

The Universal Declaration of Human Rights

Hilary Landorf

We know that young people have an innate sense of fairness and justice. Every day, teachers hear from students “but that’s not fair!” In countless classroom situations where a child grabs three pens instead of the allowed one, or another child always maneuvers for the best seat in the room, fellow students recognize their rights and demand that rules be followed and enforced fairly. This sense of fairness or right has been present throughout the history of humankind and forms the basis of human rights. Belief and respect of human rights are inherent. It is this characteristic that makes human rights universal.¹

A study of human rights prepares students for their role as global citizens and their study of practices in the world’s countries that relate to the rights of human beings. Examples of universal rights are to be able to work, to exercise free speech, to marry, to worship one’s own God, to be safe, and to own property. There is much debate as to the scope, justification, implementation, and enforcement of these rights, but there is international agreement as to their meaning and purpose.

Historical Perspective of Human Rights

Today, when we talk of human rights it is usually with reference to the 1948 Universal Declaration of Human Rights (UDHR). The concept of human rights is associated with the idea of a moral world order, a notion that can be found in most religions and in Western philosophy going back to the Greeks. This moral universalism is founded on the belief that there are certain undeniable moral truths that apply to all human beings.

The development of human rights based on the concept of universal human liberty arose in the eighteenth century European Age of Enlightenment. Philosophers such as Locke, Kant, and Rousseau wrote of inalienable natural rights; rights that belonged to every

human being regardless of birth, wealth, status, membership, or citizenship. These rights included the rights to life, liberty, and property. In the eighteenth and nineteenth centuries, human rights provided the platform for effecting political change. Revolutions and movements produced documents such as the U.S. Declaration of Independence, the U.S. Bill of Rights, and the French Rights of Man and the Citizen. The development of rights continued throughout the nineteenth and twentieth centuries in different forms. Many new national constitutions adopted the classic rights of freedom and equality. The assertion of rights became the basis for political struggles to end regimes or claim minority or ethnic rights. Specific civil rights centered on issues such as slavery, suffrage, and worker conditions.

However, it was only after World War II that a major shift occurred in the recognition that human rights are an international issue. First, the defeat of the Axis powers required international alliances galvanized by the idea of fundamental and universal freedom for all humans. Second, the revelations of the horrific violations of human rights during World War II made it clear that individuals needed protection from the state. There emerged a consensus that human rights were a universal concern of all individuals, that there was a compel-

ling need for the international protection and promotion of these rights, and that this should be a fundamental goal of the new international body, the United Nations.

Adoption of the UDHR

The UDHR was adopted by the United Nations Assembly in December 1948. This document is based on the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family as the foundation of freedom, justice, and peace in the world.”² The document consists of a Preamble and 30 articles that identify specific human rights that countries should respect and protect. These rights are divided into two classes: (1) civil and political rights expressed in Articles 3–21, and (2) cultural, social, and economic rights expressed in Articles 22–27. The last three articles of the declaration, Articles 28–30, emphasize the responsibility of the international community for putting into place arrangements for the full realization of human rights.

The importance of the UDHR cannot be overstated. It represents the first time in human history that an international body presented a standard of basic civil, political, economic, social and cultural rights for all people everywhere, along with the intent to promote and protect those rights for individuals. The UDHR is more than a declaration. Its writers and signatory parties assert a belief in the inherent dignity of all members of the human family. The UDHR is the basis for many international conventions and treaties particularly designed to further delineate and provide enforcement for the rights stated in the UDHR. As with

1. Classroom Declaration

In groups, students develop a declaration of rights for their classroom. Ask them to include rights that pertain to students and their teacher. Explain that they can formulate these rights as ‘positive’ or ‘negative’ rights (e.g., “Nobody has a right to interfere with...” or “Students are entitled to ... from others”).

Hand out copies of the Universal Declaration of Human Rights and the Declaration of the Rights of the Child. Briefly explain the history of these documents. Give students time to familiarize themselves with these documents. Then have them compare their own declarations with those developed by the United Nations. Which rights are similar? Which rights are different? Why?

2. Local Human Rights Map

Students design a map of the city or town in which they live, identifying major municipal buildings and spaces such as the local library, town halls, and parks as landmarks. Using the UDHR as a guide, students then write a human rights ‘key,’ describing each landmark by the human right(s) that

the landmark is meant to protect. For example, the town courthouse is meant to protect Articles 7, 8, 10, and 11 of the UDHR.

3. Human Rights in the News

Collect several newspapers with articles in which a human right(s) is (are) respected or denied. Divide the class into pairs and provide them with the newspapers. Then give each pair one important human rights document, such as the UDHR, the Declaration of the Rights of the Child, the Covenant on Civil and Political Rights, or the Covenant on Economic, Social, and Cultural Rights. Students then examine their newspapers, circling the headline of each article that refers to a right(s) mentioned in their human rights document. If the article deals with the respect of a right(s), the students put a plus sign by the headline and identify the relevant right(s). If the article deals with a denial of a right(s), students put a minus sign by the headline and identify the relevant right(s). Finally, students explain how a particular human right(s) is (are) being upheld or denied in each case.

the UDHR, these conventions and treaties have been ratified by most countries of the United Nations, incorporated in national constitutions, or enacted as specific laws in many countries. The most important of these are the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). Other conventions cover such areas as racial discrimination, genocide, women’s and children’s rights.

Although there is still philosophical discussion of rights without specific reference to the UDHR, our common understanding of human rights today is anchored in the UDHR. What began as a declaration of human equality and dignity for all has become the foundation of the international human rights movement, part of international law, and a cornerstone of world political dialogue.

Three Generations’ of Human Rights

The evolution of human rights since the UDHR is often couched in terms of three accumulating “generations” of rights, as initially proposed by Karel Vasak.³ In the years following the signing of the UDHR, the initial focus of human rights advocacy was on those fundamental civil and political rights that promote classical freedoms and ensure security, property,

and political participation. These are often termed ‘first generation rights’ because they are the basis on which all other rights are predicated.

Claims for civil and political rights followed with an increasing emphasis on the ‘second generation’ rights: the social, economic, and cultural rights that seek to ensure all citizens of all states receive equal treatment and equal economic conditions. These rights are most usually associated with Articles 23–29 of the UDHR and with the International Covenant on Economic, Social, and Cultural Rights. ‘Second generation’ rights seek to ensure such things as a right to work, education, housing, health care, and social security.

Today, there is a strong push to recognize and codify *solidarity rights* or ‘third generation’ rights. These rights include the right to self-determination, the right to peace, the right to a clean environment, the right to participate in and benefit from the Earth, and the right to development. ‘Third generation rights’ have been recognized in various documents such as the 1972 Stockholm Declaration of the United Nations Conference on the Human Environment, the 1986 Declaration on the Right to Development, and the 1992 Rio Declaration on Environment and Development.

Conclusion

It is our task as teachers to give students the educational opportunities to increase global awareness and engage in local and global issues that can result in a better, more equal world.⁴ The realization of this task requires students to fully understand what human rights are, where they come from, and how they form the basis of human dignity and freedom for all. The UDHR and subsequent human rights conventions have assisted millions of individuals around the world in gaining their rights, making these some of the most influential documents of all times. 🌐

Notes

1. Jack Donnelly, *Universal Human Rights in Theory and Practice* (2nd Ed.) (Ithaca, NY: Cornell University Press, 2003).
2. Universal Declaration of Human Rights, 1948. www.un.org/Overview/rights.html.
3. Karel Vasak, “A 30-year Struggle: The Sustained Efforts to Give Force of Law to the Universal Declaration of Human Rights.” *UNESCO Courier* (1977) 29-32.
4. See Hilary Landorf and Martha Fernanda Pineda, “Learning History through the Universal Declaration of Human Rights,” *Social Education* 71, no. 6 (2007): 322-325.

HILARY LANDORF is associate professor of international/intercultural education at Florida International University and Director of the Office of Global Learning Initiatives. She can be contacted at landorfh@fiu.edu