

CONTENT LEVEL

Ages 14-18 (Grades 9-12)

TIME

60 Minutes

OVERVIEW OF ACTIVITIES

Students will...

- Engage in a discussion with their peers about consent
- Work with a partner to analyze a real-world case study about the right to marriage

Accompanying slides available via [Google Slides](#)

INTRODUCTION TO THE UDHR

Woven Teaching believes that **human rights education** is essential for students to understand and assert their own rights and to protect the rights of others. As a result, the **Universal Declaration of Human Rights** (UDHR) lies at the core of Woven Teaching's materials. The document's 30 articles outline fundamental human rights: basic rights and freedoms which every human being is entitled to, regardless of the person's race, religion, birthplace, gender, sexual orientation, or other characteristics. Although its articles are not legally binding, the UDHR serves as the moral compass for the international community.

ARTICLE 16

Right to Get Married and Start a Family

As a consenting adult, you have the right to get married and start a family. Both you and your spouse are entitled to equal rights during the marriage and its dissolution. The family is the fundamental unit of society and is therefore entitled to protection by the State.

Article 16 of the UDHR outlines the right to get married and start a family. You can learn more about Article 16 at bit.ly/WT-udhr-16.

A lesson about Article 16 has many applications in the classroom. For example, it could be added to units about:

- Nazi Germany and the Holocaust (Nuremberg Laws)
- Landmark U.S. Supreme Court cases (Obergefell v. Hodges, Loving v. Virginia, etc.)
- Roe v. Wade and the movement for reproductive rights

Although the Universal Declaration of Human Rights is not legally binding, the rights described in its articles can be found in international covenants and treaties which are legally binding. The right to marriage and to start a family can be found in Article 10 of the **International Covenant on Economic, Social and Cultural Rights** (ICESCR), which was adopted by the UN General Assembly in December 1966. The United States is a Signatory to the ICESCR, but has not ratified the Covenant. As a result, it is under no obligation to abide by its articles.

WHAT IS CONSENT?

20 MINUTES

Students explore Article 16 and its connection to consent through an all-class discussion.

A. Begin by explaining the following:

Article 16 covers some of the most intimate and personal decisions that a person can make: the right to get married and to start a family:

As a consenting adult, you have the right to get married and start a family. Both you and your spouse are entitled to equal rights during the marriage and its dissolution. The family is the fundamental unit of society and is therefore entitled to protection by the State.

At the heart of the article is the idea that all adults—regardless of race, gender, sexual orientation, religion, or any other characteristic—have the right to decide whether or not they want to enter into a marriage or other relationship. It also states that both parties have equal rights in the event of a divorce.

Article 16 is an empowering article. It outlines our rights to develop deep relationships with each other and the right to our own power and autonomy in those relationships. This autonomy extends to the second part of the article: the right to found a family. This means that every human being has the right to choose whether they would like to be a parent or not—they have the right to bodily autonomy and the right to choose to have or not to have children.

B. Share that the choice and/or agreement for something to happen or to do something is called **consent**, and ask students to brainstorm the following questions:

1. Where have you heard this word before? In what context?
Students will likely bring up consent in terms of sexual relations. Affirm their answers, explaining that consent is a critical factor in all healthy sexual relationships.
2. What do you think consent means in the context of Article 16?
3. Why do you think that children cannot consent to engaging in marriage or sexual activity?

ARTICLE 16 AROUND THE WORLD

40 MINUTES

Students will work in pairs to examine case studies related to marriage and family rights around the world.

- A. Reread Article 16 (see **pg. 2**) aloud. Review the following vocabulary words:
 - **consent:** permission or agreement for something to happen
 - **dissolution:** the termination of a partnership or group; divorce
 - **spouse:** a partner in a marriage; gender-neutral word for husband or wife
- B. Distribute Around the World Case Studies (**Handout A**) to each student and ask them to find a partner— ideally someone that they have not worked with recently.
- C. With their partner, ask students to read the case studies and complete the graphic organizer (**Handout B**).
 1. In what ways were this person's/ these people's rights violated?
 2. Who/ what violated these rights?
 3. Who might have been able to intervene to ensure that human rights were upheld?
Examples: family members, friends, community members, church leaders, government officials, etc.
 4. How is consent related to this case study?
- D. Debrief as a class, asking students to share about what they have learned.
 1. Has Article 16 been violated in your community? If so, how?
 2. How should the community or government respond when this right is violated?
 3. The United States has not ratified the international treaty which ensures the right to marry and start a family. Should it ratify this treaty? Why or why not?
 4. What kind of world would be possible if the right to get married and start a family was respected for everyone? Are any groups more negatively impacted by the violation of this right than others?

Encourage students to offer realistic ideas about protecting these rights. As in all sessions, ideas generated during this session could allow students to make tangible change in their communities.

See **pg. 4** for possible answers.

ARTICLE 16 AROUND THE WORLD – ANSWER KEY

Case Study #1: Latifa

1. In what ways were this person's/these people's rights violated?
Latifa's right to education (Article 26) was violated because she was forced to leave school. Latifa was forced into marriage as a young child. Because she was not a consenting adult, this violated her rights (Article 16). When Latifa was forced into homelessness after Salum left, her right to an adequate standard of living (Article 25) was also violated.
2. Who/what violated these rights?
Both Latifa's father and her husband Salum violated her rights. The Tanzanian government also violated her rights by not enforcing the age of consent.
3. Who might have been able to intervene to ensure that human rights were upheld?
Many people in Latifa's community might have helped to uphold her rights. Other adult family members, teachers and school officials, community members and religious and/or government leaders might have been able to help her uphold her rights.
4. How is consent related to this case study?
The age of consent (to sexual activity) is 18 in Tanzania. As a 12 year old, Latifa was not legally able to consent to either marriage or sexual intercourse with Salum.

Case Study #2: Irina Shipitko and Irina Fedotova

1. In what ways were this person's/these people's rights violated?
Irina S. and Irina F.'s rights were violated when their marriage application was denied (Article 16). By having their case dismissed, their right to seek justice and remedy (Article 8) was also violated. Even after their marriage application was defended by the European Court of Human Rights, their right to marriage was still denied.
2. Who/what violated these rights?
The Russian government and the individual judge who dismissed their case violated their rights.
3. Who might have been able to intervene to ensure that human rights were upheld?
Marriages of same-sex couples in Russia are not legally recognized. The ability to overturn this law might not be possible in the short term, but the following people or groups might have the ability to challenge perceptions and prejudice about same-sex marriage: religious groups or organizations, local politicians, human rights groups and other thought leaders, as well as leaders from other countries and governments.
4. How is consent related to this case study?
Irina S. and Irina F. are two consenting adults and therefore have the right to marry, according to both the UDHR and the International Covenant on Economic, Social and Cultural Rights (which, unlike the UDHR, is legally binding).

Case Study #3: Amy

1. In what ways were this person's / these people's rights violated?
Amy's right to a legal divorce (Article 16) was violated. Because divorce is illegal in the Philippines, she was forced to remain married even after she and her son had been abandoned by the baby's father, Amy's husband. Since a divorce was impossible, Amy claimed that she was psychologically unwell in order to obtain an annulment.
2. Who / what violated these rights?
The government of the Philippines violated Amy's right to marriage (and to divorce).
3. Who might have been able to intervene to ensure that human rights were upheld?
The government of the Philippines prohibits divorce. While changing this law might not be possible in the short term, there are ways to change attitudes and policies about divorce. Religious and government leaders can speak out against this law and advocate to protect the rights of its citizens. World leaders and bodies can also speak out against this prohibition on divorce.
4. How is consent related to this case study?
Amy no longer consents to marriage with her husband, so by not allowing her to leave the marriage, the government of the Philippines is violating her rights.

Case Study #4: Romina

1. In what ways were this person's / these people's rights violated?
Romina's right to an equal marriage (Article 16), as well as her right to physical safety (Article 3) was violated.
2. Who / what violated these rights?
Romina's husband violated her right to safety and her right to start a family / have children when he forced her to have more children than she wanted. Argentinian society / government violated Romina's rights by making contraception difficult to obtain.
3. Who might have been able to intervene to ensure that human rights were upheld?
Many people and groups could have assisted Romina. Doctors and healthcare providers in Argentina and abroad could speak out against policies and laws that unfairly target women and girls in gaining access to contraceptives. Human rights organizations and religious groups can also speak out and draw the world's attention to this problem.
4. How is consent related to this case study?
Romina did not consent to getting pregnant or having more children.

AROUND THE WORLD CASE STUDIES

CASE STUDY #1

Latifa is a 15-year-old from Tanzania. When she was younger, her family did not always have enough money to eat or meet other needs. As a child, she loved going to school and dreamed of becoming a doctor.

At age 12, Latifa had to stop going to school. Her father had arranged for her to marry Salum, a 35 year-old man who paid to marry her. She was forced to move to Dar es Salaam, the capital of Tanzania, with Salum and had to do all of the cooking and cleaning. Latifa got pregnant soon after they were married. That's when Salum kicked her out of the house and disappeared. She and her baby were homeless for a few months, but luckily they now have a place to live.

CASE STUDY #2

Irina Shipitko and Irina Fedotova are women from Russia who are in a long-term romantic relationship. They submitted a marriage application in Moscow, but it was denied because marriage between two women is illegal in Russia. They fought the decision in a Russian court, but the judge dismissed the case, stating that marriage requires the "voluntary agreement of a man and a woman."

Shipitko and Fedotova, along with two other same-sex couples, took their case to the European Court of Human Rights (ECHR). In July 2021, ECHR ruled that Russia has an obligation to ensure respect for all people by providing a legal framework to acknowledge and protect same-sex relationships. The Russian government rejected this ruling and continues to deny the right to marriage for same-sex couples.

CASE STUDY #3

Amy is from the Philippines, the only UN Member State where divorce is illegal. When her son was born, her husband left and never returned. When Amy first tried to get the marriage annulled (declared invalid), she was denied. When she was finally successful, ten years later, she told the court that she was psychologically unwell. This was not true but it was the only way she could legally end her marriage.

Trying to get an annulment was also very costly for Amy. She spent nearly half a million Philippine pesos (\$10,000 USD) on legal fees. Amy was able to pay these fees, but many other women in the Philippines cannot afford the cost of an annulment to separate from abusive husbands or end unhappy marriages.

CASE STUDY #4

Romina is a 46-year-old mother of seven from Argentina. Her husband is physically abusive. Romina did not want to have that many children, but her husband would not allow her to use contraceptives. She started taking birth control pills while he was away, but when he returned, he hid the medication from her. She feels like she was forced to have this many children.

It is not easy to access contraceptives in Argentina. Women seeking contraceptives have to take time off of work to go to the hospital early in the morning and wait for hours before their appointment. Many of them use public transportation, and the cost of the travel is expensive. Those who use hormonal contraceptives (birth control pills) have to repeat this process every month.

CASE STUDY	IN WHAT WAYS WERE THIS PERSON/THESE PEOPLE'S RIGHTS VIOLATED?	WHO/WHAT VIOLATED THESE RIGHTS?	WHO MIGHT HAVE BEEN ABLE TO INTERVENE TO ENSURE THAT HUMAN RIGHTS WERE UPHELD?	HOW IS CONSENT RELATED TO THIS CASE STUDY?
Case Study #1: Latifa				
Case Study #2: Irina Shipitko & Irina Fedotova				
Case Study #3: Amy				
Case Study #4: Romina				

UNIVERSAL DECLARATION OF HUMAN RIGHTS

STUDENT VERSION

1 All human beings are born equal in dignity and in rights.	2 These rights belong to everyone . You should never be discriminated against.	3 You have the right to life, liberty, and safety .
4 No one can hold you in slavery .	5 No one can torture you or treat you in a cruel or degrading way.	6 Everyone has rights , no matter where they are.
7 Laws should be applied the same way for everyone.	8 You have the right to seek justice and remedy (repair) if your rights are not respected.	9 You cannot be imprisoned or thrown out of a country without a good reason.
10 You have the right to a fair and public trial .	11 You have the right to be presumed innocent until proven guilty.	12 You have a right to privacy . No one can enter your home, read your mail, or bother you without good reason.
13 You have the right to move and travel within your country and internationally.	14 You have the right to seek protection from another country (asylum) if your country treats you poorly.	15 You have the right to be a citizen of a country (have a nationality).
16 Every consenting adult has the right to get married and have a family .	17 You have the right to own property .	18 You have the right to practice any religion .
19 You have the right to express your opinion .	20 You have the right to gather with others and protest publicly .	21 You have the right to participate in the government of your country (e.g. vote).
22 You have the right to have your basic needs met (e.g. through social security programs).	23 You have the right to work, to receive equal pay for equal work, and to join a union .	24 You have the right to rest from work .
25 You have the right to an adequate standard of living , including housing, food, and medical care.	26 You have the right to an education .	27 No one can stop you from participating in your community's cultural life .
28 Everyone must respect the social order that allows these rights to exist.	29 Everyone must respect the rights of others .	30 No one can take any of the rights in this declaration away from you.

The full text of the UDHR and a text-only student version are available at WovenTeaching.org/udhr

