

Wronka, J. (2017). *Human rights and social justice*. Los Angeles: Sage, pp. 359-373.

APPENDIX C:

A COMPARISON OF THE UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS WITH THE UNITED STATES FEDERAL CONSTITUTION¹

<p>Article 1</p> <p>a) All human beings are born free and</p> <p>b) equal in dignity</p> <p>c) and rights</p> <p>d) They are endowed with reason and conscience</p> <p>e) and should act towards one another in a spirit of brotherhood</p>	<p>(P) We, the people of the United States, in order to... secure the blessings of liberty... do ordain and establish this Constitution. (AmV,S1) No person shall... be deprived of liberty. (AmXIV,S1) No state shall... deprive any person... of liberty.</p> <p>(AmXIV, S1) No state shall,, deny to any person with its jurisdiction the equal protection of the laws. (Am1,S1) Congress shall make no law respecting an establishment of religion</p>
<p>Article 2</p> <p>a) Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status</p> <p>b) Furthermore, no distinction shall be made on the basis of the political, jurisdictional or</p>	<p>(AmXIV, S1) No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States... nor deny to any person within its jurisdiction the equal protection of the laws. (AmXIV, S1) No state shall make or enforce any law which shall abridge the</p>

¹ This comparison is an “educated layperson’s” approach, consisting of a content analysis of phrases between the two documents, meant to inspire informed discussion and debate as a way to move toward a human rights culture. Comparisons of phrases are not total or precise, but agree in substance and sense. For further detail and discussion of this analysis and its implications for social policy, see Wronka (1992). [Mark: Reference is: Wronka, J. (1992). *A history of the idea of human right and a comparison of the United Nations Universal Declaration of Human Rights with the United States federal constitution and fifty state constitutions*. Lanham, MD: University Press of America.] The reader is also strongly encouraged to compare her or his country’s constitution with the Universal Declaration of Human Rights. Phrases **in bold** indicate no correspondence in the US Constitution with phrases of the Universal Declaration of Human Rights.

<p>international status of the country or territory to which a person belongs, whether it be independent, trust, non-selfgoverning or under any other limitation of sovereignty.</p>	<p>privileges or immunities of citizens of the United States... nor deny to any person within its jurisdiction the equal protection of the laws</p>
<p>Article 3 a) Everyone has the right to life. b) liberty and c) security of person.</p>	<p>(AmV, S1) No person shall be deprived of life, liberty or property. (AmXIV, S1) No state shall...deprive any person of life, liberty, and property. (AmV, S1) No person shall be deprived of life, liberty or property. (AmXIV, S1) No state shall...deprive any person of life, liberty, and property. (AmIV,S1) The right of people to be secure in their persons shall not be violated.</p>
<p>Article 4 a) No one shall be held in slavery or servitude; b) slavery and the slave trade shall be prohibited in all its forms</p>	<p>(AmXIII, S1) Neither slavery nor involuntary servitude... shall exist in the United States (AmXIII, S1) Neither slavery nor involuntary servitude... shall exist in the United States</p>
<p>Article 5 a) No one shall be subjected to torture or b) to cruel, inhuman, or degrading treatment and punishment.</p>	<p>(AmV, S1) No person shall be deprived of life, liberty or property. (AmXIV, S1) No state shall...deprive any person of life, liberty, and property. (AmV,S1) No person shall be... deprived of life, liberty or property without due process of law. (AmVI) The accused shall enjoy the right to a speedy and public trial by an impartial jury. (AmXIV, S1) No state shall... deprive any person of life, liberty or property without due process of law. (AmVIII, S1) No cruel and unusual punishments shall be inflicted. (AmVIII, S1) No cruel and unusual punishments shall be inflicted.</p>
<p>Article 6 a) Everyone has the right to recognition everywhere as a person before the law.</p>	<p>(Am,S1). Congress shall make no law respecting... the right of the people... to petition the government for a redress of grievances. (AmV, S1) No person shall... be deprived of life, liberty or property</p>

	without due process of law. (AmXIV, S1) No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States... nor deny to any person within its jurisdiction the equal protection of the laws
Article 7 a) All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination	(AmXIV, S1) No state... shall deny to any person within its jurisdiction the equal protection of the laws.
Article 8 a) Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.	
Article 9 a) No one shall be subjected to arbitrary arrest, detention or exile.	(AmIV,S1) The right of the people to be secure... against u reasonable searches and seizures shall not be violated. (AmXIV, S1) No state shall... deprive any person of life, liberty or prooerty without due process of law. (Ar1, S9.2) The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion, the public safety may require it.
Article 10 a) Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribuna, in the determination of his rights and obligations and of any criminal charge against him.	(AmVI,S1) The accused shall enjoy the right to a speedy and public trial by an impartial jury. (AmVII, S1) In suits of common law... the right of trial by jury shall be preserved. (AmXIV, S1) No state shall deny any person equal protection of the laws.
Article 11 (1) (a) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial	AmV, S1) No person shall... be deprived of life, liberty, or property, without due process of law. (AmVI,S1) The accused shall enjoy the right to a speedy and public trial by an impartial jury. (AmXIV, S1) No state shall... deprive any person of

<p>b) at which he has had all the guarantees necessary for his defence.</p> <p>(2) (a) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed.</p> <p>b) Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.</p>	<p>life, liberty or prooerty without due process of law.</p> <p>(AmVI,S1) The accused shall... be informed of the nature and cause of the accusation... be confronted with the witnesses against him... have compulsory processes for obtaining witnesses in his favor and... have assistance of counsel for his defence.</p> <p>(ArI, S9.3) No bill of attainder or ex post facto law shall be passed.</p> <p>(AmVIII,S1) Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.</p>
<p>Article 12</p> <p>(a)No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence</p> <p>b) nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.</p>	<p>(AmIV,S1) The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated. (AmV,S1) [No person shall] be compelled to be a witness against himself, nor be deprived of life, liberty or property without due process of law. (AmIX, S1) The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. (AmXIV, S1) No state shall deprive any person of life, liberty or property without due process of law.</p>
<p>Article 13</p> <p>(1)Everyone has the right to freedom of movement and residence within the borders of each State.</p> <p>(2) Everyone has the right to leave and country, including his own, and to return to his country</p>	<p><i>Shapiro v. Thompson</i> (1969);)(ArIV, S2.1) The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. (AmXIV, S1) No state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the U.S. <i>Shapiro v. Thompson</i> (1969);)(ArIV, S2.1) The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. (AmXIV, S1) No state shall make or enforce any</p>

	law, which shall abridge the privileges or immunities of citizens of the U.S.
<p>Article 14</p> <p>(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.</p> <p>(2) (a) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations</p>	<p>(ArIV, S2.1) The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. (AmXIV, S1) No state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the U.S.</p> <p>(ArIV, S2.1) The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. (AmXIV, S1) No state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the U.S.</p>
<p>Article 15</p> <p>(1) Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.</p>	<p>(AmXIV,S1) All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make... any law which shall abridge the privileges and immunities of the citizens of the US; nor ... deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction equal protection of the laws.</p>
<p>Article 16</p> <p>(1) (a) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.</p> <p>(b) They are entitled to equal rights as to marriage, during marriage and at its dissolution.</p> <p>(c) Marriage shall be entered into only with the free and full consent of the intending spouses.</p>	<p><i>Loving v. Virginia</i> (1967): (AmXIV ,S1) No state shall deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction equal protection of the laws. (AmXIV ,S1) No state shall deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction equal protection of the laws. (AmXIV ,S1) No state shall deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction equal</p>

<p>(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.</p>	<p>protection of the laws</p>
<p>Article 17</p> <p>(1) Everyone has the right to own property alone as well as in association with others.</p> <p>(2) No one shall be arbitrarily deprived of his property.</p>	<p>AmIV,S1) The right of the people to be secure... against unreasonable searches and seizures shall not be violated. (AmXIV, S1) No state shall... deprive any person of life, liberty or proerty without due process of law</p> <p>AmIV,S1) The right of the people to be secure... against unreasonable searches and seizures shall not be violated. (AmXIV, S1) No state shall... deprive any person of life, liberty or proerty without due process of law.</p>
<p>Article 18</p> <p>a) Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change hs religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.</p>	<p>(AmI, S1) Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of he people peaceably to assemble.</p>
<p>Article 19</p> <p>a) Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.</p>	<p>(AmI,S1) Congress shall make no law... abridging the freedom of speech or of the press.</p>
<p>Article 20</p> <p>(1) Everyone has the right to freedom of peaceful assembly and association</p> <p>(2) No one may be compelled to belong to an association</p>	<p>(Am, S1) Congress shall make no law...abridging... the right of the people peaceably to assemble.</p> <p>(Am, S1) Congress shall make no law...abridging... the right of the people peaceably to assemble. (AmIX,S1) No state shall... deprive any person of life, libery, or proerty, without due process o law; nor deny to any person with its jurisdiction the equal protection of the laws.</p>
<p>Article 21</p>	

<p>(1) Everyone has the right to take part in the government of his country directly or through freely chosen representatives.</p> <p>(2) Everyone has the right of equal access to public service in his country.</p> <p>(3) (a) The will of the people shall be the basis of the authority of government; (b) This will shall be expressed in periodic and genuine elections whc shall be b universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.</p>	<p>(ArI,S2.1) The House of Representatives shall be composed of members chosen every second year by the people of several states. (AmI,S1) Congress shall make no law.. abridging the right of the people... to petition the government for a redress of grievances. (AmXII, S1) The electors shall meet in their respective states and vote by ballot for President and Vice President. (AmXVII,S1) The Senate of the US shall be... elected by the people thereof. (AmXV,S1) The right... to vote shall not be denied... on account of race, color or previous condition of servitude. (AmXIX, S1) The right... to vote... shall not be denied... on account of sex. (AmXXVI, S1) The right of citizens... who are eighteen years of age or older, to vote shall not be denied. (AmXIV,S1) No state shall... deny any person... the equal protection of the laws. (P) We, the people of the United States... do ordain and establish this Constitution. (ArI,S2.1) The House of Representatives shall be composed of members chosen every second year by the people of several states. (Ar2,S1.1) [The president]... shall hold his office during the term of four years and, together with the Vice President, chosen for the same term be elected. (AmXII,S1) The electors shall meet in their respective states and vote by ballot for President and Vice President. (AmXVII,S1) The Senate of the US shall be... elected by the people thereof for six years.</p>
<p>Article 22</p> <p>1) Everyone as a member of society has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality</p>	<p>(P) We the people of the US in order to... establish justice... promote the general welfare... to ourselves and to our posterity, do ordain and establish this Constitution.</p>
<p>Article 23</p>	

<p>(1) (a) Everyone has the right to work (b) to free choice of employment, (c) to just and favorable conditions of work and (d) to protection against unemployment (2) Everyone without any discrimination, has the right to equal pay for equal work (3)(a) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and (b) supplemented, if necessary, by other means of social protection (4) Everyone has the right to form and to join trade unions for the protection of his interests.</p>	
<p>Article 24 (1) (a) Everyone has the right to rest and leisure, including (b) reasonable limitation of working hours and (c) periodic holidays with pay</p>	
<p>Article 25 (1) (a) Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including (b) food (c) clothing, (d) housing (e) medical care and (f) necessary social services (g) the right to security in the event of unemployment (h) sickness (i) disability (j) widowhood (k) old age or (l) other lack of livelihood in circumstances beyond his control (2) (a) Motherhood and childhood are entitled to special care and assistance. (b) All children, whether born in or out</p>	<p>(AmXIV,S1) No state shall... deny to any</p>

<p>of wedlock, shall enjoy the same social protection</p>	<p>person... the equal protection of the laws.</p>
<p>Article 26 (1) (a) Everyone has the right to education. (b) Education shall be free, at least in the elementary and fundamental stages (c) Elementary education shall be compulsory (d) Technical and professional education shall be made generally available and (e) higher education shall be equally accessible to all on the basis of merit (2) (a) Education shall be directed to the full development of the human personality and (b) to the strengthening of respect for human rights and fundamental freedoms. (c) It shall promote understanding, tolerance, and friendship among all nations, racial or religious groups and (d) shall further the activities of the United Nations fo the maintenance of peace. (3) Parents have a prior right to choose the kind of education that shall be given to their children</p>	
<p>Article 27 (1) (a) Everyone has the right freely to participate in the cultural life of the community (b) to enjoy the arts and (c) to share in scientific advancement and its benefits (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author</p>	<p>(ArI,S8.8) [The Congress shall have the power]... to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.</p>
<p>Article 28 (1) Everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.</p>	

<p>Article 29</p> <p>(1) (a) Everyone has duties to the community in which alone the free and full development of his personality is possible.</p> <p>(2) (a) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.</p> <p>(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.</p>	
<p>Article 30</p> <p>(a) Nothing in this Declaration may be interpreted as implying for any State, group or persons any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.</p>	