

No constitution spoke of the need for a just social and international in order to realize human rights. Finally, and understandably, there was no mention of the Universal Declaration or the United Nations as stated in the last two articles of the Universal Declaration.¹

There did not appear to be any significant major differences among groups of states. A summary of these major findings can be found in Table 3 at the conclusion of this chapter.

Of interest, however, is that concern for indigenous people's rights becomes more pronounced in the western states, particularly Hawaii. There are regional differences, furthermore, related to the protection of workers in specific industries, which are common to a geographic region, such as mining, metallurgy, and agriculture.

One final observation is that there were many economic and social guarantees, too numerous to mention, in the form of retirement and other benefits, such as health care and compensation for disabilities, for veterans, judges, state representatives, and state officials in general. It appeared, therefore, that if a person were to engage in combat, if he or she should survive, then the veteran would have certain economic and social guarantees. It is as if the old feudal order in which the serf engages in combat for the Lord, in exchange for certain benefits was still generally apparent in state constitutions.

My impressions also are that the aphorism that laws are made by and for the lawmakers is true. Yet, for the "least of these," such as children there was *no* mention of economic and social guarantees. Can this account in large part why the first nationwide study of the level of childhood hunger in the United States says: "One child in eight under the age of 12-5.5 million-goes hungry each day and another 6 million live in families that do not have enough money to spend for food and are at risk for being hungry" (Kurkjian, 1991)?; why, in 1989, according to the Census Bureau 22.5% of all children and 50% of all black children under 6 in the US live in poverty ("U.S. Reports", 1990)?; or why, according to the Children's Defense Fund, "The United States lags behind most other industrialized countries, and behind some Third World nations, in indicators of children's health, educational achievement and economic well-being" (Ribadeneira, 1991)? Why is it, finally, that "children are the hardest hit by hunger" in the United States, having "double the rate of hunger" in this age group than "any other industrialized nation." Ironically, worldwide hunger is going down worldwide and in Africa, but in the United States it is going up (Karger and Stoesz, 1998, p. 421).

The last chapter will examine the implications of these analyses of United States constitutions for social policy, in comparison with the Universal Declaration and within the context of the historical-philosophical underpinnings of the idea of human rights.

Table 3

Summary of State Constitutions' Major Correspondences with Articles in the Universal Declaration of Human Rights, not Guaranteed by the United States Constitutions

(Article) Right	# of States with Relevant Guarantees	Identified States
1(b) Human Dignity	2	LA, MT
(c) Equality of Rights	9	MA, CT, MO, AK LA, TX, WY, OR, AK
2. Elaboration of the Equal Protection Clause Categories:	14	MA, CT, NY, IL, MI, VA, NC, FL, LA, TX, MT, WY, AK, HI
Race	14	MA, CT, RI, NY, MI, VA, NC, FL, LA, TX, MT, WY, AK, HI
Religion	12	MA, CT, NY, MI, VA, NC, FL, LA, TX, MT, AK, HI
Color	10	MA, CT, NY, MI, VA, NC, TX, MT, WY, AK
Sex	11	MA, CT, RI, IL, VA, LA, TX, MT, WY, AK, HI
National Origin	9	MA, CT, MI, VA, LA, NC, TX, AK, HI
Physical Handicap	4	CT, RI, FL, LA
Political Opinion	2	MT, LA

(Article) Right	# of States with Relevant Guarantees	Identified States
Social Origin or Condition	1	MT
Birth	1	LA
Disability	1	MA
Aliens	1	MI
Court Determined Circumstance	1	WY
8. Right to an Effective Remedy	38	All <i>except</i> NY, MI, IA, VA, GA, TX, AZ, NV, CA, WA, AK, HI
16(3) The Importance of the Family	2	GA, ID
21(3)(a) The Will of the People as the Basis of Government	50	All states
22. General Statements About Economic and Social Justice	2	IL, LA
23(1)(c) Right to Favorable Conditions of Work	2	WY, UT
23(3)(c) Right to Favorable Remuneration for Work	6	MO, NC, FL, OK, AK, OR
23(4) Right to Join Trade Unions	5	NY, NJ, MO, FL, HI
24(b) Reasonable Limitations of Working Hours	4	NY, MT, CO, AZ

Table 3. (continued)

(Article) Right	# of States with Relevant Guarantees	Identified States
25(1)(e) Right to Medical Care	2	IL, LA
26(1)(a) Right to Education	44	All <i>except</i> NH, MA, IN, TN, AL, CA
26(1)(c) Compulsory School Attendance	7	VA, NC, OK, ID, NM, UT, NV
27(1)(a) Right to Participate in Cultural Life	4	VA, LA, MT, HI
29(1)(a) Need for Duties	10	NH, VT, MA, RI, IL, MD, VA, MT, AK, HI

Table 3. (continued)

Note. Provisions of articles as stated are brief paraphrases of original articles. Abbreviations for states are official two-letter Postal Service abbreviations.

Note - Chapter Five

¹ The proposed constitution for the State of New Columbia, presently Washington, D.C. can be found in the 1992 edition. Briefly, and in comparison with the Universal Declaration, it extends rights found in state constitutions by including property as a basis for nondiscrimination and by providing for an income to meet basic human needs if unable to work, equal pay for equal work, and security for the disabled and the elderly. That constitution in its preamble also "reaches out to the people of the world in a spirit of friendship and cooperation."