

FAIR 334C – INTERNATIONAL HUMAN RIGHTS
CLASS QUESTIONS

Human Rights and Cultural Relativism

Donnelly, pp. 75-92, Donnelly, pp. 106-118 (supplementary pp. 93-105); Mutua, pp. 64-67, (skim 39-44)

1. Donnelly argues that non-Western cultural and political traditions (Traditional China, Traditional Africa and Islam), *like the premodern West* (Classical Greece, Medieval Christendom, Early Modern Europe), lacked not only the practice of human rights but also the very concept. According to Donnelly, traditional cultural conceptions of human rights are historically mistaken. What arguments sustain the claims of human rights in these cultures (China, Africa, Islam)? What are Donnelly's counterarguments? How did "Modernity" lead to the "invention" of human rights? What are the contributions of the American and French Revolutions, as well as events up to the UDHR, in the evolution of the concept? (please cite to Donnelly, pp. 75-92)
What is the relationship between culture and human rights? What is cultural relativism? What are the variants/differing forms of this position? How does cultural relativism differ from cultural relativity, according to Donnelly? Why are cultural relativists arguments confused with culture? (Donnelly, pp. 106-111)
2. What explains the persistence of culturalist arguments as a foundation for human rights? Do you agree with Donnelly's view that "culture poses only a modest challenge" to contemporary human rights? Who determines whether rights are in conflict with cultures? Whose judgment takes precedence - internal or external judgment? Is "dialogue over real difference possible" when cultures come in conflict with human rights? What are the criteria for judging deviations for international human rights norms? What is "universalism without imperialism?" (please cite to Donnelly, pp. 111-118)
3. Are human rights essentially a Western concept? Are human rights universal? Should they be judged relative to each culture? Is cultural diversity a sufficient basis to disregard human rights? If rights are non-existent in other cultures, how valid is the claim that they are universal? In view of the universality of human rights, why are there persistent appeals to culture? (please cite to Donnelly, pp. 106-118)
4. **(From Supplementary Reading)** Donnelly writes of universalism at the "level of the concept," allowing for variations in "substance, interpretation, and form." Does this undermine the claim of universalism? Can differences in the understanding of the human rights concept, its interpretation and its implementation coexist with the claim that human rights are universal? (please cite to Donnelly, pp. 93-105)
5. Who are "cultural pluralists"? What are the main concerns of "cultural pluralists"? Are the ideas of Mutua and Donnelly reconcilable? (please cite to Mutua, pp. 64-67)