

CHAPTER 3

Building the Foundation

Universal Declaration of Human Rights

The inevitable starting point for a contemporary study of human rights is the Universal Declaration of Human Rights. The United Nations adopted this extraordinary document in 1948, and every member country of the United Nations agrees to follow provisions contained in the declaration. Of course, whether countries actually follow provisions within the declaration remains a contested issue. No country wants to be accused of human rights abuses, but political, economic, and cultural considerations often interfere with recognition of human rights contained in the declaration.

The Universal Declaration arose out of the ashes of World War II and the horrors perpetrated by Nazi Germany in the name of racial purity and superiority. Laws in Nazi Germany labeled numerous individuals and groups as non-Germans and undeserving of the rights and benefits of citizens. The intent behind these racial purity laws was to exclude from participating in German society those who did not have the “proper” ethnic or religious background. Individuals or groups who spoke out against this discriminatory treatment encountered the wrath of the Nazi government, which tortured and executed many dissidents. Eventually, the Nazi government rounded up Jews and other individuals—including Gypsies, communists, homosexuals, dissidents, and “asoziale” (persons on welfare)—for transport to concentration camps, where many died under German extermination policies. People with mental illnesses or other disabilities were often killed at hospitals (Hansen, 1991; Otto & Sunker, 1991; Reichert, 2003; Schnurr, 1997). The horrors of Nazi Germany were unimaginable. People from all over the world wondered how they could prevent those atrocities from ever occurring again.

While Nazi Germany and its genocidal policies against Jews and other groups provided the most immediate rationale for universal rules to govern the conduct of

40 UNDERSTANDING HUMAN RIGHTS

nations, other factors also played a role. Poverty and unemployment had afflicted many individuals throughout the world during the Great Depression. Should individuals everywhere be entitled to a social security net to help them during hard times? The colonization of African and Asian countries by Europeans also provided fuel for a universal rule against exploitation of peoples by the more powerful. Should not the colonized have a right to self-determination? In truth, the list of issues concerning the human condition after World War II never seemed to end (Reichert, 2003). Discussion about these issues ultimately led to the idea that some underlying document should exist that defines the essence of a human being's existence. Given the vast cultural and other differences among individuals and their societies, what common needs and freedoms should everyone share? The outcome of this intensive soul-searching was the Universal Declaration of Human Rights, a worthy foundation for advancing political and social rights that everyone should enjoy.

The Universal Declaration is not legally binding, although many countries have incorporated principles within the declaration into their domestic laws. The declaration serves mainly as a springboard from which to promote and further develop human rights principles.

Opening Statement

Before listing specific human rights, the Universal Declaration describes general principles for the human existence.

Principle 1

Foundation of freedom, justice, and peace in the world—inherent dignity and equal and inalienable rights of all members of the human family.

The first principle of human rights rests upon the “inherent dignity” and “equal” rights of every person. Without recognizing these building blocks, the world and its various nations cannot establish a peaceful existence.

Principle 2

Highest aspiration of common people—world in which human beings enjoy freedom of speech and belief and freedom from fear and want.

Ordinary people simply want to be able to speak their mind, worship or not worship as they wish, and have social security.

Principle 3

Prevention of tyranny and oppression—protection of human rights by law.

Nations have an obligation to protect human rights through laws. Unless persons have the right to enforce human rights, the possibility of tyranny and oppression will always exist.

Principle 4

Requirement—promote the development of friendly relations between nations.

The basis of this requirement clearly stems from the circumstances in which the drafting of the Universal Declaration occurred. Much of the world lay in ruins because of the failure to develop friendly relations between nations. In the future, the world simply had to do better.

Principle 5

Pledge of UN member states—promotion of universal respect for and observance of human rights and fundamental freedoms.

To help ensure that countries take human rights seriously, every member of the United Nations pledges to promote human rights. Unfortunately, many countries and individuals do not always take this pledge seriously. The significance of this principle lies in the realization that human rights are a two-way street: governments should provide policies that integrate human rights, but individuals should also respect and observe human rights of others.

Principle 6

Full realization of pledge in Principle 4—common understanding of human rights and freedoms.

Part of the difficulty in prompting countries to take seriously the pledge in Principle 5 is in developing a common understanding of human rights and freedoms. Until nations actually integrate human rights into educational routines, promotion of human rights will remain inconsistent.

Clearly, within the preamble of the Universal Declaration, the United Nations has presented lofty goals and aspirations. The overriding focus is to create a better society, one in which repeats of genocide and oppression do not occur. Of course, merely integrating admirable principles into a nonbinding document does not guarantee that countries or individuals will follow those principles. That has certainly been the case with the Universal Declaration. Yet, would the world be better off without the Universal Declaration? At least every member of the United Nations, which includes practically every country in the world, does acknowledge the importance of human rights, undoubtedly thanks to the Universal Declaration and its influence upon member nations. This acknowledgment allows a starting point for realizing these principles.

Specific Human Rights in the Universal Declaration

The six principles of human rights contained in the Universal Declaration form the basis for the 30 articles that define and specify individual human rights. Nations and individuals may disagree on interpretations and importance of the different articles. However, each member of the United Nations does agree to respect and follow the Universal Declaration.

Political and Civil Rights: Articles 1–21

The initial part of the declaration specifies human rights that generally would fall within the definition of political and civil rights.

Article 1: All human beings are born free and equal, are endowed with reason and conscience, and should act towards one another in a spirit of brotherhood.

This article places a responsibility upon individuals to respect others and not commit acts that would depreciate the value of others.

Article 2: Everyone is entitled to the enjoyment of human rights without regard to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. This entitlement applies regardless of where the individual resides.

This article aims to prevent the exclusion of a human right on the basis of being “different” from others. These differences include property or wealth. In other words, those having little or no property or wealth should not be denied human rights.

Article 3: Everyone has the right to life, liberty, and the security of person.

This human right highlights the sanctity of life and the right to be free in most pursuits and the right to be safe.

Article 4: No one shall be held in slavery or servitude. Slavery and the slave trade are prohibited.

While the prohibition of slavery appears to be an obvious human right, the consequences of slavery remained even after the adoption of the Universal Declaration in 1948. For instance, segregation in southern states of the United States continued to exist for many years after 1948.

Article 5: No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.

The U.S. “war on terror” has raised the issue of whether torture might be justified in some circumstances. Under the Universal Declaration, no exceptions exist to the use of torture or other cruel and inhuman punishment.

Article 6: Everyone has the right to recognition everywhere as a person before the law.

This means that every individual should enjoy legal status and protections of that status. Once again, the war on terror in the United States has led some to conclude that not everyone should receive legal standing, especially those deemed to be “terrorists.”

Article 7: Everyone is equal and entitled to protection against actual discrimination or incitement to discrimination.

Nobody should be subject to discrimination on any basis or subject to calls of discrimination. Groups such as the Ku Klux Klan would typically violate this human right by encouraging members of the Klan to discriminate against others, even if the discrimination does not actually occur.

Article 8: Everyone has the right to an effective remedy in national tribunals for acts that have violated fundamental rights granted by a constitution or law of the relevant nation.

Everyone should be able to use the courts and other legal bodies to contest acts that violate basic constitutional and legal rights.

Article 9: No one shall be subjected to arbitrary arrest, detention, or exile.

No government has the right to arrest or detain someone without cause. In connection with other human rights, anyone arrested or detained should be able to use the local courts to contest the arrest or detention.

Article 10: Everyone is entitled in full equality a fair and public hearing by an independent and impartial tribunal, in the determination of his or her rights and obligations and any criminal charge against him or her.

Under this political human right, even terrorists must receive a fair trial by an independent and impartial court.

Article 11: (1) Everyone charged with a criminal offense has the right to be presumed innocent until proved guilty in a public trial at which he or she has had all the guarantees necessary for a defense of the

charge. (2) No one shall be charged and held guilty of an act or omission that did not constitute a penal offense at the time he or she committed the act or omission. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed.

This article further promotes the concept of a fair trial, with a presumption of innocence until proven guilty. In addition, nobody can be charged with a crime that was not a crime when the alleged offense occurred. This is an important safeguard against the persecution of others because it prevents the creation and enactment of a dubious criminal offense to punish political opponents.

Article 12: No one shall be subjected to arbitrary interference with his or her privacy, family, home or correspondence, or to attacks upon honor and reputation. Everyone has the right to legal protection against this interference or attacks.

Many countries enforce this human right through privacy and defamation laws.

Article 13: (1) Everyone has the right to freedom of movement and residence within the borders of each State. (2) Everyone has the right to leave any country, including his own, and to return to his or her country.

This human right aims to prevent countries from controlling the movement of political dissidents and not allowing individuals back in the countries after leaving.

Article 14: (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution. (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

This human right requires every country to allow applications for asylum based on a well-founded fear of persecution. In the United States, the basis of this persecution may arise from race, religion, nationality, political opinion, membership in a particular social group, or torture convention. The well-founded fear must be personal to the asylum applicant and not simply a general fear of persecution. For example, a member of a particular race may believe that his or her race generally is being persecuted. However, without showing that this persecution has been perpetrated directly upon the asylum seeker, most countries will not grant asylum.

Article 15: (1) Everyone has the right to nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Nobody should be deprived of his or her national roots. However, a person may change that nationality if he or she wishes.

Article 16: (1) Men and women of full age, without any limitation due to race, nationality, or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Men and women have a human right to marry and form a family. Based on this human right, marriage is between men and women (although a more contemporary view might include same-sex marriages). Families have special status and are entitled to “protection.” This provision appears directed toward preventing governments from separating children from parents for purposes of political indoctrination and other inappropriate reasons.

Article 17: (1) Everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his property.

This human right clearly speaks to the free enterprise or capitalistic system. Communist countries did not allow individuals to hold property. Obviously, the violation of this human right occurred throughout countries within the Soviet Union. This is a clear example of how a country might agree to respect a particular human right without any intention of promoting that right.

Article 18: Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.

This article also contains human rights that are more Western than others. Although most countries usually claim that they respect freedom of thought and religion, the degree of this freedom varies, with Western countries generally being more liberal in their interpretation of these rights.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of matters.

As with Article 18, Western countries generally interpret this human right in a much more expansive manner than other countries.

Article 20: (1) Everyone has the right to freedom of peaceful assembly and association. (2) No one may be compelled to belong to an association.

This civil right allows peaceful demonstrations. The second part of this article relates to forcing individuals to belong to organizations, such as the Hitler Youth during the Nazi period in Germany. Nobody should be required to join a group.

Article 21: (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. (2) Everyone has the right of equal access to public service in his country. (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

This human right forms the basis for free elections and democracies based on desires of the population.

Articles 1 through 21 form the political and civil rights portion of the Universal Declaration. Many of these human rights resemble the Bill of Rights of the U.S. Constitution and other laws aimed at prohibiting discrimination. In that respect, the Universal Declaration has much in common with the laws of U.S. society.

Economic, Social, and Cultural Rights: Articles 22–27

If the Universal Declaration simply stopped at Article 21, the United States could legitimately claim that it makes every effort to satisfy human rights. However, after this article, the Universal Declaration develops the concept of economic, social, and cultural rights. By some standards, the United States has made less effort to satisfy these rights than it has the first set of human rights.

Article 22: Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality.

This human right grants everyone the right to social security in accordance with a state's resources. This right also entitles everyone to economic, social, and cultural rights necessary for human dignity and free development of personality. Perhaps the scope of this human right is so immense that many countries simply give it lip service but make little effort to further define and enforce the right.

Article 23: (1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (4) Everyone has the right to form and to join trade unions for the protection of his interests.

	Family	Religious/ Media Institutions	Business Interests	Other Community Actors	State Authority	Regional Authority	International Authority	Other
Education								
Policy/Legislative								
Litigation/Legal								
Organizing/Networking								
Service Delivery								
Media								
Protest/Public Action								
NGO Tribunals/Hearings								
Mobilization/Petition Campaigns								

Figure 3.1 Implementing Human Rights

Source: Mertus, J., Flowers, N., Dutt M. (1999). *Local Action—Global Change: Learning About the Human Rights of Women and Girls*. United Nations Development Fund for Women, New York, NY, and the Center for Women's Global Leadership, New Brunswick, NJ.

The right to employment as a human right clearly arises from the Great Depression, which created conditions for dictatorships such as that of Adolf Hitler. Of course, the question of how to guarantee everyone a job has no easy answer. In communist East Germany, before its reunification with West Germany in 1990, the government provided most people with a job, no matter how menial. After the reunification, many individuals in the former East Germany had no work, as Western-oriented economic policies streamlined employment practices and shed unnecessary workers. This unemployment problem in Germany persists today, with some parts of former East Germany experiencing unemployment rates of more than 20 percent (“German unemployment,” 2005).

Nobody disagrees that everyone should have work—the problem is how to guarantee that work.

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

In many countries, the idea of a human right to periodic holidays with pay may seem utopian. Perhaps among all of the various human rights contained in the Universal Declaration, this human right appears the most Western.

Article 25: (1) Everyone has the right to a standard of living adequate for the health and wellbeing of himself (or herself) and of his (or her) family, including food, clothing, housing and medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Nobody could reasonably object to the goals of Article 25. The dilemma is how to accomplish these goals, especially in countries with great unemployment and governments with limited resources.

Article 26: (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance, and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. (3) Parents have a prior right to choose the kind of education that shall be given to their children.

The human right of education occupies an important role in social human rights. Certainly this human right does not require that everyone be admitted to a university—only that individuals have equal access on the basis of merit. What about affirmative action? Should those who have been discriminated against in the past merit special treatment? While the drafters of the Universal Declaration probably did not foresee affirmative action policies, certainly a case could be made that merit should include considerations of past discrimination. The second part of Article 26 requires the teaching of human rights, which ideally would begin at the elementary level.

Article 27: (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits. (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary, or artistic production of which he or she is the author.

This human right intends that every member of a community have the right to participate in culture and scientific activities. For those who produce artistic or scientific creations or products, they should be allowed to benefit from those products, with, for example, protection given in the form of patents or copyrights.

Articles 22 through 27 form the economic, social, and cultural rights contained in the Universal Declaration. While not as extensive as the political and civil human rights, these rights are no less important. The concept of indivisibility requires consideration of economic, social, and cultural rights with the same importance as political and civil human rights. After all, what is more important than having adequate food, health care, shelter, and other basic needs? Without having those needs met, human life cannot even exist. Yet, human life could continue to exist with restrictions on free speech and limited elections.

Unfortunately, the focus of some countries has been to elevate political and civil rights over economic, social, and cultural rights. The reality is that both types of human rights have great importance.

Solidarity or International Human Rights

The third category of human rights contained in the Universal Declaration is often referred to as solidarity human rights. The idea behind these rights rests upon the reasonable proposal that no country occupies the world in isolation. People from all over the world should work together for a better world.

Article 28: Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Not only governments but also individuals must work toward a society in which human rights can flourish. This human right imposes responsibility upon individuals to create conditions and institutions that respect the Universal Declaration.

50 UNDERSTANDING HUMAN RIGHTS

Reference to an international order in which human rights can be fully realized indicates the need for nations and individuals to cooperate in the area of human rights.

Article 29: (1) Everyone has duties to the community in which alone the free and full development of his or her personality is possible. (2) In the exercise of rights and freedoms, everyone shall be subject only to those limitations that are necessary to fulfill the rights and freedoms of others and the just requirements of morality, public order, and general welfare in a democratic society. (3) These rights and freedoms may not be exercised contrary to the purposes and principles of the United Nations.

Without being specific, this article imposes duties to the broader community upon everyone. The implication is that individuals and nations must respect the rights of others within the local and world communities. Without respect for communities, fullest individual development is not possible. However, individuals and nations should have sufficient leeway to go their own way so long as they do not disrupt the rights of others and the general welfare.

Article 30: Nothing in this Declaration may be interpreted as implying for any State, group, or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

This final article of the declaration prohibits acts that inhibit or harm the human rights and freedoms of others.

Summary of the Universal Declaration of Human Rights

To understand the significance of the Universal Declaration, it helps to view the declaration as a type of conduct code for every nation and individual. The declaration does not replace constitutions and local laws. But everyone, nation and individual, should study the declaration as a tool for helping local and global communities in their activities. While some politicians and individuals complain about the control of the United Nations over the United States, it was the United States that was a driving force behind the Universal Declaration of Human Rights. Simply agreeing to follow that declaration does not mean a country has relinquished control over its affairs to the United Nations.

The Universal Declaration stands on its own as an extraordinary document. While individuals and countries may place different interpretations on various articles or even fail to acknowledge certain articles, nothing detracts from the importance of the declaration as a standard of conduct.

Exercises

Exercise 1: Human Rights and the Media

The purpose of this exercise is to develop an awareness of human rights issues in everyday life and to recognize both enjoyment/protection of human rights and violations/neglect of rights.

1. Participants should divide themselves into small groups of three or four. Each group receives pages from a recent newspaper, along with scissors, tape, and a sheet of chart paper.
2. Each group will construct a poster using items from the newspaper grouped under these categories:
 - a. Human rights being practiced or enjoyed
 - b. Rights being denied
 - c. Rights being protected
 - d. Rights in conflict

Groups should look not only for news stories but also for small features such as announcements and advertisements. For instance, the language of the newspaper itself illustrates the right to language and culture, advertisements can illustrate the right to private property, reports of social events (e.g., weddings and births) can illustrate social and cultural rights, and personal columns can reflect many rights in practice (e.g., freedom of speech).

3. After groups have found stories for each of the four categories, they should select one story from each category to analyze, using these standards:
 - a. What specific human rights were involved in the story? List them beside the story.
 - b. Find the articles of the Universal Declaration of Human Rights that cover each human right and write the article number(s) beside the right.
4. A spokesperson from each group presents his or her group's selections to other groups and summarizes the reasons behind the selections. The spokesperson should discuss the following:
 - a. Specific human rights that were involved in the stories
 - b. Articles of the Universal Declaration involved in the stories
 - c. Whether more stories were concerned with civil/political human rights or social/economic/cultural rights. If one set of rights was more prevalent, the spokesperson should analyze reasons for this prevalence.
 - d. Which of the four categories of human rights listed in number 2 were easiest to find, hardest to find, and why?
 - e. Whether some articles of the Universal Declaration seemed more applicable than others. Did some articles of the Universal Declaration never appear in the stories? Why or why not?
 - f. Whether any stories specifically mentioned the term "human rights." Was the mentioning of human rights common, or did most of the stories not mention this term? If stories did not mention human rights, what reasons might exist for not mentioning the term?

52 UNDERSTANDING HUMAN RIGHTS

- g. Based on the news stories selected, what seems to be the state of human rights in the world today? In the United States? In your community?
 - h. What are some positive initiatives and actions for the protection and fulfillment of human rights indicated by the stories? Who is taking these actions?
 5. Participants can vary this exercise by comparing coverage of the same human rights stories in different newspapers or media, such as magazines and television. What differences do you observe in the importance given to the story? Are there different features of the story within the various accounts? Are there different versions of a single event? Did any version of the story explicitly mention human rights?

(modified from Human Rights Resource Center, 2005)

Exercise 2: Defining Human Rights and Needs

The following is a group exercise.

1. In groups of threes or fours, draw a tree on a piece of large chart paper.
 - a. Write on the tree, in the form of leaves, fruit, or branches, those human rights that the group believes all people need to live in dignity and justice.
 - b. Draw roots onto the bottom of the tree and label the roots with items that make human rights flourish. For example, roots could be labeled with a healthy economy, antidiscrimination laws, universal education, and any other item that contributes to human rights.
2. After the groups have completed their drawings, each group should present its tree and explain reasons for items included on the tree, including the roots.
3. To extend this exercise, groups can match the fruit, leaves, and branches of their trees with specific articles of the Universal Declaration of Human Rights and write the article number next to each item.
4. Groups can display these trees in classrooms or public places.
5. Groups can identify human rights on the tree that are of particular concern to their local communities.

(modified from Human Rights Resource Center, 2005)

Exercise 3: Creating a Human Rights Environment

The purpose of this group exercise is to read the following scenario and create a human rights environment based on the scenario.

Part A: Establishing Rights for a New Country

1. A small new planet (or country) has been discovered that has everything needed to sustain human life. No one has ever lived there. There are no laws, no rules, and no history. You will all be settlers here. In preparation of your settlement, your group has been appointed to draw up the bill of rights for this all-new planet. You do not know what position you will have in this country.

Your group has the following duties:

- a. Give the country a name.
 - b. Decide on ten rights that the entire group can agree upon and list them on chart paper.
2. Each group presents its list of ten rights to the other groups. Assign one person from a group to create a "master list" that includes all the rights the groups mention.
 3. When all the groups have presented their lists, examine the master list: Do some of the rights overlap? Can they be combined into one right? Is any right listed on only one list? Should it be included or eliminated?
 4. After their presentations of the lists and discussion about similar rights, groups can discuss the following questions: Did a group member's ideas about which rights were most important change during the exercise? How would life be in this country if some of the rights were excluded? Are there any rights a group member feels should be included in the master list? Why is making this list useful?
 5. To vary the process in creating the master list of rights, some groups can be assigned a particular status or role. For example, one group might be classified as individuals with disabilities, one as ethnic minorities, one as millionaires, and one as HIV-positive. Other groups would have no particular status or role. After creating a master list of rights based on these assigned roles, group members should discuss whether the assigned status within the new country influenced their ideas about necessary rights: for example, did the status of being a person with a disability affect your ideas about necessary rights?

Part B: Linking Rights to the Universal Declaration of Human Rights

1. After completing the master list, participants should return to their original group and try to match rights on the master list with articles of the Universal Declaration of Human Rights. Some rights may include several articles of the Universal Declaration; others may not be in the declaration at all. (If time is short, rights on the master list can be assigned to each group, without having each group analyze every right on the list.)
2. When a group finishes the matching of rights on the master list with those in the Universal Declaration, a member of the group should write down the article numbers next to the matching right on the master list.
3. Together, the groups should review each right on the master list and any matching right contained in the Universal Declaration. Is there agreement that the matches are correct? If disagreements occur, participants should resolve them.
4. Were some of the rights on the master list not contained in the Universal Declaration? How can you explain this omission? Were some rights in the Universal Declaration not contained in the master list? Why not?

54 UNDERSTANDING HUMAN RIGHTS

Part C: Selecting Personal Preferences

1. Select the three rights from the master list that mean the most to you.
2. One person, a facilitator, can tally the numbers to see how many participants selected a particular right.
3. The entire group should discuss why certain rights were selected more than others. Are there special circumstances within the local community that might make some rights more important than others?
4. Discuss the distinction between the two sets of rights: civil/political rights and social/economic/cultural rights. Did participants favor one set of rights over another in their selections? If so, discuss why.

(modified from Human Rights Resource Center, 2005)

1. Before completing the questionnaire, participants should research conditions within their community, using items in the questionnaire. This research will require at least a couple of weeks. Obtaining detailed knowledge about each item may not be possible. However, participants need to acquire some knowledge about each item to avoid unsubstantiated opinions.
2. After researching items on the questionnaire, participants will complete the questionnaire. For each item, participants need to examine the articles of the declaration referred to in parentheses. For example, in answering item 1, participants would read Articles 3 and 5 of the declaration to see the connection between the item and the human rights principles. In some cases, the item in the questionnaire may be broader than the relatively narrow principles stated in the declaration. However, responses to the items should provide a general sense of the community's climate in consideration of principles found in the Universal Declaration of Human Rights.
3. After completion of the questionnaire, participants will hand in the questionnaires to a facilitator, who will then review the various responses. The facilitator will prepare a summary of the results from the questionnaire. Because the maximum number of points for a single item is 4, with 10 participants, the maximum score for that item would be 40. The facilitator will chart the scores for each item and present them to the participants at the next session or meeting.

Taking the Human Rights Temperature of Your Community

Introduction

The following questions are adapted from the United Nations Universal Declaration of Human Rights. The relevant articles are included parenthetically in each statement. Some of these issues correlate more directly to the articles than others. All of these questions are related to the fundamental human right to education found in Article 25 of the Universal Declaration:

Everyone has the right to a standard of living adequate for health and wellbeing of himself (or herself) and of his (or her) family, including food, clothing, housing and medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood in circumstances beyond his control.

When discrimination is mentioned in the following questionnaire, it refers to a wide range of conditions: race, ethnicity/culture, sex, physical/intellectual capacities, friendship associations, age, culture, disability, social class/financial status, physical appearance, sexual orientation, lifestyle choices, nationality, and living space. Although this is a much more expansive list than that found in the Universal Declaration of Human Rights, it is more helpful in assessing the human rights temperature in your community.

The results should provide a general sense of the community's climate in light of principles found in the Universal Declaration of Human Rights.

Directions

Take the human rights temperature of your community. Read each statement and assess how accurately it describes your community in the blank next to it. Keep in mind all members of your community. At the end, total up your score to determine your overall assessment score for your school.

Rating Scale

1	2	3	4	DN
no/never	rarely	often	yes/always	don't know

Taking the Human Rights Temperature of Your Community

- 1. My community is a place where residents are safe and secure. (Articles 3, 5)
- 2. All persons receive equal information and encouragement about academic and career opportunities. (Article 2)
- 3. Members of the community are not discriminated against because of their lifestyle choices, such as manner of dress and association with certain people. (Articles 2, 16)
- 4. My community provides equal access, resources, activities, and scheduling accommodations for all individuals. (Articles 2, 7)
- 5. Members of my community will oppose discriminatory or demeaning actions, materials, or slurs. (Articles 2, 3, 7, 28, 29)
- 6. When someone demeans or violates the rights of another person, the violator is helped to learn how to change his or her behavior. (Article 26)
- 7. Members of my community care about my full human as well as academic development and try to help me when I am in need. (Articles 3, 22, 26, 29)
- 8. When conflicts arise, we try to resolve them through nonviolent ways. (Articles 3, 28)
- 9. Institutional policies and procedures are implemented when complaints of harassment or discrimination are submitted. (Articles 3, 7)
- 10. In legal issues, all persons are assured of fair, impartial treatment in the determination of guilt and assignment of punishment. (Articles 6, 7, 8, 9, 10)
- 11. No one in our community is subjected to degrading treatment or punishment. (Article 5)
- 12. Someone accused of wrongdoing is presumed innocent until proven guilty. (Article 11)
- 13. My personal space and possessions are respected. (Articles 12, 17)
- 14. My community welcomes persons from diverse backgrounds and cultures, including people not born in the United States. (Articles 2, 6, 13, 14, 15)
- 15. I have the liberty to express my beliefs and ideas (political, religious, cultural, or other) without fear of discrimination. (Article 19)

- ___ 16. Members of my community can produce and disseminate publications without fear of censorship or punishment. (Article 19)
- ___ 17. Diverse voices and perspectives (e.g., sexual orientation, gender, race/ethnicity, ideological) are represented in courses, textbooks, assemblies, libraries, and classroom instruction. (Articles 2, 19, 27)
- ___ 18. I have the opportunity to express my culture through music, art, and writing. (Articles 19, 27, 28)
- ___ 19. Members of my community have the opportunity to participate (individually and through associations) in democratic decision-making processes to develop policies and rules. (Articles 20, 21, 23)
- ___ 20. Members of my community have the right to form associations within to advocate for their rights or the rights of others. (Articles 19, 20, 23)
- ___ 21. Members of my community encourage each other to learn about societal and global problems related to justice, ecology, poverty, and peace. (preamble & Articles 26, 29)
- ___ 22. Members of my community encourage each other to organize and take action to address societal and global problems related to justice, ecology, poverty, and peace. (preamble & Articles 20, 29)
- ___ 23. Members of my community work reasonable hours under fair work conditions. (Articles 23, 24)
- ___ 24. Employees in my community are paid enough to have a standard of living adequate for the health and well-being (including housing, food, necessary social services and security from unemployment, sickness, and old age) of themselves and their families. (Articles 22, 25)
- ___ 25. I take responsibility in my community to ensure that other individuals do not discriminate and that they behave in ways that promote the safety and well-being of my community. (Articles 1, 29)

Temperature possible = 100 Human rights degrees

Your community's temperature _____

(modified from Human Rights Resource Center, 2005)

After completion of this exercise, students or other participants in the exercise should have a working knowledge of human rights principles contained in the Universal Declaration, which provides the foundation for further study of human rights. To move from analysis and evaluation to the development of a plan of action, participants can consider the following questions:

- a. In which areas does your community appear to be adhering to or promoting human rights principles?
- b. In which areas do there seem to be human rights problems? Which of these are of particular concern to you? Elaborate on the areas of concern, providing examples and identifying patterns in human rights violations.

58 UNDERSTANDING HUMAN RIGHTS

- c. How do you explain the existence of the problem conditions? Do they have race/ethnicity, class, gender, disability, age, or sexual orientation dimensions?
- d. Are the issues related to participation in the decision making—meaning whether someone is included or not?
- e. Who benefits and who loses as a result of the existing human rights violations?
- f. Are there other explanations to consider?
- g. Have fellow community members or you contributed in any way to the construction and perpetuation of the existing climate? In other words, have you (or others) acted in certain ways or not acted by ignoring abuses or by not reporting incidents?
- h. Were participants representative of the population of the community? Would you expect different results from a different group of people? In what ways might another group's responses differ and why? When determining which human rights concerns need to be addressed and how to address them, how can you be certain to take into account the perspectives and experiences of different people?
- i. What needs to be done to improve the human rights climate in your community? What action(s) can you and your group take to create a more humane and just environment where human rights values are promoted and human rights behaviors practiced?