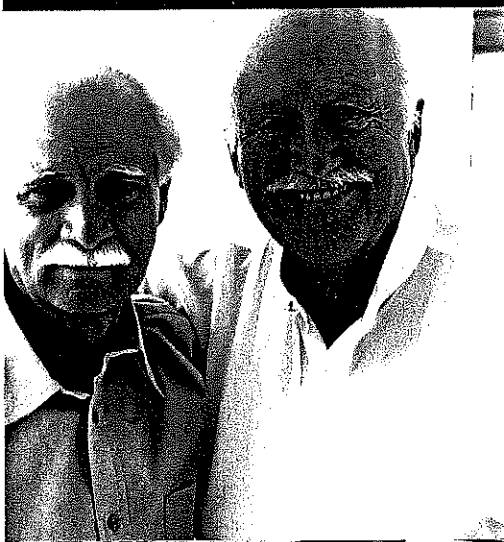




# Teaching Human Rights

Curriculum Resources for Social Work Educators

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# An Overview of Human Rights

Joseph Wronka

The day before he died, the Reverend Dr. Martin Luther King spoke about the urgency of implementing what he called “the human rights revolution” (1968, p. 1) echoing his feelings that the real issues of the time were not civil rights, but rather human rights. Other luminaries such as Malcolm X urged oppressed peoples of the world to see their issues as a “struggle for human rights...and use United Nations avenues, its Human Rights Commission as a way of garnering “the moral support of the world” (King, 1992, as cited in Wronka, 2008a, p. 33). The term *human rights*, ultimately the legal mandate to fulfill human need, was officially coined by the United Nations (UN) in 1945. Echoing the wisdom of Victor Hugo, author of *Les Miserables*, it is a powerful idea whose time has come. Indeed, Eleanor Roosevelt (1963), a prime leader in the earlier days of the human rights movement, saw the importance of ideas when she said that “the force of ideas, rather than material goods ... [and] ... only the power of ideas and enduring values, can keep us ... great. ... For where there is not vision, the people perish” (p. 6).

Today no government or professional organization would dare say that it is against human rights, a powerful idea that arose from the ashes of World War II. Indeed, the International Federation of Social Workers (IFSW) has stated: “From its inception, social work has been a human rights profession, having as its basic tenet the intrinsic value of every human being” (United Nations, 1994, p. 3). Although social justice is essential to social work theory and praxis, it is often an amorphous concept (Reichert, 2011). Viewing human rights as its bedrock, however, should help clarify its contours and move us more readily toward socially just actions and policies.

But the question is: What exactly are human rights? More accurately, what is a human right, for as we will discuss, human rights are interdependent, indivisible, and interrelated. It is customary in the United States, for example, to speak of civil rights such as freedoms of speech and the press. But what is freedom of speech to a person who is homeless, lacks health care, and lives in a world at war? Adequate shelter, health care, and peace, to be discussed, are human rights.

## Toward the Creation of a Human Rights Culture

Ultimately, we are talking about the creation of a human rights culture, which is a lived awareness of human rights principles in our minds and hearts that is dragged into our everyday lives (Wronka, 2013a). But that journey from the mind to the heart is a long one. If we view education as from the Latin *educare* meaning to grow, nourish, and strengthen, teaching and learning about human rights in this Second World Decade for Human Rights Education and Training, not only in formalized settings like schools, but also informal venues such as the media, the family, and the community both local and global, can play a pivotal role in moving us toward a socially just world where every person everywhere has her or his human rights realized.

Only chosen values endure. Thus, human rights education, broadly defined, must come from a nonelitist approach, having essentially an interdisciplinary, if not phenomenological orientation, and from the perspective of the educated layperson, as Eleanor Roosevelt wanted it. A phenomenological approach would take seriously, for example, the dictum of its founder Edmund Husserl, who spoke of the importance to “go back to the things themselves” (*Internet Encyclopedia of Philosophy*, 2013, p. 6);



and later, Gabriel Marcel, who talked about the inner strivings in the human species for a decent world that always rise up when confronted with social injustice. Thus, education ought to tap deeply into such strivings, the things themselves that speak to the core of our individual and collective well-being. Knowing about one's human rights, therefore, and feeling deeply about them in educated layperson's terms appears the best way to engage in a creative dialogue individually and collectively, yet across disciplines, to choose one's values and affect public sentiment (Wronka, 2013a).

To be sure, if we seriously consider the words of former Supreme Court Justice Louis Brandeis that "Government teaches the whole people by example" (Brainy Quote, 2013) then we can easily see how the choices that governments have made through their constitutions and policies in general can also serve as conduits for values clarification and formation. But so, too, we must now consider the role that corporations, businesses in general, and other nongovernmental organizations (NGOs) serve as teachers (Robinson, 2013).

In the final analysis, human rights represent a crystallization of values, which can, in turn, further influence values and vice-versa. But in both instances what we are speaking about is the fulfillment of human needs. Whereas knowledge of needs is imperfect, Gil (1992, 2013) has defined them roughly as biological-material (e.g., food, water), social-psychological (kinship, family), productive-creative (work, artistic expression), security (peace, privacy), self-actualization (education, living to one's potential), and spiritual (religion, human dignity). However, the point is that speaking about values, needs, or for that matter, social justice, although important, does not have the urgency and power to move people in positive directions as do the words *human rights* (Ife, 2008; Reichert, 2007, 2011; Wronka, 1995, 2008, 2012). The formation of the United Nations can easily be seen as a major attempt by the world community to help the human species survive given the atrocities of the Second World War, including the possibility of total nuclear global annihilation. Given that the human condition is moved toward altruism in times of disaster, if not urgency, the clarion call to create a human rights culture may indeed be the key to the creation of a socially just world.

## A Brief History of the Idea

Because human rights discussions cannot take place in a historical-philosophical vacuum, it is necessary to briefly sketch select antecedents. In 1938, with pressure from a number of NGOs, President Roosevelt called the Conference of Evian to stop the ever increasing abuses of the Third Reich. The German representative there appealed to domestic sovereignty and the hypocrisy of nations, making note of other nations' abuses. The conference ended in failure because other countries did not want to bring attention to their own atrocities, such as public lynchings in the United States, the Soviet Union's own Gulag, and France's policies of torture in Africa (Buergenthal, Sheldon, & Stewart, 2009) A 1943 conference in Bermuda had a similar fate.

Certainly, such conferences were late in coming given the trans-Atlantic slave trade, genocide against indigenous peoples, and already centuries of oppression by European and other powers in Africa, Asia, and elsewhere. Yet what ensued was the killing of 10 million innocents, primarily Jews, but also others such as homosexuals, Jehovah's Witnesses, one-fourth of Poland, and Roma in a pogrom commonly known as the Holocaust. With increased sophisticated weaponry, as evidenced in part by so-called carpet bombings of cities such as Dresden and Tokyo and the nuclear bombings of Hiroshima and Nagasaki, overall an estimated 92 million people were killed.

To help assure that such atrocities never to happen again, the United Nations was formed on October 24, 1945. Although governments were initially reluctant to draft a human rights document





“for lack of time” (UN Information Organization, 1945, p. 456) according to official recordings, NGOs, called in primarily by President Roosevelt, put pressure on them. They formed a committee, which elected Eleanor Roosevelt as chair, to come up with a document that was at least hortatory, urging governments to abide by human rights standards.

On December 10, 1948, the Universal Declaration of Human Rights was endorsed by the General Assembly with no dissent. In short, the Universal Declaration was an historical–philosophical compromise, or what may be called a dignified compromise (a phrase often used by Mahatma Gandhi) among various historical epochs and philosophical and religious traditions. After its drafting and in anticipation of further and stronger developments, Eleanor Roosevelt said it was a “good document.... Not a perfect document” (cited in Wronka, 2008a, p. 33).

## **Five Crucial Notions of the Universal Declaration of Human Rights**

In short, the Universal Declaration consists of five crucial notions. Indeed, some human rights activists, such as the late Pope John Paul II, viewed that document as the foundation for a “culture of human rights” and the “responsibility of all” (Pope John Paul II, 1999, sec. 12, p. 10). As such, human rights can be viewed as a way of life, requiring major character transformation from the personal to the societal and the local to the global. For example, the first two crucial notions are human dignity and nondiscrimination (in Articles 1 and 2, respectively). These reflect essential strands of some of the world’s major religions, largely the Judaic–Christian–Islamic tradition (reflective of the preponderance of western countries at the time at the United Nations), but also others such as Hinduism and Buddhism. The substance of the first two articles also can be found in the U.S. Declaration of Independence with its emphasis on equality. Thus, the only criterion to have one’s rights is one’s humanity, not one’s gender, national or social origin, religion, language, circumstances of birth, or other status. Therefore, we must constantly be on guard not to treat others in discriminatory or prejudicial ways, but rather as human beings with rights to dignity and potential for growth, beyond our preconceived notions, to perceive them as possibilities, rather than actualities.

The third notion is civil and political rights (Articles 3–21), such as the freedoms of speech, the press, peaceful assembly, religion, and expression in general, largely mirroring values that emerged during the Age of Enlightenment and that are found in such documents as the U.S. Bill of Rights. Also referred to as negative freedoms or first generation rights, they mandate that governments not interfere with basic human needs for free access to information or the free exercise of religion, which had been extensively violated during centuries of religious and nationalistic wars in Europe.

The fourth crucial notion is economic, social, and cultural rights (Articles 22–27), such as rights to socially useful work at reasonable wages and in safe working conditions that contribute to the development of the human personality; rest and leisure; adequate shelter, clothing, food medical care, security in old age; family protections; education urging peace, tolerance, and friendship; and participation in culture. Such rights are also called positive freedoms, or second generation rights, and mandate that government provide for certain human needs to be productive or creative, rest, protect oneself from the elements, bond with friends and family, be cured from disease, and have a sense of social inclusion in general. They came about largely as a response to problems wrought by the Age of Industrialization with its growing, long, and monotonous assembly lines; poor working conditions; unremunerated work; and the increasing poverty such conditions engendered. Although the U.S. delegation to the UN at that time was a strong proponent of such rights, they also can be found in the Soviet Constitution of 1923.





The fifth crucial notion is solidarity, or third generation rights (Articles 28–30). Although still in the process of conceptual elaboration, these rights are the product of Post-Modernism, reflecting not only the failure of domestic sovereignty to solve global conflicts, but also concerns that blind trust in scientific knowledge and technological expertise will alone rescue humanity from contemporary scourges such as imperialism war, hunger, and thirst. A case in point is the invention of the airplane, raising the world's hopes that the sick would be more easily escorted to hospitals and food transported to the Third World. Rather, commodities were more easily extracted from places like Northern Africa, fitting the bill for the so-called Roaring Twenties in the United States (Zinn, 1990). The first explosive device also was dropped from an airplane by the Italian government in Ethiopia (Engelhardt, 2010).

Third generation rights get their substance largely from Articles 28–29 then, the former emphasizing the right to a socially just international order and the latter urging duties to the community. Together these have come to mean the rights to a clean environment, humanitarian disaster relief, global distributive justice (Wronka, 2007), self-determination (Kly, Kly, & Falk, 2001), development, protection of the cultural and common heritages of humanity (such as places of worship, the oceans, mountains, and space), peace, and cultivating a sense of world citizenship. The right to a clean environment, for example, necessitates that one does not litter, but also the duties of governments to cooperate so that our seas and oceans are not polluted (Wronka, 1998, 2008).

Those above crucial notions also echo, if not substantively borrow, from President Roosevelt's famous Four Freedoms Speech (1941), in which he spoke about "freedom of speech and expression" and "the right of every person to worship God" (negative freedoms); "freedom from want" (positive freedoms); and "freedom from fear" (solidarity rights). The legacy of Roosevelt's speech is also indicative of the U.S. influence in the early days of the formation of the UN. To be sure, the UN has also asserted that all human rights are interdependent and indivisible. This was recently reaffirmed in the Vienna Declaration (1993), more specifically Article 5: "All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equitable manner."

It should now be more readily apparent how human rights are interdependent and challenge us to live together in socially just ways, realizing the Beloved Community that the Reverend Dr. Martin Luther King often spoke about and the need to praise the peacemaker rather than the warrior as enunciated by the late President John F. Kennedy. Our educational system, the media, and society in general may tend to view such values as idealistic and encourage consumerism, competition, and violence to solve conflicts. But the right to food, for example, means also the duty not to overconsume and a socially just world that distributes food equitably, imposing obligations on the global community to make that happen. To meet the challenge, the modern world must overcome socialization that may have dulled us into blindly accepting a socially unjust order of *haves* and *have nots*, more colloquially known in these times as the 1% and the 99% (Gil, 2013; Wronka, 2011). Success cannot be realized if one can express the right to food, but never receive it or be in constant threat of food insecurity.

It is noteworthy, finally, to acknowledge that the Universal Declaration is considered customary international law, by international legal authorities (Steiner & Alston, 2000; Weissbrodt, Aolain, Fitzpatrick, & Newman, 2009) and by a U.S. federal court in the Second Circuit in *Filartiga v. Pena-Irala* (1980), which ruled against a torturer for an act committed in Paraguay. As justices Feinberg, Kaufmann, and Kearsse stated: "This prohibition [against torture] has become part of customary international law as defined by the Universal Declaration of Human Rights (630 F.2d 884-885)." Known



as the Filartiga Principle, to this day it has not been overturned, and also is viewed as a viable way to argue for one's human rights (Weiss, 2011).

Table 1 summarizes the above discussion with particular attention to the articles of the Universal Declaration that correspond with the five crucial notions. The table provides examples and notes their philosophic–historical legacies.

**Table 1. Five Core Notions of the Universal Declaration of Human Rights (UDHR)**

Articles of the UDHR	Crucial Notion	Examples	Philosophic–Historical Legacy
Article 1	Human dignity	Equality, freedom, the duty to act in a spirit of brotherhood and sisterhood	Judaic–Christian–Islamic tradition; the U.S. Declaration of Independence
Article 2	Nondiscrimination	Based on race, color, sex, language, religion, political opinion, national or social origin, property, birth, or other status	Judaic–Christian–Islamic Tradition; the U.S. Declaration of Independence
Articles 3–21	Civil and political (or first-generation or negative rights)	Freedoms of thought, religion, expression in oral and written form, and access to information; rights to privacy and a fair and public hearing	The U.S. Constitution's Bill of Rights; Franklin D. Roosevelt's Four Freedoms speech
Articles 22–27	Economic, social, and cultural rights (or second-generation or positive rights)	Rights to meaningful and gainful employment, rest and leisure, health care, food, housing, education, participation in the cultural life of the community; special care and assistance for motherhood and childhood	The Soviet Constitution of 1923; Roosevelt's Four Freedoms speech
Articles 28–30	Solidarity rights <sup>a</sup> (or third-generation rights)	Rights to a just social and international order, self-determination, peace, preservation of the common and cultural heritages of humanity, development, humanitarian disaster relief, and international distributive justice	The failure of domestic sovereignty, a reawakening of Third World nationalism, and increasing maldistribution of wealth; Roosevelt's Four Freedoms speech

Note. All rights are interdependent and indivisible. The UDHR is increasingly referred to as customary international law, by which all countries must abide. (Source: Wronka, 2008a, p. 23)

<sup>a</sup> Solidarity rights are still in the process of conceptual elaboration and are based on Articles 28 to 30, which emphasize rights to a just social and international order and that rights have corresponding duties and limitations.



## The Human Rights Triptych

René Cassin, often referred to as the father of human rights, felt that human rights could be best understood as a triptych with the Universal Declaration of Human Rights, the authoritative definition of human rights standards, as the center panel. The other panels amplify the meaning of the center panel. On the right panel are the documents following the Universal Declaration, such as guiding principles, declarations, and conventions, which generally are developed in that order. The left panel is implementation measures, such as human rights reports to UN monitoring committees, special rapporteurs on specific countries and thematic issues, world conferences, and most recently the Universal Periodic Review of the Human Rights Council.

Such demarcations, however, are reminiscent of Cartesian dualism of the *res extensa*, or the world “out there, the environment,” and the *res cogitans*, the world “inside, the mind.” It may be important to reject such a *Weltanschauung* (worldview), which seems to espouse the idea that thinking is distinct from doing. Thinking is doing. Thus, it must be emphasized that knowing one’s rights and living them are what is most important and directly consistent with the notion that social work is a human rights profession aligned with a phenomenological framework that operates on the assumption that a human is a being-in-the-world—that is, integral to a social environment—and emphasizes faithfulness to phenomenon in this case the creation of a human rights culture.

## The Right Panel: Guiding Principles, Declarations, and Conventions

The right panel then consists of documents such as the Guiding Principles to Eradicate Extreme Poverty (2012), Declarations on the Rights of Indigenous Peoples (2007), Principles for the Protection of Persons With Mental Illness and the Improvement of Mental Health Care (1991), and conventions discussed below. In brief, those documents, reflective of years of work by governments and NGOs and thus representative of much of the world’s collective wisdom, also consist of essential themes, generally elaborating on the principles of the Universal Declaration. The document on extreme poverty authored by special rapporteur Magdalena Sepulveda Carmona, for example, views poverty as a multidimensional phenomenon that ought to take into consideration income, human development, and social inclusion; a moral outrage and legal obligation to eradicate; a vicious and mutually enforcing cycle of powerlessness, stigmatization, discrimination, exclusion, and material deprivation; a matter of human choice; created by structural inequities and injustices; and the accumulation of indignities against the poor who are not passive recipients of government aid, but rather rights holders (Carmona, 2012).

The document on indigenous peoples urges *inter alia* the right to self-determination; full guarantees against genocide; redress for deprivation of cultural values and ethnic identities; special protections in periods of armed conflict; the right to control the education of indigenous children; the right to establish media; the right to traditional medicines and health practices; the right to maintain and strengthen distinctive spiritual and material relationship with lands, waters, seas, sea ice, flora, and fauna; and full recognition of cultural and intellectual property (cited in Wronka, 2008a, pp. 83–84).

The document pertaining to mental illness asserts that the determination of mental illness should be based on internationally accepted standards, not on membership in a cultural, racial, or religious group or nonconformity with moral standards prevailing in the person’s community; that the right to life, work, and treatment shall be in the least restricted environment; that treatment shall be based on an individually prescribed plan, reviewed regularly by qualified personnel, and designed





to enhance autonomy; that medication shall be administered for the health needs of the patient, not the convenience of others; that informed consent must be obtained without threat or improper inducement; and that appropriate disclosure of treatment must be given in language understood by the patient (cited in Wronka, 2008a, pp. 181–182).

## The Nine Major Conventions or International Treaties

Documents with stronger judicial force are generally called conventions or covenants, which have the status of international treaties. Generally, such documents are written after international bodies first discuss the guiding principles, which can eventually evolve into declarations, later becoming conventions, or treaties, sometimes also referred to as covenants. Some countries, such as the United States in its Supremacy Clause, have statements in their constitutions that state that treaties when ratified shall “become the Supreme Law of the Land. ... And the judges bound thereby” (Article VI), thus trumping domestic laws and policies. Unfortunately, not many policy makers are aware of that important clause. The inability to implement that clause led former Attorney General Ramsey Clarke, in a brief discussion after a side event on peace and democracy at the Human Rights Council meeting, to call it “a total failure of our legal system” (personal communication, March 2012) Implementing that clause can become a powerful tool for social change.

Presently, there are nine major covenants, which are often also referred to as conventions (Alston & Goodman, 2013): (1) International Covenant on Civil and Political Rights (ICCPR); (2) International Covenant on Economic, Social, and Cultural Rights; (3) International Convention on the Elimination of All Forms of Racial Discrimination (CERD); (4) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); (5) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); (6) Convention on the Rights of the Child (CRC); (7) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW); (8) Convention on the Rights of Persons with Disabilities; and (9) International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED).<sup>1</sup> Also, there are occasional additional optional protocols to the above conventions, such as the protocols on the prohibition of child soldiers, child pornography, and sex trafficking.

Generally, they further elucidate the principles of the Universal Declaration. Whereas, for instance, the Universal Declaration speaks of special protections for motherhood and children, CEDAW further discusses what this might mean, such as maternity leave with pay without loss of former employment or seniority; encouragement of the provision of necessary social services to enable parents to combine family obligations with work responsibility, such as the promotion of good quality day care; and the right to decide freely and responsibly the number and spacing of children. CRC recognizes the highest attainable standard of health for all children; the provision of adequate nutritious foods and clean drinking water; the advantages of breastfeeding, hygiene, and environmental sanitation; and the abolition of traditional practices prejudicial to the health of children.

Signing a document means that a government will consider it for ratification in its legislative bodies. As Table 2 below illustrates, as of July 2013 the United States has signed all of those conventions except the CMW and the ICPPED. The United States has ratified only the ICCPR, CERD, and CAT, even then with the stipulation that they be “non self-executing,” that is, not

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<sup>1</sup> For a summary of basic themes with corresponding articles for the first six conventions, and other select documents, please see Wronka (2008), pp. 68–84 and pp. 181–182.





enforceable in U.S. courts (Buergenthal, Shelton, & Stewart, 2009, p. 439). Ratification thus was actually symbolic. Such a shameful caveat ought to be stricken. However, symbols can move people to action, such that U.S. ratification, however weak, can serve as a relatively stronger means than signing alone of moving toward the creation of a human rights culture. It is important to note here that lack of seriousness behind these conventions by governments has been a factor in mobilizing shame against them, thus pressuring them to make their policies consistent with human rights principles. As President Obama said about the failure of the United States to ratify the CRC, the other country being Somalia, which does not appear to have the governmental capacity to do so, this failure is indeed “shameful.”

Table 2 depicts the years the conventions were opened for signature, their entry into force, and U.S. signature and ratification.

**Table 2. Nine Major United Nations Human Rights Conventions**

Convention <sup>a</sup>	Opened for Signature	Entered Into Force	United States Signature	United States Ratification
ICCPR	1966	1979	1977	1992
CESCR	1966	1976	1977	
CERD	1966	1969	1966	1994
CEDAW	1979	1981	1980	
CAT	1984	1987	1988	1994
CRC	1989	1990	1995	
CMW	1990	2003		
CRPD	2006	2008	2009	
ICPPED	2006	2010		

*NOTE:* Although ratification means that conventions must be implemented according to the Supremacy Clause (Article VI of the U.S. Constitution), “the judges bound thereby,” the United States has ratified these conventions with the condition that they not be self-executing, thereby giving the conventions largely a symbolic rather than practical significance. The link to these conventions, optional protocols, and other human rights documents, as well as select governments’ concerns about them, can be found at <http://treaties.un.org/pages/Treaties.aspx?id=4&subid=A&lang=en>.

<sup>a</sup> ICCPR=International Covenant on Civil and Political Rights; CESCR=International Covenant on Economic, Social, and Cultural Rights; CERD=International Convention on the Elimination of All Forms of Racial Discrimination; CEDAW=Convention on the Elimination of All Forms of Discrimination Against Women; CAT=Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; CRC=Convention on the Rights of the Child; CMW=International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; CRPD=Convention on the Rights of Persons with Disabilities; ICPPED=International Convention for the Protection of all Persons from Enforced Disappearance.



## **Toward an International Convention to Abolish Extreme Poverty**

The International Association of Schools of Social Work (IASSW) and IFSW issued their first joint statement before the Human Rights Council in Geneva in September 2007, acknowledging that close to 1 billion people go to bed starving each night. IASSW and IFSW called on all governments to endorse the Final Draft of the Guiding Principles on Extreme Poverty and Human Rights with an eye toward an internationally legally binding convention (Wronka, 2012, 2013b; Wronka & Staub-Bernasconi, 2012). Now called the Convention to Abolish Extreme Poverty (CAEP), nearly every year since the joint statement this convention has been brought up before the Human Rights Council, receiving support from the Indigenous Peoples Coalition, the International Human Rights Association of American Minorities, and the Kaoni Foundation. Most recently, in 2013 the Special Rapporteur on Peace and an Equitable Democratic Order, Alfred Zayas, stated that such a convention was a “great idea” (personal communication, March 2013) and in his recent report on the Promotion of a Democratic and Equitable Social Order (2013) urging governments and supranational bodies like the World Bank and the World Trade Organization to develop structures and mechanisms so that those “living in extreme poverty, who lack the possibility to effectively participate in decision-making” (p. 8) can participate in policy making. Obviously, more coalition building is necessary.

## **The Left Panel: Implementation Mechanisms**

The left panel, historically the weakest part of the triptych, consists of implementation mechanisms such as (a) human rights education, (b) country reports to human rights conventions’ monitoring committees, (c) special rapporteurs on thematic issues and specific countries, (d) the Universal Periodic Review, (e) general debate, and (f) world conferences (Wronka, 2008a, 2012).

### **Human Rights Education**

Therefore, education should take into consideration formal sectors such as educational and training institutions from pre- and grammar school to postgraduate settings and also informal ones, such as the media, religious, spiritual, and even secular venues dedicated to ethical decision making, as well as the family and intergenerational teaching in general.

Research repeatedly indicates that when values are inculcated before adulthood it is very difficult to change them. It is imperative, therefore, that educators teach human rights principles in age appropriate ways. Some examples are (a) asking children which animal or flower they would like to be and why, an exercise acknowledging differences and similarities, or unity in diversity; (b) playing “washing machine,” in which each child goes through two lines of other children who are to say just good things about that child; (c) engaging in “giraffe projects,” in which they discuss situations when people stuck their necks out for others who were not as fortunate; (d) writing human rights documents in ways that children and adolescents understand; and (e) using the CRC as a way to influence school policies.

Teaching children about such basic rights as human dignity and nondiscrimination has not only been shown to significantly cut down on bullying (Greene, 2006), but it can also develop adult commitment to social justice. In college and postgraduate settings more attention should be given to integrating principles of human rights documents into not just social work, but also the social sciences, medicine, and other curricula. In part, this would underscore their importance, but it also would show that such guiding principles ought to undergird policies. Thus, scientific advancement, which should



be shared globally as stated in Article 27 of the Universal Declaration, should unequivocally serve as the basis for equitable access to medicines. In professional settings such as social work, the principles of human rights documents can be used to assess the profession's policies and to monitor itself—an important mandate of the profession (Staub-Bernasconi, 2012)—vis à vis such documents as the Protection of Persons with Mental Illness.<sup>2</sup>

The media also has a strong educative function. Whereas only a few countries allow advertising on children's television on ethical grounds, the United States is replete with advertising urging consumption of foods and products of questionable value; programs glorifying violence as a means to resolve conflict; the promotion of gender bias; and a blame-the-victim mentality. Ronald McDonald encourages children to eat fast food; the cartoon character Road Runner accepts violence as a given; many of the antics of the cartoon character Pepé le Pew can easily be described as rape; and subtly, *Sesame Street's* Oscar the Grouch, who lives in a garbage can, is blamed for his temperament.

Realizing the importance of human rights principles, countries have commemorated international days such as International Women's Day (March 8) on primetime television (Switzerland); discussed an article from the CRC between cartoons, rather than approving fast foods (Norway); and had MTV skits on human dignity, emphasizing Article 1 of the Universal Declaration (France). The arts, with the proliferation of songs and music such as "Strange Fruit," "We Shall Overcome," and Beethoven's "Turkish March" and "Ode to Joy" are also ways to change people's consciousness regarding public lynchings, civil rights, and Judaic-Christian-Islamic dialogue.

Often the Golden Rule, which ultimately is what human rights is all about—to treat others like we would like to be treated—is found in almost all of the world's religions. As Rabbi Hillel stated: "The rest is just commentary" (*Judaism 101*, 2013). That rule ought to be taught literally more religiously and has the potential to unite us all. Norman Rockwell's painting *The Golden Rule*, depicting people of different religions, ethnicities, and ages, displayed in the hall of the United Nations in New York, obviously has teaching potential.

## Country Reports to Human Rights Monitoring Committees

In addition to human rights education, after ratifying a human rights treaty, countries must file a report to the UN treaty monitoring committee every 5 years concerning compliance with the treaty's provisions. The committee then makes positive comments, expresses concerns, and offers recommendations. In response to the U.S. report on CERD (2008) the committee commended the United States for launching the E-Race initiative aimed at raising awareness of discrimination in the workplace and the National Partnership for Action to End Health Disparities for Ethnic and Racial Minority Populations, as well as for various programs adopted by the U.S. Department of Health and Human Services to address the persistent health disparities affecting low-income persons belonging to racial, ethnic, and national minorities.

Select concerns were various legislation that was not intended to be discriminatory, but resulted in de facto discriminatory policies, such as racial segregation in the schools; the increase in racial profiling against Arabs, Muslims, and South Asians in the wake of the September 11, 2001, attack; and the development of the National Entry and Exit Registration System (NEERS) for nationals of 25 countries, all located in the Middle East, South Asia, or North Africa; the disproportionate

<sup>2</sup> An excellent resource for teaching and training materials can be found on the Internet at <http://www.ohchr.org/en/publicationsresources/pages/trainingeducation.aspx>.





concentration of Latino and African American persons in poor residential areas characterized by substandard housing conditions, limited employment opportunities, inadequate access to health care facilities, under-resourced schools, and high exposure to crime and violence; and the disproportionate number of racial and ethnic minorities in prison.

Select recommendations were to review all laws and practices that were allegedly nondiscriminatory, but were discriminatory in effect; to repeal NEERS and end racial profiling; and to eliminate obstacles limiting affordable housing and the phenomenon of "steering" by the private sector; to end life imprisonment without parole for children; to ensure that reports of rape and sexual violence against women belonging to minorities and in particular Native American women are promptly and thoroughly investigated; and for the United States to organize public awareness and education programs on the CERD and its provisions and step up efforts to make government officials, the judiciary, federal and state law enforcement officials, teachers, social workers and the public in general aware of the responsibilities of the state party under the Convention, as well as the mechanisms and procedures provided for by the CERD in the field of racial discrimination and intolerance. The monitoring committee recommended that the next report be comprehensive and address all points raised in the present concluding observations. The expansion by President Obama of the Violence Against Women Act (2013) to include Native American women may be a direct result of this report. (These country reports can be found on the Internet at <http://www.unhchr.ch/tbs/doc.nsf/newhdocsbytreaty?OpenView>.)

NGOs have also filed shadow reports with the human rights committees that address matters they feel the official government has omitted. Following are examples of such reports:

- Shadow Report on Older Women's Rights in the United Kingdom (2012)
- Older Women's Network (Europe and the National Alliance of Women's Organizations)
- Shadow Report on Racial Injustice and Crimes Against Humanity (2007, Indigenous Peoples and Nations Coalition)
- A Shadow Report on the Violation of Human Rights on Native Hawaiians and the Hawaiian Archipelago (2006, Kaoni Foundation)
- Shadow Report on Forced Drugging, Electroshock and Mental Health Screening of Children (2006, New York Organization Against Psychiatric Assault, Mind Freedom, Law Project International)

They can be effective. At least in one instance, with pressure from the Indigenous Peoples Coalition and the Koani Foundation, the UN monitoring committee for the CERD asked the United States to apologize for what it did to the indigenous peoples of Hawaii.

## Special Rapporteurs

Special rapporteurs assess and make recommendations concerning various human rights thematic issues, which have risen in the global consciousness. Some examples are rapporteurs on reparations and the promotion of truth, justice, and nonrecurrence (2012); the protection of human rights while countering terrorism (2005); international solidarity (2005); trafficking in persons, especially women and children (2004); internally displaced persons (2004); highest attainable standard of physical and mental health (2002); migrants (1999); extreme poverty (1996); and violence against women, its causes and consequences (1994). Apart from these issues there are also country mandates, such as situations in Belarus and Eritrea (2012); Iran, Syria, and Cote d'Ivoire (2011); Cuba (2007); Sudan (2005); Democratic Republic of Korea and the Congo (2004); Liberia (2003); and Somalia and the Palestinian







Territories (1993). Various state parity laws regarding payment for physical and mental health issues and the President Obama's recent mandating of insurance companies to grant parity may be a result of at least one of those reports. It is important to acknowledge here the confidential 1503 procedure, which examines serious and gross violations in countries such as genocide, apartheid, torture, mass imprisonment, and exterminations. The confidential nature of the 1503 procedure appears to have led to the resolutions of many of the conflicts of the "dirty wars" in Latin and South America in the 1970s and 1980s (Steiner & Alston, 2000).

## The Universal Periodic Review

The Universal Periodic Review is a relatively recent development in human rights implementation mechanisms, having begun in 2008. Every 4 years a country must submit a report, assisted by troikas, that is, other countries chosen by lot, before the Human Rights Council to assess its progress toward complying with fundamental human rights principles as found in the Universal Declaration and the conventions, whether or not the country is a signatory. As a general rule, countries tend to emphasize their strong points and other countries relate their weaknesses. A case in point is the report by the United States in November 2010 that extolled the U.S. commitment to the freedoms of expression and the press by noting that each day Americans wake up to a broad cacophony of viewpoints in the media. In reply, Cuba, which states in its constitution that health care is a human right, pointed out the lack of health care in the United States and its failure to ratify CEDAW.

## General Debate

In open debate before the Human Rights Council, which meets generally 10 weeks throughout the year in March, June, and September, governments and NGOs have the opportunity to respond to a variety of topics, such as extreme poverty, and comment on issues that need the attention of the Council. Over the years IFSW and IASSW have urged governments to endorse the Guiding Principles to Eradicate Extreme Poverty with an eye toward an internationally binding convention; include the eradication of extreme poverty in their constitutions; integrate human rights language into the millennium development goals; and to recall the words of President Eisenhower that "every gun that is made, every warship launched... signifies, in the final sense, a theft from those who hunger and are not fed" (Eisenhower, 1953). Live and archived webcasts of Human Rights Council meetings can be found on the Internet at <http://www.unmultimedia.org/tv/webcast/c/un-human-rights-council.html>.

## World Conferences

World conferences are excellent ways to bring attention to social problems. Often under UN auspices with various follow-up conferences, they tend to deal with specific human rights violations, though their basic thrusts are acknowledgment that social justice is a struggle and that the world should not rest until every person everywhere has his or her rights realized. Examples are the Conference on Water Cooperation (Zaragoza, 2013); the Conference on Sustainable Development Twenty Years Later (Rio, 2012); the Conference on Climate Change (Copenhagen, 2009); the Durban Review Conference on Racism (Geneva, 2009); the World Food Conference (Rome, 2008); the World Conference on Disaster Reduction (Hyogo, 2005); the Conference on the Information Society (Geneva, 2003), and the Conference Against Racism, Xenophobia, and Related Intolerance (Durban, 2001). Thus, world conferences can play a major role in harnessing world opinion about the need to guarantee human rights for every person, everywhere.





Certainly, any individual either alone or collectively can write books, letters to the editor, provide input into human rights reports, or even file complaints. The possibilities are endless it seems. Thus, if the standards are human rights principles one can easily examine, for instance, executive, judicial, legislative, and public discourse movements toward compliance. For example, a reading of the Universal Declaration in comparison with the U.S. federal and 50 state constitutions revealed serious gaps regarding economic, social, cultural, and solidarity rights; and nothing on rights to employment, rest and leisure, health care, shelter, food, security in old age, or education, for instance (Wronka, 1998). States, which ought to act as “laboratories of democracy” (Brandeis, 2013, p. 1) in the words of Justice Brandeis, barely do any better. The only right they generally further is the right to education, although it is still questionable whether the educational systems encourage “peace, tolerance, and friendship among nations” as stated in Article 26 the Universal Declaration.

## Regional Developments

Often referred to as human rights regimes, these expansions of human rights bodies globally consist of the African Union (AU), the Organization of American States (OAS), and the Council of Europe (CE), each with its own human rights triptychs. The AU has at its center the African Charter on Human and Peoples’ Rights, followed by such documents as the Convention Concerning Specific Aspects of Refugee Problems, the Charter on the Rights and Welfare of the Child, the Protocol of the Rights of Women in Africa, and various reporting mechanisms for implementation. The African Charter (2013) speaks *inter alia* about the “unquestionable and inalienable right to self-determination;” (Article 20) that “colonized and oppressed people shall have the right to free themselves from the bonds of domination” (Article 20); and calls up states to “eliminate all forms of foreign economic exploitation particularly that practiced by international monopolies” (Article 21).

The OAS has the American Convention on Human Rights, followed by such documents as the Convention to Prevent and Punish Torture and the Convention on the Prevention, Punishment, and Eradication of Violence Against Women. The Council of Europe has the most extensively developed human rights machinery, the most poignant document being the European Social Charter of 1999, which strongly supports second generation rights, delineating approximately 40 of them in such areas as social welfare services, dignity through work, and protections against poverty and social exclusion. The challenge now is to develop similar human rights mechanisms in Asia, the Middle East, and Oceania. A step in the right direction is the formation in 2007 of the Association of South East Asian Nations, which has expressed strong support for human rights principles.

The UN and those regional developments have a vast array of bodies, such as a General Assembly, Secretariat, Economic and Social Council, Trusteeship, International World Court, and the like. Arguably, from an internationally legal standpoint it is important to know about their functions and interrelationships. But as a newly decorated banquet can frighten away the beggar, so too can this somewhat confusing labyrinth be intimidating. The human rights/social justice advocate perhaps more appropriately might be called *un hombre (or mujer) sincero*, as popularized by Pete Seeger the song “Guantanamo” when referring to the poet and activist José Martí. As mentioned, such an advocate should sincerely keep in mind the words of Eleanor Roosevelt, who, when drawing up the Universal Declaration, wanted a document not for the doctorate of jurisprudence, but for the educated layperson. Thus, the real substance of the UN and other organizations are the human rights documents the values of which should become the basis for a general global consensus to create social change.





## Implications for Social Work Theory and Praxis

Chief Joseph's wisdom that "good words do not last long unless they amount to something" (New Perspectives, 2013, p. 2) is directly relevant to social work theory and praxis, which are interrelated, constantly nourishing each other. The guiding principles asserted in the human rights triptych are those that could inform practice for this human rights profession; likewise, practice can provide insight into strengthening and expanding on those principles. More than half a century after the endorsement of the Universal Declaration, this powerful idea is nearly ubiquitous, strongly suggesting that human rights, simply because it makes sense to so many, is a people's movement.

Select examples from the advanced generalist social work model that address the relevance of human rights are first the meta-macro level (Wronka, 2008a) which, echoing the words of Martin Luther King (1963) that "injustice anywhere is a threat injustice everywhere" necessitates a lived awareness of global interventions. The United Nations Charter, for example, which also has the status of a treaty and must be implemented according to the U.S. Constitution's Supremacy Clause, commits member states to promoting full employment and the development of conditions favorable to economic and social progress, thereby becoming an instrument to eradicate extreme poverty.

Human rights education from the grammar school to the professional levels is a perfectly reasonable intervention on the macro level to deal with whole populations. Having discussions in all echelons of learning about teaching the importance of nondiscrimination and tolerance and friendly relations among nations as asserted in the Universal Declaration can easily create an attitude among the general populace that no person should live in poverty. An example of working with at-risk populations might be organizing workers for their collective interests, as stated in human rights documents, so that the workers would have due process before possibly losing their jobs. Interventions at the micro level generally consist of dealing with individuals who have become almost entirely victims of an unjust order. Thus, the other levels of intervention simply did not work and now the person may be living in dire poverty and homeless. Here, one must build homeless shelters, assist in helping the homeless find employment, and help them deal with some of the stresses of poverty. Thus, the symptoms of an unjust order have become particularly apparent, necessitating at times emergency interventions. It should be fully evident here how clients should be treated with human dignity, as they need assistance in transitioning back to the formal workforce, a fundamental human rights value. At the meta-micro level (Wronka, 2008a), at times referred to as the level of everyday life, structures that support peer group and significant others in helping can be further developed and encouraged. Self-help groups for those looking for work or support groups for those with disabilities are cases in point. Finally, research, both quantitative and qualitative can constantly provide input into best practice models.

Obviously, the demarcation among levels is blurred. Despite that ambiguity, yet with an awareness of social justice as struggle, it is important to be aware of multipronged interventions to eradicate social and individual malaises and fulfill human needs and promote well-being. Such interventions—from the global to everyday life—with human rights at their core, that is, a human rights culture, ought to result in a socially just world.<sup>3</sup>

<sup>3</sup> My website, [www.humanrightsculture.org](http://www.humanrightsculture.org), has numerous links, videos, public service announcements, and literature that should be helpful to the social justice/human rights activist, particularly those in the social work profession.





## Calling for the Spirit of Crazy Horse: Vision, Courage, Humility, and Everlasting Love

In conclusion, perhaps this entire overview can be summed up in what may be called the Spirit of Crazy Horse, an indigenous leader committed to the self-determination of peoples. Indeed, the true spirit of self-determination can be defined in Mohawk simply as “living together nicely” (Daes, 2001, p. 58). Yet Crazy Horse was stabbed in the back by a soldier while protesting against a breach of promise by the U.S. government that his nation could live wherever they wanted after surrender. That spirit calls for the vision and courage of the eagle, a bird notorious for going right into the storm while it hunts for prey for its young, and “peace, humility, and everlasting love” (Matthiessen, 1992; Wronka, 2008b, p. 427.)

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