

CONTENT LEVEL

Ages 14-18 (Grades 9-12)

TIME

60 Minutes

OVERVIEW OF ACTIVITIES

Students will...

- Reflect on the occurrence of torture or cruel, inhuman, or degrading treatment (CIDT) in their community, their country, or the world
- Analyze a real-world case study about a young person who experienced torture and /or CIDT

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 5

Right to Freedom from Torture and Cruel, Inhuman or Degrading Treatment

No one can subject you to torture or to cruel, inhuman, or degrading treatment or punishment.

Article 5 of the UDHR outlines the right to freedom from torture and cruel, inhuman, or degrading treatment. You can learn more about Article 5 at bit.ly/WT-udhr-5.

A lesson about Article 5 has many applications in the classroom. For example, it could be added to units about:

- Slavery in the United States and abroad
- Mass incarceration
- Totalitarian regimes (Nazi Germany, Soviet Russia, etc.)
- Authoritarian regimes in Latin America (Argentina during the 1970s, etc.)

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 freedom from torture and cruel, inhuman, or degrading treatment can be found in Article 7 of the **International Covenant on Civil and Political Rights** (ICCPR), which was adopted by the UN General Assembly in December 1966. The United States is a State Party to the ICCPR; under international law, the U.S. must abide by its articles. The right enshrined in UDHR Article 5 is also protected in the **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (1984).

DEFINING TORTURE AND CIDT

15 MINUTES

Students will learn vocabulary associated with Article 5 and reflect in writing on the occurrence of torture or cruel, inhuman, or degrading treatment (CIDT) in their community, their country, or the world.

- A. Begin by reading Article 5 (see **pg. 1**), then sharing the definitions of torture and cruel, inhuman, or degrading treatment:

The term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as:

- Obtaining information or a confession
- Punishing them for something they did or are suspected of doing
- Intimidating or coercing them to do something

Cruel, inhuman, or degrading treatment means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person without a specific purpose.

- **cruel:** causing pain and/or suffering without feeling pity
- **inhuman:** lacking compassion or mercy
- **degrading:** causing people to feel as if they have no value/respect

Note: These definitions have been adapted from the UN’s Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and the International Committee of the Red Cross

- B. Instruct students to spend a few minutes writing a response to the following prompt:

Think about what you have seen in the news or witnessed in your community. Have you ever heard of someone being tortured or experiencing cruel, inhuman, or degrading treatment? If yes, what occurred? If not, do you think that these things happen in your community? Your country? The world?

- C. After a few minutes, debrief by asking a few students to share what they wrote. Did most students have similar answers? Do most students view torture/CIDT as a problem in their community, or did most examples occur in other parts of the world?

HUMAN RIGHTS IN THE REAL WORLD

35 MINUTES

Students will analyze a real-world case study from the U.S. incarceration system.

A. Post/distribute the case study (see **pg. 4**) and ask for volunteers to read it aloud.

Content warning: The case study includes mention of self-harm and suicide.

B. Working with a partner, instruct students to answer the following questions:

1. What did Kalief Browder experience? Why?
2. Do you think what happened to Kalief Browder is inhuman/degrading treatment or torture? Why or why not?
3. Do you agree with the United Nations that solitary confinement is a form of torture? Why or why not?
4. Experiences like Kalief's are not rare in U.S. jails and prisons. Do you believe that solitary confinement should be allowed? Why or why not?
5. What can government officials do to prevent what Kalief Browder experienced from happening in the future?

Possible answers: Issue regulations, inspect facilities such as jails and prisons, investigate claims of torture or inhuman or degrading treatment, etc.

6. What can you do personally (alone or as a group of students) to advocate for people experiencing torture or degrading treatment?

Possible answers: Educate yourself and others, write to the press or government officials, organize or attend a protest against torture or CIDT, etc.

C. After everyone has completed their responses, lead a discussion about the case study. *What is the issue being addressed? What are some of the challenges in protecting this right? What are some of the possible solutions to ensuring this right is protected? Can you think of current examples of violations of this right?*

CLOSING

10 MINUTES

Students will reflect on actions that they can take in their community to protect the rights enshrined in Article 5.

A. Before distributing the exit cards, ask students to brainstorm ways that ordinary people can become involved in protecting the right to justice and remedy. Write their responses on the board.

B. Provide each student with an "exit card" and ask them to answer at least two of the following questions. Remind them to be specific:

- What is one thing that you learned today?
- What is one action that you can take today to promote these rights in your community?
- What are some of the challenges you might face in promoting these rights?

HUMAN RIGHTS IN THE REAL WORLD CASE STUDY

In the spring of 2010, 16-year-old Kalief Browder was arrested for allegedly stealing a backpack. The crime had taken place two weeks earlier. Kalief was charged with robbery, grand larceny (stealing something valuable), and assault. A judge set Kalief's bail for \$3,000. Because his family could not afford to pay, Kalief was sent to Rikers Island while he awaited his trial. He was held there for more than 1,100 days despite not being convicted of a crime.

Rikers is a notorious jail in New York City. It has a very bad reputation and inmates there are often subject to violence, physical and mental abuse, and neglect by the staff. While in jail, Kalief was treated very badly. In one instance, guards beat Kalief and other inmates who they claimed had been responsible for a fight. Another time, a correction officer told Kalief he wanted to fight, and beat him near the shower, where there were no surveillance cameras.

Additionally, Kalief was starved. The meals he received were small and he was not able to supplement them with snacks bought from the commissary. This was because Kalief was kept in solitary confinement for most of the three years he was held in jail. The United Nations defines solitary confinement—during which a person is held alone and cannot leave their jail cell for more than one hour per day—as a form of torture. According to Human Rights Watch, “Experts assert that young people are psychologically unable to handle solitary confinement with the resilience of an adult. And, because they are still developing, traumatic experiences like solitary confinement may have a profound effect on their chance to rehabilitate and grow.” While in solitary confinement, Kalief attempted to end his life more than once.

While imprisoned at Rikers, Kalief's trial kept getting postponed. Although the Sixth Amendment to the U.S. Constitution guarantees the right to a “speedy and public trial,” Kalief spent more than three years in jail waiting for his trial. He was offered plea deals throughout his time at Rikers—agreements that would give him a shorter sentence or release him if he admitted that he committed the crime—but Kalief always maintained his innocence. He wanted his day in court because he knew that there was no evidence he stole the backpack.

After more than three years in jail, Kalief was released. The person whose backpack was stolen was no longer in the country, so the prosecutor could not proceed with the trial. Two years later, despite trying to rebuild his life, Kalief died by suicide.



Sources:

Jennifer Gonnerman, “Before the Law,” *The New Yorker*, 29 September 2014, <https://www.newyorker.com/magazine/2014/10/06/before-the-law>.

Human Rights Watch, *Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States*, 10 October 2012, <https://www.hrw.org/report/2012/10/10/growing-locked-down/youth-solitary-confinement-jails-and-prisons-across-united>.

Photo: Kalief Browder, 2014 (Credit: Zach Gross)

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](https://www.WovenTeaching.org/udhr)