Competing Visions of Human Rights: Questions for U.S. Policy
Acknowledgments

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Introduction: What are Human Rights?

A political dissident is jailed in Myanmar without being given a fair trial. A massive oil leak in the Gulf of Mexico threatens the livelihood of fishermen on the Atlantic coast. A child is kidnapped, drugged, and forced to take up arms in the conflict in the Democratic Republic of the Congo. Young Muslim students are banned from wearing traditional headscarves in French public schools. A man in India without access to clean water dies of a treatable disease. A guard looks on as an inmate is assaulted in a Texas jail. A woman working at a business firm in New York is paid less than her male counterparts.

Each of these scenarios remind us of how vulnerable each human being is to injustice. The scenarios raise two fundamental questions: What are the basic freedoms and entitlements of every human being? How should we protect these freedoms and entitlements? It is within the idea of human rights that we can look for answers to these questions.

What are human rights?
Human rights are fundamental rights and freedoms that all people are entitled to simply by the fact that they are human. Today, it is generally accepted around the world that governments have a responsibility to ensure and protect certain rights for their people. Human rights laws mainly focus on how governments treat their people, but also make governments responsible for protecting individuals from abuse by other individuals.

Over the past several decades, discussion about human rights has permeated international relations, creating a surge in treaties, institutions, and social movements. Human rights have been at the center of many political struggles, and are a means to protect the powerless from the powerful.

Yet while the general principle of human rights has been broadly accepted, human rights abuses persist and questions about the subject remain hotly contested. What exactly are human rights? Given the diversity of values held by people around the world, is it possible to agree on a definition of human rights? Should some rights take priority over other rights? What action should be taken to protect human rights? These questions have significant implications for the policy decisions of governments and ultimately for the lives of individuals.

In the coming days, you will have the opportunity to explore these questions and consider the direction of U.S. human rights policy. In Part I of the reading you will trace the historical progression of human rights, marking the influence of major events in world history. You will also consider the creation of the first international human rights agreements. In Part II you will explore current challenges and the large cast of actors that influence human rights, such as governments, the United Nations, and individuals that drive social movements. In Part III you will consider five case studies that highlight controversial topics in human rights. Ultimately, you will have the opportunity to develop your own ideas about how U.S. policy should address human rights.
Part I: A Brief History of Human Rights

There is debate about the nature and scope of human rights. Some believe that human rights only encompass individuals’ civil and political freedoms. Civil and political rights include the right to life, liberty and personal security, freedom from slavery, torture and arbitrary arrest, as well as the rights to a fair trial, free speech, free movement, and privacy. Others argue that there are economic, social, and cultural rights as well. These include economic rights related to work, fair pay, and leisure; social rights concerning an adequate standard of living for health, well-being and education; and the right to participate in the cultural life of the community. International consensus is growing that human rights should encompass civil and political rights, as well as social, economic, and cultural rights. This is often referred to as the “full spectrum” of human rights.

While the idea that governments should ensure equal rights for all of their citizens is relatively new, questions about what rights are, to whom they are extended, and how they should be protected have been debated for centuries.

What are the religious and philosophical origins of human rights?

Many of the values underlying current ideas about human rights may be traced through history and across cultures and religions. For example, the world’s popular religions have long promoted human dignity and individual worth. The ancient texts of Hinduism promote the sacredness of life; Buddhist teachings emphasize equality and encourage compassion towards others; Islam highlights charity and justice; the scriptures of Judaism pose guidelines for ethical behavior; and Christianity underscores the importance of reducing human suffering and loving others as one would love oneself.

For thousands of years, secular philosophies have also addressed questions of moral responsibility. For example, many ancient Chinese philosophers, rooted in a belief of common humanity, promoted respect for others. They also articulated ideas about the duty of a government to be attentive to the well-being of its people. Many precolonial African societies emphasized the importance of the well-being of individuals and communities and sought to shield people from mistreatment by those in power. For example, the Akamba of East Africa were entitled to strip oppressive chiefs of their power.

Ideas about human dignity, efforts to improve the human condition, and attempts to be treated justly by rulers emerged and evolved throughout diverse societies and regions of the world over the course of thousands of years. But much of the world’s history is darkened by brutal conquest, religious persecution, subjugation of women and minorities, and widespread systems of slavery and serfdom. It is only in the last three hundred years that governments have undertaken fundamental shifts towards protecting the rights of all individuals.

<table>
<thead>
<tr>
<th>Examples of Civil and Political Rights</th>
<th>Examples of Social and Economic Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>• freedom from slavery, discrimination, and torture</td>
<td>• free basic education</td>
</tr>
<tr>
<td>• equal protection under the law</td>
<td>• social security</td>
</tr>
<tr>
<td>• freedom of movement</td>
<td>• employment</td>
</tr>
<tr>
<td>• suffrage (the right to vote)</td>
<td>• fair wages and equal pay for equal work</td>
</tr>
<tr>
<td>• freedom of thought, opinion, expression, association, and religion</td>
<td>• an adequate standard of living (including adequate food, clothing, and housing)</td>
</tr>
</tbody>
</table>
Early Developments in Human Rights

Philosophies gradually emerged in some parts of the world that reframed issues of human dignity and well-being as “rights” of individuals. For example, during the seventeenth and eighteenth centuries, philosophers in Europe asserted that men are born free, equal, and entitled to certain rights and liberties.

“Man is born free, but everywhere he is in chains.”
—John-Jacques Rousseau

These new theories about the rights of individuals heavily influenced evolving ideas about the relationship between citizens and their government.

Philosophers such as John-Jacques Rousseau and John Locke argued that these “natural rights” (rights granted by God at birth) are beyond the reach of government, and therefore a government’s power over its people should not be absolute. Following this line of reasoning, some philosophers affirmed that government must also secure and protect the rights of its citizens and that individuals should be entitled to elect their leaders.

How did evolving ideas about human rights contribute to political change?

Ideas about human rights were influential in several struggles against autocratic rule, such as the American Revolution and the French Revolution. American revolutionaries justified their split from Great Britain on the basis that the king did not adequately ensure their rights; the colonists claimed this entitled them to revolt and establish a new government. The United States Declaration of Independence asserted individual rights and freedoms and proclaimed that the legitimacy of government power is dependent on public support and approval. The religious influence on the origin of the rights proclaimed in the declaration is stated clearly.

“We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government....”

—Introduction to the U.S. Declaration of Independence

The U.S. Constitution and Bill of Rights (1789-91) and the French Declaration of the Rights of Man and Citizen (1789) broke new ground by proclaiming a wide array of civil and political rights, such as freedom of expression, the right to vote, and protection against arbitrary arrest and punishment. Though these documents were revolutionary for their time, they generally extended the newly proclaimed rights to only the sliver of the population that was white, wealthy, and male. In both the United States and France, gender and racial inequality remained largely unchanged, and religious discrimination persisted. Both countries practiced slavery.

Nevertheless, these philosophies of equality and justice reverberated among oppressed people, spurring movements for change, as groups sought to claim rights for themselves. For example, the successful uprising of enslaved people in the French colony of Saint-Domingue (now the country of Haiti) was partially motivated by France’s refusal to extend the rights of the French Declaration to its colonies and abolish slavery. Haiti’s constitution of 1801 was the first in modern history to extend universal rights to all men, not just whites.
Options in Brief

Option 1: Lead the World to Freedom

The United States was founded on the notion that individuals are entitled to liberty and the right to choose their government. These are the human rights that every human being is entitled to. Our ideas about human rights continue to inspire oppressed peoples around the world who desperately seek freedom from tyranny. As the world’s superpower, we have both the opportunity and the responsibility to stand up for the human rights of liberty and democracy in every corner of the earth. We must be prepared to hold the world’s perpetrators of gross human rights violations accountable for their actions. A powerful, determined United States leading the charge is the only hope for spreading liberty throughout our world.

Option 2: Work with the International Community

A strong and unified global commitment to promoting and protecting human rights is our best hope for improving the well-being of individuals and maintaining peace and security across the globe. The time has come for the United States to take a fresh approach to rights. We can begin by embracing a wider understanding of human rights, including economic, social, and cultural rights. Nothing sends a stronger message than a unified international commitment to human rights. The United Nations has the legitimacy and capacity to develop and maintain a long-term effort to promote human rights. We must increase our commitment to the UN, and take a leadership role to strengthen and support its effectiveness in promoting human rights. We must stand together with the international community against gross violations of human rights whenever and wherever they surface, and bring perpetrators to justice.

Option 3: Act Only When U.S. Interests are Directly Threatened

We should not be swept up in the international human rights frenzy that is dominating world politics. Human rights are nothing more than a distraction. By focusing on the international community’s idea of human rights, we risk losing sight of what is truly important for our country: a strong economy, national security, and protecting our own constitutional freedoms and way of life. Our top priority should be to make our country stronger and safer, not to seek to change the world. We can speak out against human rights abuses, but unless abuses directly threaten our security, risking U.S. lives and spending huge sums of money is not sensible. We must always approach global human rights problems by placing the interests of our country first.

Option 4: Focus Our Efforts at Home

The only place that we can truly improve human rights is on our own soil. Throughout our country, citizens are demanding change, calling for better education, access to health care, and improved working conditions. These economic, social, and cultural rights are human rights that every U.S. citizen deserves. There are other good reasons to focus on human rights at home. The U.S. quest to promote human rights abroad has too often led us into costly foreign policy failures. We should speak out against violations of human rights around the world. But just as we would never accept another country telling us how to govern ourselves, we must refrain from the temptation to impose any single system on other countries. So let us begin at home and make human rights our top domestic priority. We can lead by example, ensuring that every U.S. citizen enjoys a life of dignity, freedom, and equality.
Option 1: Lead the World to Freedom

The United States was born out of a revolution for human rights. Our government was founded on the notion that individuals are entitled to liberty and the right to choose their government. We cherish freedom of expression, the right to vote, and other civil and political rights. These are the human rights that every human being is entitled to. Our ideas about human rights continue to inspire oppressed peoples around the world who desperately seek freedom from tyranny. Today, countless people struggle under stubborn governments that silence citizens’ demands for change. History tells us that promoting these rights benefits individuals and contributes to a more peaceful and stable world. As the world’s superpower, we have both the opportunity and the responsibility to stand up for the human rights of liberty and democracy in every corner of the earth.

The United States has built a reputation since 1776 as an exceptional model and benevolent trailblazer for human rights, and should be trusted as such. We need not look any further than our own Constitution to define what human rights are. Our judicial system is fully capable of addressing human rights abuse within the United States or by U.S. citizens abroad. Foreign ideas about rights and international courts are unnecessary and infringe on our right to chart our own course. The idea that we should be subjected to the same international scrutiny as the world’s worst dictators and tyrants is insulting and unnecessary. At the same time we must be prepared to hold the world’s perpetrators of gross human rights violations accountable for their actions. A powerful, determined United States leading the charge is the only hope for spreading liberty throughout our world.

Option 1 is based on the following beliefs

• Human rights are universal. They consist of the civil and political rights that are the foundation of the U.S. Constitution.

• As the world’s superpower and a beacon of liberty and human rights, the United States should promote and protect the rights of individuals around the world.

• The human rights of liberty and democracy are key to maintaining international peace and security, because the effects of human rights violations cannot be contained by borders.

• A state that fails to protect its own people from gross violations of human rights like genocide or mass murder cannot expect to preserve its sovereignty.

• The ICC would violate U.S. citizens’ constitutional rights.
What should we do?

- We should place spreading freedom and democracy at the forefront of our foreign policy. We should pursue these goals through diplomacy, trade, aid, sanctions, and even military action in extreme circumstances.
- We should welcome international support for our human rights policies, but if other countries don’t join us we should act on our own.
- We should announce that the United States will not allow tyrants to hide behind the cloak of state sovereignty if they are committing or allowing human rights violations.
- We should only support international treaties that promote the civil and political rights declared in the U.S. Constitution.
- We should refuse to join the ICC because it threatens our sovereignty. In certain circumstances, we should help to establish international criminal tribunals that will try individuals for gross human rights violations committed during a particular conflict or in a specific country.
- We should support those who promote civil and political rights around the world, such as NGOs, regional human rights organizations, and individuals.

Arguments for

1. Promoting freedom and democracy provides a clear moral purpose to our foreign policy.
2. Increasing the number of countries that respect rights and liberty will increase international stability and protect the security of the United States.
3. Individuals around the world that yearn for rights and liberty will welcome and support our policies.

Arguments against

1. Insisting that human rights include only civil and political rights and not economic, social, and cultural rights reflects an outdated and unrealistic understanding of human rights. If someone is starving, what good is a right to vote?
2. Intervening in the internal affairs of another country, no matter how noble the cause, will provide a precedent for other nations to intervene in our internal affairs.
3. The United States does not have the resources, nor the right, to be the world’s police officer. Our values are not necessarily universal.
4. While promoting human rights is a noble idea, we must focus our foreign policy efforts on those issues that directly affect U.S. economic and political interests.
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The Choices Approach to Current Issues

Choices curricula are designed to make complex international issues understandable and meaningful for students. Using a student-centered approach, Choices units develop critical thinking and an understanding of the significance of history in our lives today—essential ingredients of responsible citizenship.

Teachers say the collaboration and interaction in Choices units are highly motivating for students. Studies consistently demonstrate that students of all abilities learn best when they are actively engaged with the material. Cooperative learning invites students to take pride in their own contributions and in the group product, enhancing students’ confidence as learners. Research demonstrates that students using the Choices approach learn the factual information presented as well as or better than those using a lecture-discussion format. Choices units offer students with diverse abilities and learning styles the opportunity to contribute, collaborate, and achieve.

Choices units on current issues include student readings, a framework of policy options, suggested lesson plans, and resources for structuring cooperative learning, role plays, and simulations. Students are challenged to:

• recognize relationships between history and current issues
• analyze and evaluate multiple perspectives on an issue
• understand the internal logic of a viewpoint
• identify and weigh the conflicting values represented by different points of view
• engage in informed discussion
• develop and articulate original viewpoints on an issue
• communicate in written and oral presentations
• collaborate with peers

Choices curricula offer teachers a flexible resource for covering course material while actively engaging students and developing skills in critical thinking, deliberative discourse, persuasive writing, and informed civic participation. The instructional activities that are central to Choices units can be valuable components in any teacher’s repertoire of effective teaching strategies.

The Organization of a Choices Unit

Introducing the Background: Each Choices curriculum resource provides historical background and student-centered lesson plans that explore critical issues. This historical foundation prepares students to analyze a range of perspectives and then to deliberate about possible approaches to contentious policy issues.

Exploring Policy Alternatives: Each Choices unit has a framework of three or four divergent policy options that challenges students to consider multiple perspectives. Students understand and analyze the options through a role play and the dialogue that follows.

• Role Play: The setting of the role play varies, and may be a Congressional hearing, a meeting of the National Security Council, or an election campaign forum. In groups, students explore their assigned options and plan short presentations. Each group, in turn, is challenged with questions from classmates.

• Deliberation: After the options have been presented and students clearly understand the differences among them, students enter into deliberative dialogue in which they analyze together the merits and trade-offs of the alternatives presented; explore shared concerns as well as conflicting values, interests, and priorities; and begin to articulate their own views.

For further information see <www.choices.edu/deliberation>.

Exercising Citizenship: Armed with fresh insights from the role play and the deliberation, students articulate original, coherent policy options that reflect their own values and goals. Students’ views can be expressed in letters to Congress or the White House, editorials for the school or community newspaper, persuasive speeches, or visual presentations.
Human Rights in Action

Objectives:

Students will:

Consider the role of human rights in cases around the world.

Explore different categories of human rights.

Identify the challenges of protecting human rights.

Think about how the U.S. Constitution influences U.S. ideas about human rights.

Required Reading:

Students should have read the Introduction and Part I of the reading in the student text (pages 1-13) and completed “Study Guide—Introduction and Part I” in the Teacher Resource Book (TRB 5-6) or “Advanced Study Guide—Introduction and Part I” (TRB-7).

Handouts:

“Human Rights Cases” (TRB 9-10)

Note: Cases I, III, IV, and V are real events that have sparked controversy about the human rights of the main character. Students interested in the complexities of each story can find additional information online.

In the Classroom:

1. “The Wall”—Begin the class by writing the words “Human Rights are...” in the center of the blackboard or on a large piece of paper. Give students five to ten minutes to approach the board and write whatever comes to mind when they think of human rights—statements, words, questions, countries, etc. Instruct the class to do the exercise in silence. Encourage students to add to each other’s postings as well as write their own independent postings.

2. Defining Human Rights—Distribute “Human Rights Cases.” Divide students into small groups and have them read the cases out loud within their groups. Have one member of each group record their group’s responses to the questions.

3. Sharing Conclusions—After the groups have completed the worksheet, invite groups to share their conclusions. Are there points of agreement? Disagreement? How do the disagreements in the classroom mirror those policy makers might have?

Revisit the question of the protection of rights. In which cases did student think that the government was responsible for this task? What do students think should happen if the government is violating human rights? What should happen if the government is incapable of protecting these rights?

4. Exploring Definitions of Human Rights—Ask students to think about the five cases. Which of the rights fall into the category of “political and civil” rights? Which fall under the category of “economic, social, and cultural” rights?

Of these two categories of rights, which category is most protected by the U.S. Constitution? Why do students think this is the case? How might this affect U.S. attitudes about human rights? For example, the Constitution does not grant a right to an education, while the UN’s Covenant on Economic, Social, and Cultural Rights says that a primary education is a right. Do students think they have a right to an education? If so, what should that right entail? Who is responsible for providing that right?

Extra Challenge: Have students compare the rights protected by different constitutions and human rights agreements. Several constitutions and international human rights treaties can be found at <http://www.choices.edu/humanrightsmaterials>.

Homework:

Students should read Part II of the reading in the student text (pages 14-23) and complete “Study Guide—Part II” (TRB 17-18) or “Advanced Study Guide—Part II” (TRB-19).
Study Guide—Introduction and Part I

Vocabulary: Be sure that you understand these key terms from the Introduction and Part I of your reading. Circle ones that you do not know.

civil and political rights  
economic, social, and cultural rights  
secular  
precolonial  
serfdom  
autocratic  
legitimacy  
gender  
universal rights  
state sovereignty  
authoritarian

suffrage  
self-determination  
atrocities  
war crimes  
colonial powers  
colonial rule  
covenants  
universality  
ideological disputes  
polarization  
self-rule

Questions:
1. Explain what is meant by the phrase “human rights.”

2. Fill in the chart below using the information from Part I of your reading.

<table>
<thead>
<tr>
<th>Religious and Philosophical Origins of Human Rights</th>
<th>Values Emphasized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buddhism</td>
<td>Equality and compassion towards others</td>
</tr>
</tbody>
</table>

Name: _____________________________________________
3. What new rights were proclaimed by the U.S. Constitution and the French Declaration of the Rights of Man and Citizen?
   a. 
   b. 
   c. 

4. The collection of ____________ that governs the laws of war is commonly known as international ____________ ____________. 

5. List the four freedoms President Roosevelt said were necessary for a secure and peaceful future.
   a. 
   b. 
   c. 
   d. 

6. What rights were emphasized by the United States during the Cold War?

7. What rights were emphasized by the Soviet Union during the Cold War?

8. List three ways that decolonization affected international human rights.
   a. 
   b. 
   c. 

9. Why was the Vienna World Conference on Human Rights significant?
# The Development of International Human Rights

*Instructions*: Use your reading to fill in the chart below. Do not fill in the shaded boxes.

<table>
<thead>
<tr>
<th>Event</th>
<th>Why was this event important to international human rights?</th>
<th>What were the shortcomings?</th>
<th>What were the long-term consequences for international human rights?</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. &amp; French Revolutions</td>
<td></td>
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<tr>
<td>Haitian Constitution</td>
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<td>Geneva Conventions</td>
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<tr>
<td>League of Nations</td>
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<td>Allies’ Justification for World War II</td>
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<td>Nuremberg Trials</td>
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<td>UN Charter</td>
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<td>Universal Declaration of Human Rights</td>
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<td>Cold War</td>
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<tr>
<td>Decolonization</td>
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<tr>
<td>Vienna World Conference on Human Rights</td>
<td>Why was this event important to international human rights?</td>
<td></td>
<td>What were the long-term consequences for international human rights?</td>
</tr>
</tbody>
</table>
