

Teacher Resource  
Mini-Lesson

## Introduction to Rights and Responsibilities

Begin the lesson by discussing the two scenarios illustrated below. Teacher can either read the scenarios, make copies of the scenarios and distribute among various small groups, or make an overhead for students’ reference during this introduction.

**Scenario #1:** (Adapted from *Civics for Today*, Wolfson, Steve. Amsco Publications, 2002. pp. 248-249. **Permission Pending.**)

Barbara Smith is the mother of two children, ages 12 and 14. She has been concerned about the content of the lyrics in hip-hop and rap music. Smith doesn’t want her children to listen to violent and sexually explicit lyrics. She helped form a group that calls itself PAGS (Parents Against Gross Songs) that advocates for putting warning labels on CDs and tapes to identify the level of violence and sexual content. They also circulate petitions, talk to public figures and talk to radio stations about taking songs off the air. This group believes that they are exercising their First Amendment rights to speak out on offensive lyrics.

Radio stations, however, don’t want to be forced to limit the selections they play. Music companies also accuse this group and others like it of censorship and violating the First Amendment rights of the recording stars. Furthermore, they ask, who has the right to judge what’s good and what’s bad? They ask “Why can’t parents just stop their children from buying the music that is offensive to them?” Proponents against music censorship believe that just because one group in society finds the material offensive, doesn’t mean that others can’t listen to it.

*What laws and principles apply here? What are each group’s rights and responsibilities? Who governs these rights and responsibilities? How does this scenario illustrate tension between rights and responsibilities?*

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**Scenario #2:** (Adapted from “We the People Curriculum”) **Permission Pending.**

Recently, in response to the crime problem in a housing project in Chicago, Illinois, officials in that city proposed large-scale police “sweeps” of apartments to search for illegal weapons. These searches would not use a search warrant or provide evidence of probable cause. After a judge struck down the proposal as an unconstitutional violation of the Fourth Amendment, the city then proposed a new policy: requiring prospective tenants in public housing projects to waive their Fourth Amendment rights as a condition of their leases.

Critics of this proposal doubt its constitutionality and worry about the consequences of a policy that would require a citizen to give up any of the liberties protected by the Bill of Rights. Those supporting the proposal point to the dangerous conditions in which such tenants must live. They see the government’s first obligation as to provide security of an orderly society.

*What laws and principles apply here? What are each group’s rights and responsibilities? Who governs these rights and responsibilities? How does this scenario illustrate tension between rights and responsibilities?*

After students have read the scenarios, teacher should:

- Have students discuss and answer the questions in the scenarios in a class discussion.
  - What laws and principles apply here?
  - What are each group’s rights and responsibilities?
  - Who governs these rights and responsibilities?
  - How does this scenario illustrate the tension between rights and responsibilities?
- List the students’ responses on chart paper or on the board
- Instruct students on the process they will follow during the next part of the lesson: the expert groups and class comparison exercise of the six rights documents.

## Student Handout Rights and Responsibilities Document Packet

### Document #1: The Universal Declaration of Human Rights

Excerpted from: <http://www.un.org/rights/50/decla.htm>

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

*Now, Therefore, THE GENERAL ASSEMBLY proclaims*

**THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS** as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

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**The Universal Declaration of Human Rights (continued)**

**Article 1**

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

**Article 2**

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

**Article 3**

Everyone has the right to life, liberty and security of person.

**Article 4**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

**Article 5**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

**Article 6**

Everyone has the right to recognition everywhere as a person before the law.

**Article 7**

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.

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**The Universal Declaration of Human Rights (continued)**

**Article 8**

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**

No one shall be subjected to arbitrary arrest, detention or exile.

**Article 10**

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

**Article 11**

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. 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. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

**Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

**Article 13**

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

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**The Universal Declaration of Human Rights (continued)**

**Article 14**

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. 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.

**Article 15**

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

**Article 16**

1. 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. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

**Article 17**

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

**Article 18**

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his 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.

**Article 19**

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.

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**The Universal Declaration of Human Rights (continued)**

**Article 20**

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

**Article 21**

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

**Article 22**

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation 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.

**Article 23**

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and 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.

**Article 24**

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

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**The Universal Declaration of Human Rights (continued)**

**Article 25**

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

**Article 26**

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

**Article 27**

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and 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.

**Article 28**

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

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**The Universal Declaration of Human Rights (continued)**

**Article 29**

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. 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.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

**Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person 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.

## **Student Handout Rights and Responsibilities Document Packet**

### **Document 2: The U.S. Bill of Rights**

Excerpted from: [http://www.archives.gov/national\\_archives\\_experience/charters/bill\\_of\\_rights\\_transcript.html](http://www.archives.gov/national_archives_experience/charters/bill_of_rights_transcript.html)

#### **AMENDMENT I**

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 the people peaceably to assemble, and to petition the Government for a redress of grievances.

#### **AMENDMENT II**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

#### **AMENDMENT III**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

#### **AMENDMENT IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### **AMENDMENT V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

#### **AMENDMENT VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

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**The U.S. Bill of Rights (continued)**

**AMENDMENT VII**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

**AMENDMENT VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**AMENDMENT IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**AMENDMENT X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

**ADDITIONAL BILL OF RIGHTS AMENDMENTS (CIVIL RIGHTS)**

**AMENDMENT XIII**

*Passed by Congress January 31, 1865. Ratified December 6, 1865. Note: A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.*

**Section 1.**

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2.**

Congress shall have power to enforce this article by appropriate legislation.

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**The U.S. Bill of Rights (continued)**

**AMENDMENT XIV**

*Passed by Congress June 13, 1866. Ratified July 9, 1868. Note: Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.*

**Section 1.**

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 or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**AMENDMENT XV**

*Passed by Congress February 26, 1869. Ratified February 3, 1870.*

**Section 1.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude

**Section 2.**

The Congress shall have the power to enforce this article by appropriate legislation.

**AMENDMENT XIX**

*Passed by Congress, June 4, 1919, Ratified August 18, 1920.*

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

**AMENDMENT XXIV**

*Passed by Congress August 27, 1962. Ratified January 23, 1964.*

**Section 1.**

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

**Section 2.**

The Congress shall have power to enforce this article by appropriate legislation.

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**The U.S. Bill of Rights (continued)**

**AMENDMENT XXVI**

*Passed by Congress March 23, 1971. Ratified July 1, 1971. Note: Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.*

**Section 1.**

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

**Section 2.**

The Congress shall have power to enforce this article by appropriate legislation.

## Student Handout Rights and Responsibilities Document Packet

### Document 3: Declaration of the Rights of the Child

Adopted by UN General Assembly Resolution 1386 (XIV), December 10, 1959.

<http://www.un.org/cyberschoolbus/humanrights/resources/child.asp>

1. *The child* shall enjoy all the rights set forth in this Declaration. Every child, without any exception whatsoever, shall be entitled to these rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family.
2. *The child* shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.
3. *The child* shall be entitled from his birth to a name and a nationality.
4. *The child* shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services.
5. *The child* who is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition.
6. *The child*, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care and under the responsibility of his parents, and, in any case, in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother. Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support. Payment of State and other assistance towards the maintenance of children of large families is desirable.

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**Declaration of the Rights of the Child (continued)**

7. *The child* is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgment, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities shall endeavour to promote the enjoyment of this right.

8. *The child* shall in all circumstances be among the first to receive protection and relief.
9. *The child* shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form. The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development.
10. *The child* shall be protected from practices which may foster racial, religious and any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

## **Student Handout Rights and Responsibilities Document Packet**

### **Document 4: Agenda 21: The Rio Declaration**

Excerpted from: The United Nations Conference on Environment and Development

<http://www.igc.apc.org/habitat/agenda21/rio-dec.html>

#### **Principle 1**

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

#### **Principle 2**

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

#### **Principle 3**

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

#### **Principle 4**

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

#### **Principle 5**

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

#### **Principle 6**

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

## **Student Handout Rights and Responsibilities Document Packet**

### **Agenda 21: The Rio Declaration (continued)**

#### **Principle 7**

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

#### **Principle 8**

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

#### **Principle 9**

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

#### **Principle 10**

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

#### **Principle 11**

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

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**Agenda 21: The Rio Declaration (continued)**

**Principle 12**

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

**Principle 13**

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

**Principle 14**

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

**Principle 15**

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

**Principle 16**

National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

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**Agenda 21: The Rio Declaration (continued)**

**Principle 17**

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

**Principle 18**

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

**Principle 19**

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

**Principle 20**

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

**Principle 21**

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

**Principle 22**

Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

**Principle 23**

The environment and natural resources of people under oppression, domination and occupation shall be protected.

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**Agenda 21: The Rio Declaration (continued)**

**Principle 24**

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

**Principle 25**

Peace, development and environmental protection are interdependent and indivisible.

**Principle 26**

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

**Principle 27**

States and people shall cooperate in good faith and in a spirit of partnership in the fulfillment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

**Notes:** <sup>a</sup> Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14 and corrigendum), chap. I.

## Student Handout Rights and Responsibilities Document Packet

### Document 5: The Constitution of the State of New York

Excerpted from: <http://www.state.ny.us/nyscon/nyscon.pdf>

#### ARTICLE I BILL OF RIGHTS

##### **[Rights, privileges and franchise secured; power of legislature to dispense with primary elections in certain cases]**

**Section 1.** No member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his or her peers . . . . *(Amended by vote of the people November 3, 1959; November 7, 2001.)*

##### **[Trial by jury; how waived]**

**Section 2.** Trial by jury in all cases in which it has heretofore been guaranteed by constitutional provision shall remain inviolate forever; but a jury trial may be waived by the parties in all civil cases in the manner to be prescribed by law. The legislature may provide, however, by law, that a verdict may be rendered by not less than five-sixths of the jury in any civil case. A jury trial may be waived by the defendant in all criminal cases, except those in which the crime charged may be punishable by death, by a written instrument signed by the defendant in person in open court before and with the approval of a judge or justice of a court having jurisdiction to try the offense. The legislature may enact laws, not inconsistent herewith, governing the form, content, manner and time of presentation of the instrument effectuating such waiver. *(Amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)*

##### **[Freedom of worship; religious liberty]**

**Section 3.** The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all humankind; and no person shall be rendered incompetent to be a witness on account of his or her opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state. *(Amended by vote of the people November 7, 2001.)*

##### **[Habeas corpus]**

**Section 4.** The privilege of a writ or order of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety requires it. *(Amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)*

##### **[Bail; fines; punishments; detention of witnesses]**

**Section 5.** Excessive bail shall not be required nor excessive fines imposed, nor shall cruel and unusual punishments be inflicted, nor shall witnesses be unreasonably detained.

**Student Handout**  
**Rights and Responsibilities Document Packet**

**The Constitution of the State of New York**  
**BILL OF RIGHTS (continued)**

**[Grand jury; protection of certain enumerated rights; duty of public officers to sign waiver of immunity and give testimony; penalty for refusal]**

**Section 6.** No person shall be held to answer for a capital or otherwise infamous crime (except in cases of impeachment, and in cases of militia when in actual service, and the land, air and naval forces in time of war, or which this state may keep with the consent of congress in time of peace, and in cases of petit larceny under the regulation of the legislature), unless on indictment of a grand jury, except that a person held for the action of a grand jury upon a charge for such an offense, other than one punishable by death or life imprisonment, with the consent of the district attorney, may waive indictment by a grand jury and consent to be prosecuted on an information filed by the district attorney; such waiver shall be evidenced by written instrument signed by the defendant in open court in the presence of his or her counsel. In any trial in any court whatever the party accused shall be allowed to appear and defend in person and with counsel as in civil actions and shall be informed of the nature and cause of the accusation and be confronted with the witnesses against him or her.

No person shall be subject to be twice put in jeopardy for the same offense; nor shall he or she be compelled in any criminal case to be a witness against himself or herself, providing, that any public officer who, upon being called before a grand jury to testify concerning the conduct of his or her present office or of any public office held by him or her within five years prior to such grand jury call to testify, or the performance of his or her official duties in any such present or prior offices, refuses to sign a waiver of immunity against subsequent criminal prosecution, or to answer any relevant question concerning such matters before such grand jury, shall by virtue of such refusal, be disqualified from holding any other public office or public employment for a period of five years from the date of such refusal to sign a waiver of immunity against subsequent prosecution, or to answer any relevant question concerning such matters before such grand jury, and shall be removed from his or her present office by the appropriate authority or shall forfeit his or her present office at the suit of the attorney-general.... No person shall be deprived of life, liberty or property without due process of law. *(Amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; further amended by vote of the people November 8, 1949; November 3, 1959; November 6, 1973; November 7, 2001.)*

**[Compensation for taking private property; private roads; drainage of agricultural lands]**

**Section 7. (a)** Private property shall not be taken for public use without just compensation.

**(c)** Private roads may be opened in the manner to be prescribed by law; but in every case the necessity of the road and the amount of all damage to be sustained by the opening thereof shall be first determined by a jury of freeholders, and such amount, together with the expenses of the proceedings, shall be paid by the person to be benefited.... *(Amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938. Subdivision (e) repealed by vote of the people November 5, 1963. Subdivision (b) repealed by vote of the people November 3, 1964.)*

**[Freedom of speech and press; criminal prosecutions for libel]**

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### The Constitution of the State of New York BILL OF RIGHTS (continued)

**Section 8.** Every citizen may freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the

liberty of speech or of the press. In all criminal prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact. *(Amended by vote of the people November 7, 2001.)*

#### **[Right to assemble and petition; divorce; lotteries; pool-selling and gambling; laws to prevent; pari-mutual betting on horse races permitted; games of chance, bingo or lotto authorized under certain restrictions]**

**Section 9.** 1. No law shall be passed abridging the rights of the people peaceably to assemble and to petition the government, or any department thereof; nor shall any divorce be granted otherwise than by due judicial proceedings; except as hereinafter provided, no lottery or the sale of lottery tickets, pool-selling, book-making, or any other kind of gambling, except lotteries operated by the state and the sale of lottery tickets in connection therewith as may be authorized and prescribed by the legislature, the net proceeds of which shall be applied exclusively to or in aid or support of education in this state as the legislature may prescribe, and except pari-mutual betting on horse races as may be prescribed by the legislature and from which the state shall derive a reasonable revenue for the support of government, shall hereafter be authorized or allowed within this state; and the legislature shall pass appropriate laws to prevent offenses against any of the provisions of this section.... *(Amendment approved by vote of the people November 7, 1939; further amended by vote of the people November 5, 1957; November 8, 1966; November 4, 1975; November 6, 1984; November 7, 2001.)*

*[Section 10 which dealt with ownership of lands, yellowtail tenures and escheat, was repealed by amendment approved by vote of the people November 6, 1962.]*

#### **[Equal protection of laws; discrimination in civil rights prohibited]**

**Section 11.** No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state. *(New. Adopted by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; amended by vote of the people November 7, 2001.)*

#### **[Security against unreasonable searches, seizures and interceptions]**

**Section 12.** The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be

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### The Constitution of the State of New York BILL OF RIGHTS (continued)

searched, and the persons or things to be seized. The right of the people to be secure against unreasonable interception of telephone and telegraph communications shall not be violated, and ex parte orders or warrants shall issue only upon oath or affirmation that there is reasonable ground to believe that evidence of crime may be thus obtained, and identifying the particular means of communication, and particularly describing the person or persons whose communications are to be intercepted and the purpose thereof. *(New. Adopted by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)*

*[Section 1,3 which dealt with purchase of lands of Indians, was repealed by amendment approved by vote of the people November 6, 1962.]*

#### **[Common law and acts of the colonial and state legislatures]**

**Section 14.** Such parts of the common law, and of the acts of the legislature of the colony of New York, as together did form the law of the said colony, on the nineteenth day of April, one thousand seven hundred seventy-five, and the resolutions of the congress of the said colony, and of the convention of the State of New York, in force on the twentieth day of April, one thousand seven hundred seventy-seven, which have not since expired, or been repealed or altered; and such acts of the legislature of this state as are now in force, shall be and continue the law of this state, subject to such alterations as the legislature shall make concerning the same. But all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this constitution, are hereby abrogated. *(Formerly §16. Renumbered and amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)*

**[Section 15, which dealt with certain grants of lands and of charters made by the King of Great Britain and the state and obligations and contracts not to be impaired, was repealed by amendment approved by vote of the people November 6, 1962.]**

#### **[Damages for injuries causing death]**

**Section 16.** The right of action now existing to recover damages for injuries resulting in death, shall never be abrogated; and the amount recoverable shall not be subject to any statutory limitation. *(Formerly §18. Renumbered by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)*

#### **[Labor not a commodity; hours and wages in public work; right to organize and bargain collectively]**

**Section 17.** Labor of human beings is not a commodity nor an article of commerce and shall never be so considered or construed. No laborer, worker or mechanic, in the employ of a contractor or subcontractor engaged in the performance of any public work, shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency; nor shall he or she be paid less than the rate of wages prevailing in the same trade or occupation in the locality within the state where such public work is to be situated, erected or used. Employees shall have the right to organize and to bargain collectively through

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### The Constitution of the State of New York BILL OF RIGHTS (continued)

representatives of their own choosing. *(New. Adopted by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; amended by vote of the people November 7, 2001.)*

#### [Workers’ compensation]

**Section 18.** Nothing contained in this constitution shall be construed to limit the power of the legislature to enact laws for the protection of the lives, health, or safety of employees; or for the payment, either by employers, or by employers and employees or otherwise, either directly or through a state or other system of insurance or otherwise, of compensation for injuries to employees or for death of employees resulting from such injuries without regard to fault as a cause thereof, except where the injury is occasioned by the wilful intention of the injured employee to bring about the injury or death of himself or herself or of another, or where the injury results solely from the intoxication of the injured employee while on duty; or for the adjustment, determination and settlement, with or without trial by jury, of issues which may arise under such legislation; or to provide that the right of such compensation, and the remedy therefore shall be exclusive of all other rights and remedies for injuries to employees or for death resulting from such injuries; or to provide that the amount of such compensation for death shall not exceed a fixed or determinable sum; provided that all moneys paid by an employer to his or her employees or their legal representatives, by reason of the enactment of any of the laws herein authorized, shall be held to be a proper charge in the cost of operating the business of the employer. *(Formerly §19. Renumbered by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; amended by vote of the people November 7, 2001.)*

## ARTICLE II SUFFRAGE

#### [Qualifications of voters]

**Section 1.** Every citizen shall be entitled to vote at every election for all officers elected by the people and upon all questions submitted to the vote of the people provided that such citizen is eighteen years of age or over and shall have been a resident of this state, and of the county, city, or village for thirty days next preceding an election. *(Amended by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; further amended by vote of the people November 2, 1943; November 6, 1945; November 6, 1961; November 8, 1966; November 7, 1995.)*

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### **Document 6: Earth Charter**

Excerpted from: [http://www.earthcharterusa.org/earth\\_charter.html](http://www.earthcharterusa.org/earth_charter.html)

***PREAMBLE:** We stand at a critical moment in Earth's history, a time when humanity must choose its future. As the world becomes increasingly interdependent and fragile, the future at once holds great peril and great promise. To move forward we must recognize that in the midst of a magnificent diversity of cultures and life forms we are one human family and one Earth community with a common destiny. We must join together to bring forth a sustainable global society founded on respect for nature, universal human rights, economic justice, and a culture of peace. Towards this end, it is imperative that we, the peoples of Earth, declare our responsibility to one another, to the greater community of life, and to future generations.*

#### **Earth, Our Home**

Humanity is part of a vast evolving universe. Earth, our home, is alive with a unique community of life. The forces of nature make existence a demanding and uncertain adventure, but Earth has provided the conditions essential to life's evolution. The resilience of the community of life and the well-being of humanity depend upon preserving a healthy biosphere with all its ecological systems, a rich variety of plants and animals, fertile soils, pure waters, and clean air. The global environment with its finite resources is a common concern of all peoples. The protection of Earth's vitality, diversity and beauty is a sacred trust.

#### **The Global Situation**

The dominant patterns of production and consumption are causing environmental devastation, the depletion of resources, and a massive extinction of species. Communities are being undermined. The benefits of development are not shared equitably and the gap between rich and poor is widening. Injustice, poverty, ignorance, and violent conflict are widespread and the cause of great suffering. An unprecedented rise in human population has overburdened ecological and social systems. The foundations of global security are threatened. These trends are perilous — but not inevitable.

#### **The Challenges Ahead**

The choice is ours: form a global partnership to care for Earth and one another or risk the destruction of ourselves and the diversity of life. Fundamental changes are needed in our values, institutions and ways of living. We must realize that when basic needs have been met, human development is primarily about being more, not having more. We have the knowledge and technology to provide for all and to reduce our impacts on the environment. The emergence of a global civil society is creating new opportunities to build a democratic and humane world. Our environmental, economic, political, social and spiritual challenges are interconnected, and together we can forge inclusive solutions.

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### Earth Charter (continued)

#### Universal Responsibility

To realize these aspirations, we must decide to live with a sense of universal responsibility, identifying ourselves with the whole Earth community as well as our local communities. We are at once citizens of different nations and of one world in which the local and global are linked. Everyone shares responsibility for the present and future well-being of the human family and the larger living world. The spirit of human solidarity and kinship with all life is strengthened when we live with reverence for the mystery of being, gratitude for the gift of life, and humility regarding the human place in nature.

We urgently need a shared vision of basic values to provide an ethical foundation for the emerging world community. Therefore, together in hope we affirm the following interdependent principles for a sustainable way of life as a common standard by which the conduct of all individuals, organizations, businesses, governments, and transnational institutions is to be guided and assessed.

### PRINCIPLES

#### I. RESPECT AND CARE FOR THE COMMUNITY OF LIFE

1. ***Respect Earth and life in all its diversity.***
  - a. Recognize that all beings are interdependent and every form of life has value regardless of its worth to human beings.
  - b. Affirm faith in the inherent dignity of all human beings and in the intellectual, artistic, ethical and spiritual potential of humanity.
2. ***Care for the community of life with understanding, compassion and love.***
  - a. Accept that with the right to own, manage, and use natural resources comes the duty to prevent environmental harm and to protect the rights of people.
  - b. Affirm that with increased freedom, knowledge and power comes increased responsibility to promote the common good.
3. ***Build democratic societies that are just, participatory, sustainable and peaceful.***
  - a. Ensure that communities at all levels guarantee human rights and fundamental freedoms and provide everyone an opportunity to realize his or her full potential.
  - b. Promote social and economic justice, enabling all to achieve a secure and meaningful livelihood that is ecologically responsible.
4. ***Secure Earth’s bounty and beauty for present and future generations.***
  - a. Recognize that the freedom of action of each generation is qualified by the needs of future generations.

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### Earth Charter (continued)

- b. Transmit to future generations values, traditions and institutions that support the long-term flourishing of Earth's human and ecological communities.

*In order to fulfill these four broad commitments, it is necessary to:*

#### II. ECOLOGICAL INTEGRITY

5. ***Protect and restore the integrity of Earth's ecological systems, with special concern for biological diversity and the natural processes that sustain life.***
  - a. Adopt at all levels sustainable development plans and regulations that make environmental conservation and rehabilitation integral to all development initiatives.
  - b. Establish and safeguard viable nature and biosphere reserves, including wild lands and marine areas, to protect Earth's life support systems, maintain biodiversity and preserve our natural heritage.
  - c. Promote the recovery of endangered species and ecosystems.
  - d. Control and eradicate non-native or genetically modified organisms harmful to native species and the environment, and prevent introduction of such harmful organisms.
  - e. Manage the use of renewable resources such as water, soil, forest products and marine life in ways that do not exceed rates of regeneration and that protect the health of ecosystems.
  - f. Manage the extraction and use of non-renewable resources such as minerals and fossil fuels in ways that minimize depletion and cause no serious environmental damage.
6. ***Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach.***
  - a. Take action to avoid the possibility of serious or irreversible environmental harm even when scientific knowledge is incomplete or inconclusive.
  - b. Place the burden of proof on those who argue that a proposed activity will not cause significant harm, and make the responsible parties liable for environmental harm.
  - c. Ensure that decision making addresses the cumulative, long-term, indirect, long distance and global consequences of human activities.
  - d. Prevent pollution of any part of the environment and allow no build-up of radioactive, toxic or other hazardous substances.
  - e. Avoid military activities damaging to the environment.
7. ***Adopt patterns of production, consumption, and reproduction that safeguard Earth's regenerative capacities, human rights and community well-being.***
  - a. Reduce, reuse and recycle the materials used in production and consumption systems, and ensure that residual waste can be assimilated by ecological systems.
  - b. Act with restraint and efficiency when using energy, and rely increasingly on renewable energy sources such as solar and wind.

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### Earth Charter (continued)

- c. Promote the development, adoption and equitable transfer of environmentally sound technologies.
  - d. Internalize the full environmental and social costs of goods and services in the selling price, and
  - e. enable consumers to identify products that meet the highest social and environmental standards.
  - f. Ensure universal access to health care that fosters reproductive health and responsible reproduction.
  - g. Adopt lifestyles that emphasize the quality of life and material sufficiency in a finite world.
8. ***Advance the study of ecological sustainability and promote the open exchange and wide application of the knowledge acquired.***
- a. Support international scientific and technical cooperation on sustainability, with special attention to the needs of developing nations.
  - b. Recognize and preserve the traditional knowledge and spiritual wisdom in all cultures that contribute to environmental protection and human well-being.
  - c. Ensure that information of vital importance to human health and environmental protection, including genetic information, remains available in the public domain.

### III. SOCIAL AND ECONOMIC JUSTICE

9. ***Eradicate poverty as an ethical, social and environmental imperative.***
- a. Guarantee the right to potable water, clean air, food security, uncontaminated soil, shelter and safe sanitation, allocating the national and international resources required.
  - b. Empower every human being with the education and resources to secure a sustainable livelihood, and provide social security and safety nets for those who are unable to support themselves.
  - c. Recognize the ignored, protect the vulnerable, serve those who suffer, and enable them to develop their capacities and to pursue their aspirations.
10. ***Ensure that economic activities and institutions at all levels promote human development in an equitable and sustainable manner.***
- a. Promote the equitable distribution of wealth within nations and among nations.
  - b. Enhance the intellectual, financial, technical and social resources of developing nations, and relieve them of onerous international debt.
  - c. Ensure that all trade supports sustainable resource use, environmental protection, and progressive labor standards.

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### Earth Charter (continued)

- d. Require multinational corporations and international financial organizations to act transparently in the public good, and hold them accountable for the consequences of their activities.
11. ***Affirm gender equality and equity as prerequisites to sustainable development and ensure universal access to education, health care and economic opportunity.***
- a. Secure the human rights of women and girls and end all violence against them.
  - b. Promote the active participation of women in all aspects of economic, political, civil, social and cultural life as full and equal partners, decision makers, leaders and beneficiaries.
  - c. Strengthen families and ensure the safety and loving nurture of all family members.
12. ***Uphold the right of all, without discrimination, to a natural and social environment supportive of human dignity, bodily health and spiritual well-being, with special attention to the rights of indigenous peoples and minorities.***
- a. Eliminate discrimination in all its forms, such as that based on race, color, sex, sexual orientation, religion, language and national, ethnic or social origin.
  - b. Affirm the right of indigenous peoples to their spirituality, knowledge, lands and resources and to their related practice of sustainable livelihoods.
  - c. Honor and support the young people of our communities, enabling them to fulfill their essential role in creating sustainable societies.
  - d. Protect and restore outstanding places of cultural and spiritual significance.

### IV. DEMOCRACY, NONVIOLENCE AND PEACE

13. ***Strengthen democratic institutions at all levels, and provide transparency and accountability in governance, inclusive participation in decision making and access to justice.***
- a. Uphold the right of everyone to receive clear and timely information on environmental matters and all development plans and activities which are likely to affect them or in which they have an interest.
  - b. Support local, regional and global civil society, and promote the meaningful participation of all interested individuals and organizations in decision making.
  - c. Protect the rights to freedom of opinion, expression, peaceful assembly, association and dissent.
  - d. Institute effective and efficient access to administrative and independent judicial procedures, including remedies and redress for environmental harm and the threat of such harm.