Discussion Questions for Tuesday, November 23rd

Are Rights Universal?

The Universal Declaration of Human Rights is the best-known charter of human freedoms. Developed in the wake of the horrors of Nazi Germany and the Holocaust, the UDHR represents the attempt of people from around the world to lay out a set of rights that all people and nations must respect. Over fifty years later, however, a crucial question remains: are rights universal? In recent years critiques of the universality of rights have emerged primarily from two locales: Asia and the Islamic world. Scholars, politicians, and legal authorities from both have critiqued the concept of human rights as Western in nature, arguing that their societies are governed by a different notion of human nature and being.

1. What is the belief about the nature of human beings that underlies the concept of human rights? What does Dworkin describe as the two “fundamental principles” underlying the human rights concept? What is the relationship of individual and society? Why are people presumed to have rights? Where do they come from? Who grants them?

2. After reading the Universal Declaration of Human Rights, do you agree that all these rights are fundamental and universal human rights? Which ones do you think should not be considered universal, if any?

3. How does Ronald Dworkin characterize the so-called “Asian” critique of human rights? How does this critique conceive of the relationship between individuals and society? How is this critique similar to and different from Mary Ann Glendon’s critique of rights?

4. Do you buy the argument made to Dworkin that rights and freedoms should be rolled out slowly in order to control the pace of change and thus avoid the chaos that would come from too much freedom too fast?

5. How does Seyyed Hossein Nasr describe conceptions of rights and freedom under Islam? What is the nature of freedom according to him?

6. Nasr writes that Islamic law (Shari‘ah) “imposes limitations upon human freedom, but in return bestows a sacred character upon human life that in turn makes possible a greater inner freedom.” How can limitations upon freedom make you more free?