

WHAT ARE NATURAL/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.

Focus Questions:

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

Anticipatory Activity: Ask "What are natural or human rights?"

Background:

- Human rights are the basic rights and freedoms that belong to every person. They include certain standards of behavior that is owed to each human being.
- These basic rights are based on moral principle or norms or shared values like dignity, fairness, equality, respect and independence.
- The idea of human rights has roots in earlier traditions that have evolved over the last centuries.
 - 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.
 - Ten Commandments many (5, 6, 7, 8) form basis for how individuals should treat each other: thou shalt not kill, commit adultery, steal or lie—based on religious ideals
- 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.

What are the source(s) of natural/human rights?

Background: English philosopher John Locke (1632-1704) called basic human rights “natural” rights because each human had rights in a state of nature. However, these rights were not protected in and of themselves. See the five-minute video summarizing John Locke’s “revolutionary” ideas about natural rights at <https://www.youtube.com/watch?v=ocJ2fPk5FGE>.

- Conclude: We are all equally entitled to our human rights without discrimination.

HOW CAN HUMAN RIGHTS BE PROTECTED?

Lesson: Ask and have students discuss. Briefly review some early historical development of human rights:

- 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.
- 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.
- 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
- French Declaration of Rights of Man and Citizen, 1789—declared human rights to liberty, property, safety and resistance against oppression
- 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.

IDENTIFY HUMAN RIGHTS IN THE U.S. CONSTITUTION

Activity: In small groups of 3-5 have students examine the provisions of the U.S. Constitution and list the rights that it includes.

There are 26 different rights enumerated in just the first eight amendments to the U.S. Constitution. Many of them relate to criminal trials, which had been used by governments to punish those who dissented. Keep your list for future discussions about human rights and the U.S. Constitution.

- First Amendment
 1. No establishment of religion
 2. Free exercise of religion
 3. Free speech
 4. Free press

- 5. Freedom to petition the government
- 6. Free assembly
- Second Amendment
 - 7. Bear arms
- Third Amendment
 - 8. No soldier quartered without consent of owner
- Fourth Amendment
 - 9. No unreasonable searches
 - 10. No warrants except on probable cause
- Fifth Amendment
 - 11. Cannot be held without indictment or presentment
 - 12. No double jeopardy for same offense
 - 13. Cannot be forced to be witness against self
 - 14. Cannot be deprived of life, liberty or property without due process of law
 - 15. Private property cannot be taken for public use without just compensation
- Sixth Amendment
 - 16. Speedy and public criminal trial
 - 17. Impartial jury in criminal trial
 - 18. Informed of nature and cause of accusation
 - 19. Confronted with witnesses
 - 20. Compulsory process for obtaining favorable witnesses
 - 21. Assistance of counsel
- Seventh Amendment
 - 22. Right to trial by jury in civil cases
 - 23. Trials held according to rules of common law
- Eighth Amendment
 - 24. No excessive bail
 - 25. No excessive fines
 - 26. No cruel and unusual punishments