

WHAT ARE HUMAN RIGHTS?



Objectives: Students will be able to:

- Define human rights
- Explain the source of human rights
- Take and defend a position about how to best protect human rights

NJ Student Learning Standards for Social Studies:

6.3.8.CivicsHR.1: Construct an argument as to the source of human rights and how they are best protected.

Time: Two-three days

Focus Questions:

- What are human rights?
- What are the source(s) of human rights?
- How can human rights best be protected?

Human rights are the basic rights and freedoms that belong to every person. They include certain standards of behavior that are owed to each human being. These human rights are based on moral principle or norms or shared values like dignity, fairness, equality, respect and independence. Let's start with the most basic question:

I. ASK STUDENTS AND DISCUSS: WHAT ARE HUMAN RIGHTS?

Responses may vary and may include items, such as your own room or good food or sufficient money that are too specific. You want your students to think broadly and identify basic rights such as life, liberty, equality before the law and freedom of speech and thought.

Although it is better for your students to think and identify what they believe are human rights, if your students are having difficulty concretely identifying basic human rights, you might want to refer them to the introductory phrase in the Declaration of Independence and work from there, since the Declaration was an effort to express the opinions held by most Americans in 1776 and is seen as one of the world's great statements on the importance of human rights:

"We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness..."

You may need to help them understand the vocabulary:

1. What does "self-evident" mean?

"Self-evident" is something that is obviously true and requires no proof. Jefferson, the prime author of the Declaration, recognized that most Americans at the time were deeply religious and familiar with the ideas of human equality from their religions and from ideas about the human condition and government from English philosopher John Locke (1690-1704).

2. What does "endowed by their Creator" mean?

Human rights are God-given or based on morality or religious concepts.

3. What does "unalienable" mean?

We more often use the term "inalienable" rather than "unalienable" today. However, they both have the same meaning. Something inalienable or unalienable is something that you cannot give up. You cannot give up your basic human rights because they were not granted to you. You have human rights simply because you are a person. You do not lose your human rights because of bad conduct and you cannot voluntarily give up your human rights. However, this does not mean that your rights cannot be attacked; only that such action would be morally unjustified.

4. What does "life" mean?

Being alive, that is, healthy.

5. What does "liberty" mean?

Basically freedom to move, to travel, to not be imprisoned, to be free to practice to one's religion and to be able to express one's views.

6. What does the "pursuit of happiness" mean?

While John Locke used the phrase, “life, liberty and property,” Jefferson changed it to “life, liberty and the pursuit of happiness”. Pursuit of happiness are the choices we make in our daily lives to enhance our well-being or happiness. This would include choices that enhance “public” (civic) as well as private happiness. Greek philosopher Aristotle (384-322 BCS) examined the human condition carefully and concluded that the purpose of human existence is “happiness,” by which he meant making choices for a virtuous life with health, wealth, knowledge and friends. Jefferson echoed Aristotle’s philosophy in his use of the term “pursuit of happiness”.

Show your students the five-minute video summarizing John Locke’s “revolutionary” ideas about natural human rights at <https://www.youtube.com/watch?v=ocJ2fPk5FGE> and discuss.

What can we conclude from this video?

- ✓ At a minimum, basic human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education.
- ✓ We are all equally entitled to our human rights without discrimination.

II. ASK STUDENTS: HOW DO WE DEFINE HUMAN RIGHTS?

Ask your students to work in small groups to develop a list of what they think should be basic human rights. Have the groups share their lists with the class and discuss them and, if possible, agree on a list of human rights. Then compare them with the following:

Although there are disagreements about the scope of human rights, most political philosophers have identified six categories of human rights and human rights advocates have been pushing to expand the list:

1. Security
2. Due process
3. Liberty
4. Political participation
5. Equality before the law
6. Social rights/equality of opportunity—such as the right to work, education, health and an adequate standard of living (some disagreement here)
7. Minority and group rights--such as protecting women, children, the disabled, and minority groups—have been stressed by many but not accepted by all.

III. ASK STUDENTS: WHAT ARE THE SOURCES OF OUR IDEAS ABOUT HUMAN RIGHTS?

Background:

As is reflected in the Declaration of Independence, the idea of human rights has roots in religious or cultural traditions that have evolved over many centuries.

- Aristotle held that since man has the right to live, he has the right to bodily integrity and to the means necessary for the proper development of life, including food, clothing, shelter, medical care, and rest. He also has the right to pursue higher order needs and virtues and the liberty to make the necessary choices.
- Most societies have had traditions similar to the "golden rule" of "Do unto others as you would have them do unto you."
- The Hindu Vedas, the Babylonian Code of Hammurabi, the Bible, the Quran (Koran), and the Analects of Confucius are five of the oldest written sources which address questions of people's duties, rights, and responsibilities. In addition, the Inca and Aztec codes of conduct and justice and an Iroquois Constitution were Native American sources that existed well before the 18th century.
- In fact, all societies, whether in oral or written tradition, have had systems of propriety and justice as well as ways of tending to the health and welfare of their members.
- For example, the Ten Commandments, based on religious concepts, dictate how individuals should treat each other: e.g., thou shalt not kill, commit adultery, steal or lie.
- However, reasonable people can accept and use the idea of human rights without accepting a particular view or religious doctrine about their foundations.

IV. ASK STUDENTS: HOW DO WE PROTECT HUMAN RIGHTS?

Background:

Norms that aspire to protect all people from threats from each other and their governments become specific rights when they are enacted as part of the country's laws.

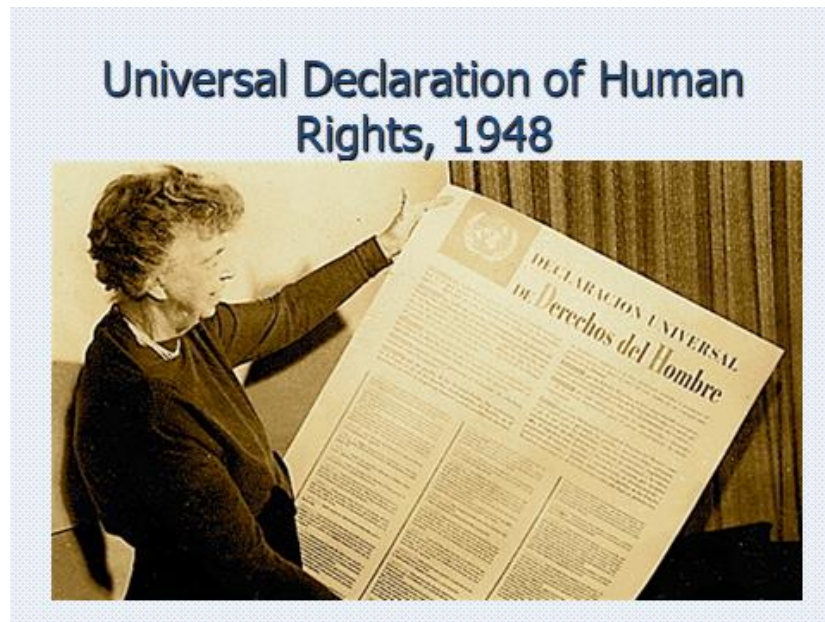
- An early example of the recognition of human rights was when the troops of Cyrus the Great conquered Babylon. Cyrus freed the slaves, declared that all people had the right to choose their own religion, and established racial equality in 539 BC.
- The Magna Carta 1215-- King John of England was compelled by his barons to sign the Magna Carta which set forth four principles: no one is above the law, not even the monarch; no one can be detained without cause or evidence; everyone has a right to trial by jury; and a widow cannot be forced to marry and give up her property. The Magna Carta came to be seen as the first legal document protecting human rights.
- The English Bill of Rights, 1689--limited the power of the monarch, required consent of the people (Parliament) to raise taxes and protected free speech rights.
- The French Declaration of Rights of Man and Citizen, 1789—declared human rights to liberty, property, safety and resistance against oppression

- The Bill of Rights in the United States Constitution protected due process and liberty and was expanded to prohibit slavery with the addition of the Thirteenth Amendment and to guarantee equal protection of the law by the Fourteenth Amendment.
- After World War II, an international committee led by former First Lady Eleanor Roosevelt, developed the Universal Declaration of Human Rights (UDHR), which was adopted by 48 nations in 1948 as a "common standard of achievement for all peoples and all nations". The rights listed in the UDHR are more extensive than the legal rights protected by most nations. Although the UDHR is an aspirational document that has limited enforcement powers it has influenced legal, political, and social developments on both the global and national levels.

Ask your students and discuss: How can we protect human rights today?

What can we conclude?

Governments protect human rights by developing a culture based on the rule of law—everybody should treat others as they would like to be treated. Therefore, every human being should be subject to the same laws and treated the same, which is the basis of the rule of law.



V. Extension

Have students look at the UDHR and compare the rights it lists with those in the U.S. Constitution. What can we conclude? The U.S. Constitution is focused on political rights only, whereas the UDHR also includes social and economic rights.