



**WYDZIAŁ PRAWA
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The Philosophy of Leszek Kołakowski towards Human Rights

SUMMARY

(Filozofia Leszka Kołakowskiego wobec praw człowieka)

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The dissertation is an attempt to compare the general features of Leszek Kołakowski's thought with what the author wrote about human rights. Bearing in mind that Kołakowski's thought changed in time, that he belonged to those philosophers whose work can hardly be described by omitting the essential modifications that it underwent over the years, the dissertation has distinguished two stages that characterize his philosophy, strongly related to the life of the author of the "*The Presence of Myth*".

The first stage is the period of writing in the spirit of Marxist dogmatic. The second one is mature (the one from which Kołakowski was mainly known). This division influences the position of polish philosopher in relation to human rights: in the first case critical, in the second - affirming (although not without some reservations). In the further part of the dissertation, the general philosophical thought and the concept of human rights included in his works are listed in turn (using the adopted division of his biography).

Earlier, in the Introduction, it is justified to undertake research on Kołakowski in this area. Kołakowski is presented here as an important person in the postwar history of Poland. At the same time, it is emphasized that the applied division of periods of the philosopher's work correspond to the two basic trends of thought that determined the fate of that polish story: the doctrine of communism (Marxism) and the ideology of liberal democracy. Kołakowski is here simultaneously included as a child and a father of these epochs. Undertaking the issue of human rights in the context of his work is also justified by "legal exclusion", i.e. to oppose to the fact that the discourse of human rights has been "taken over" by lawyers.

Chapter I contains three points. In the first one, it is justified to write about Kołakowski in the context of his biography. At the same time, attention is paid to the convergence between a direct moment in his life (his relations with the authorities) and what he wrote back then. There are also underlined the practical ambitions of his work, the intention to influence social reality, considering the fact that Kołakowski was a popular and influential person in Poland: his texts often played the role of political commentaries (and sometimes manifests). The second point of Chapter I deals with the intellectual biography of the Polish thinker: the evolution of his views is described in it. The following considerations are dictated by the fact that the periodization scheme adopted in the work has not been applied before in any book position dealing with Kołakowski, hence they justify a dichotomous criterion (it is stressed, above all, that it justifies the description of Kołakowski's intellectual biography in relation to his position to human rights).

Chapter II is a description of the first period of Kołakowski's philosophy. It has been divided into two parts. The first characterizes the thought of the author at that time. In the second considerations refer to the significant distinction presented in Kołakowski's works: on the rights of the person and human rights.

Part I, devoted to the general expression of Kołakowski's ideas, is a characteristic of his dogmatic Marxist creation. First, the thinker is described as a representative of so-called generation of "pimples". This concept is presented in the context of the German generation of the so-called "Luftwaffenhelfers". From this goes to the description of Kołakowski's work as a "philosophy of resistance", which is expressed in opposition to the existing situation. Thus, his accession to Marxism is understood as an opposition to certain traditions (as defined by the thinker himself: against the "cluster" of the "clerical-bigoterian-nationalist-anti-Semitic" tradition). The further part of the considerations is marked by the anti-German expression of the youthful work of Kołakowski's philosophy - but this is only in the sphere of theoretical declarations and in isolation from politics and ethics.

Part II is devoted to discussions on the subject of "rights of the person against human rights". At the beginning of these considerations the approach to law in Marxist thought is described: ethics, as well as law, is an expression of interest here, while the studies on morality have a descriptive (and not normative) character in this vision. It is further explained why Marxism could not accept the concept of human rights, why its basics determine this discord. The rest are reflections on how the opposition of a person and a human being (a human being as an individual and as a part of the collective) serves Catholic personalism to maintain the *status quo*, how Christian thought - through the concept of human rights (and secondarily: the rights of a person) - expresses a kind of "desideratum of inertness". These remarks broaden the scope of the previous considerations of the dissertation on the inability to accept the opposition between a person and a human being by Marxist thought.

Chapter III concerns the mature phase of Kołakowski. It has been divided into three parts.

The first part is devoted to the general description of the philosopher's thought at that time, first of all taking into account the position described as *sic et non*, involving Kołakowski's use of such a method, which is based on juxtaposition of dichotomous proposals, without expressing the ambition of deciding which option is for the author more important. This part also gives examples of relevant - due to the subject matter at work - contradictions that Kołakowski occupied in that period: priest and jester, love - hatred, law - violence, law - freedom, law - love, obligation - claim. Further, there is talk of the

inauthenticity of the philosophical grounding of the principles of metaphysics as well as, secondarily, of ethics (in consequence: the law).

The second part of Chapter III deals with what Kołakowski called in one of his essays "the revenge of a sacrum". Firstly, it is focused on instrumental rationality and analytical and technical trunk of civilization, which Kołakowski wrote about in the "*The Presence of Myth*". Further the description goes to the so-called "total self-determination", i.e. an attempt to establish values in a world without the Absolute. Kołakowski is later presented as a thinker acknowledging a religious foundation as the only acceptable option for accepting a system of values: although it is not valid in the "absolute" sense (or logical, ontological, epistemological), it is the only ideological proposal in which the naturalistic fallacy is not fundamentally destructive. At the same time, the emphasis is placed on the value of Christian rudiments in the history of our culture. Next, the notion of dignity is described - as a term correlating with the distinction between law and morality and the concept of natural law.

Part III is devoted to the idea of human rights in contemporary democracies. First, the philosopher distinguishes the notion of human rights as necessary for defining democracy in general nowadays. At the same time, the presented argument shows that the very principles of democracy, without proper reservations (in the form of distinguishing the category of basic human rights), oppose those values that formed the ideological basis for the creation of the Universal Declaration of Human Rights. Next, the "schizophrenia" described by Kołakowski in the essay "*Lost Village*" is presented - it is the tear of a modern man between two needs: freedom and security. Human rights are in this vision an expression of this double, incompatible tension. Next, the claim tendency is described, which Kołakowski devoted to the essay "*Why do we need human rights*". Next, there is a description of the significance of this circumstance that legal norms often take the form of rights (when Kołakowski postulates considering the creation of codes based on obligations).

The work is summarized with the Ending, in which attention is again paid to the issues that remained important for the title relationship: the philosophy of Leszek Kołakowski and his position regarding the idea of human rights.

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