

Health, Development, and Human Rights

Ambiguities with Economic and Social Rights

As you read the material for the next class, keep the questions below in mind. To answer these questions you will have to reflect critically on what you have read and possibly re-read important passages. Keep in mind that there are two basic kinds of information that you need to look for in the readings:

1. What are the main points or conclusions that an author accepts with respect to a particular issue?
2. What are the reasons, important considerations, and evidence that lead the author to accept that conclusion?

For our purposes, *it is information of the second sort that will be our primary concern* since our most basic task is to *evaluate the reasons and evidence* that are offered to support accepting one possible conclusion about an issue, rather than another.

Although I strongly suggest that you write out brief answers to these questions, you do not have to turn in written responses. You do, however, need to be prepared to speak intelligently to these issues in the next class meeting.

Readings

- Onora O'Neill, "The Dark Side of Human Rights".

Questions

1. Throughout her article, Onora O'Neill reflects on the nature of rights. Generally speaking, what does it mean to have a right? For instance, why would it make more sense to say that an animal had a right than a table has a right? Why does O'Neill believe that rights and duties are intimately connected?
2. Given her understanding of rights, why does O'Neill believe that "the costs are too high" for adopting an aspirational view of human rights?
3. What is O'Neill's distinction between first- and second-order obligations? How do this work with traditional civil and political ("liberty") rights? Why does O'Neill believe that this distinction raises serious difficulties for economic and social ("goods and services") rights?
4. Why is O'Neill not impressed by declarations and covenants of universal human rights? Why do such declarations seem to undermine the very notion that the rights therein are even universal?
5. In the last section of her article, O'Neill argues that even if economic and social rights are grounded in second-order obligations of the state, there are problems in imposing first-order obligations on the citizens of a state. How does she defend this claim?