</b>	<b>2,548.4</b>	<b>139.4</b>	<b>290.1</b>	<b>611.8</b>
<b>Number of poor at \$5.50 (million)</b>					<b>Additional poor (million)</b>		
<i>Aggregate</i>	<i>Status quo</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>	<i>5% hit</i>	<i>10% hit</i>	<i>20% hit</i>
East Asia and Pacific	710.6	764.3	821.6	950.5	53.7	111.0	239.8
Europe and Central Asia	69.2	75.4	82.2	99.6	6.2	13.1	30.5
Latin America and the Caribbean	162.0	174.6	187.8	216.3	12.5	25.8	54.3
Middle East and North Africa	153.5	163.8	175.1	198.4	10.3	21.6	44.9
Other high income	15.9	16.4	18.0	20.5	0.5	2.1	4.7
South Asia	1,422.4	1,457.4	1,490.3	1,551.2	35.0	67.9	128.8
Sub- Saharan Africa	852.9	864.7	876.0	897.5	11.8	23.2	44.6
<b>World Total</b>	<b>3,386.5</b>	<b>3,516.5</b>	<b>3,651.0</b>	<b>3,934.1</b>	<b>130.0</b>	<b>264.5</b>	<b>547.6</b>

Source: A. Sumner, C. Hoy and E. Ortiz-Juarez (2020): ‘Estimates of the Impact of COVID-19 on

Global Poverty’, UNU-WIDER Working Paper, UNU-WIDER: Helsinki

The developments following COVID-19 have flagged several concerns on the issue of gender-based discrimination and violence. The UN has described the worldwide increase in domestic abuse as a “shadow pandemic” alongside Covid-19. According to WHO, some 70% of the world’s health workers – the most exposed to the virus – are women? A report of Oxfam International says, women workers are most likely to have precarious jobs without labour protections. According to International Labour Office, in the poorest countries, 92% of women workers are employed informally. The problem will also be compounded if this pandemic were to be followed by austerity, as with the 2008 financial crisis. A UNESCO report says cutting down on child and elderly care and public health systems, traps women at home, a home that is not always safe: girls who are forced to stay home from school are at increased risk of sexual violence and early pregnancy. A report in The Guardian says, ‘around the world, as cities have gone into lockdown to stop the spread of coronavirus, the mass efforts to save lives have put one vulnerable group more at risk. Women and children who live with domestic violence have no escape from their abusers during quarantine, and from Brazil to Germany, Italy to China, activists and survivors say they are already seeing an alarming rise in abuse.’

In South Asian developing countries, the situation worsens. In countries with ‘high levels of food-linked structural and familial violence against women, food shortages are an aggravating factor in gender relations at home. Notably, the state’s hunger management measures have overlooked central aspects of gender justice. Rations have been distributed through e-coupons which can be accessed only through smartphones. Since women have less access to technology and digital services, this mechanism effectively prevents access to food during the crisis. Notably, migrant workers’ plight has often concerned the male worker and his productive role. Nevertheless, women form at least 70 percent of internal migrants. Public policies did not take into account the productive and social reproductive roles of women in migrant households.’ (Menon, 2020). Moreover, employment wise, females have been far worse-off. An UNCTAD study shows that the pandemic has more severely hit the female employment, with ‘available data revealing that even in countries where men’s unemployment rate outpaced that of women, more women left the labour market entirely in 2020...reversing decades of progress in women empowerment.’ (Zarrili & Luomaranta, 2021).

While there are efforts for provisions of a universal approach to tackle this crisis, there is no denying that these more impacted particularities need more than what ‘universal’ prescriptions allow, because there is a veritable lack of accessibility which hinders them from availing of these universal opportunities, effectively rendering the universality to be privilege of a well-off particularity. For the marginalized particularity, the crisis has intermingled in intersection with their own positionality in the society, which works against their favour. They have to fight not only the virus but also the overt and covert power structures that work against them. The mobilizations in the power set-up work in a manner to place them at a fundamental disadvantage. The virus does not only place a risk on the health of an individual living in poverty, but also her exclusion from access to market and credit facilities, from basic means of subsistence, from being able to provide for one’s dependents, and children, placing the disadvantage well into the future of even the next generation. These strictures increase with the number of identities one bears which are at the receiving end of discrimination, for example, in India, the disadvantage increases with each successive identity: being poor; being a poor woman; being a poor dalit woman; being a poor dalit, labour-woman; being a poor, dalit, migrant-labour woman. Each category of existence brings a new burden and a stricture to bear and a brunt to be faced.

In face of this, the conflict seems inevitable as to, what should be given primacy: the universal approach or the particularistic approach. Here, however, it would be pertinent to mention what Nancy Fraser (2000) calls the problem of displacement and problem of reification: ‘Both

problems—displacement and reification—are extremely serious: insofar as the politics of recognition displaces the politics of redistribution, it may actually promote economic inequality; insofar as it reifies group identities, it risks sanctioning violations of human rights and freezing the very antagonisms it purports to mediate.’

In the current scenario of Covid crisis, it would be important to not only find a universal solution, in a simpler sense, say such as inoculating by vaccination, or in wider sense, of say, a more robust framework of universal healthcare, or devising of a more effective global preparedness for future calamities, but there is a need of institutional changes and targeted remedies to be applied to the layered and intersectional impacts that the current crisis has had on the different particularities. The system’s crisis response ought to pay consideration to the groups that are most often excluded in public decision making, yet might be particularly vulnerable due to their living conditions and the effects of social marginalization: migrants, racial and other ethnic minorities, detainees, LGBTQIA+ people, and persons with disabilities. The dialectic of the universal and the particular seems to spin not into some Gordian knot to be cut and sliced off to be sorted differently, but as necessary entanglements which work in tandem as complements to each other.

#### **4. CONFLICT OF INTEREST STATEMENT:**

On behalf of all authors, the corresponding author states that there is no conflict of interest.

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