



מדינת ישראל
המנדט הכללי
אגף חינוך ורווחה

המטה לחינוך אזרחי ולחיים משותפים
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האגודה לזכויות האזרח בישראל
جمعية حقوق المواطن في اسرائيل
The Association for Civil Rights in Israel



Human Rights Day Lesson Plan for Upper School – The Right to Housing

Human Right Day

Human Rights Day is celebrated around the world on the 10th of December every year. On this day in 1948 the United Nations' General Assembly adopted The Universal Declaration of Human Rights. The Declaration lists the various human rights individuals and states are obliged to respect.

Educating about the human and civil rights and their protection are essential to our existence as human beings and as citizens of a democratic state. They have an effect on the everyday life of each and every one of us and therefore this subject should be taught again every year. Each year the education system holds special lessons, conferences, lectures and more to mark this day. As part of these activities, an original poster focusing on one of the rights stated in the Declaration is published and distributed to schools nationwide along with a lesson plan. This activity is a joint effort of The Association for Civil Rights in Israel and The Ministry of Education (via The Council for Shared Life and Civic Education).

The Right to Housing – Introduction for Teachers

“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...”

Universal Declaration of Human Rights, article 25

We present a poster and lesson plan dealing with one of the most basic human rights – the right to housing. While there is a consensus in democracies on the implementation of civil and political rights such as freedom of speech, the right to vote and to be voted and freedom of association, there is a dispute regarding the status of social-economical rights like the right to education, the right to health, the right to housing, labor rights and terms of employment, and the right to an adequate standard of living.

Occasionally, the right to housing is in dispute with other rights, such as the right to own property, or with economic interests. There are different approaches to dealing with these conflicts. Some view the state as a “night guard”, that is – the state’s role is to enable the life of its citizens with minimal intervention in their private lives. On the other hand – those in support of the welfare state, the social-democratic state, claim that social rights are an essential prerequisite for the realization of many other human rights and for true equality. After all, without health insurance – an impoverished person’s right to life will be violated; without public education – there won’t be true social equality; Without a roof over one’s head – one won’t be inclined and free to be socially or political involved.

A home is a place of intimacy, security and privacy, and is the foundation for productivity and growth. The human need for a secure and safe place is perhaps one of the most fundamental needs. Therefore, it is surprising to find that unlike other rights, whose significance is almost self-evident, the term “Right to Housing” is sometimes met with a raise of an eyebrow. Why is it easier to accept the concept that everyone is entitled to freedom of movement or has the right to demonstrate, but

it is difficult for us to accept that they have the right to housing? Why is it obvious to us that the state is obliged to provide education to every child, but not to ensure that every child has a roof over his or her head? Why is it easy for us to view healthcare as a human right and not only a product, and therefore easy for us to understand why healthcare and medication must be provided even to those who cannot afford them, but is it more difficult for us to perceive housing as a human right – and not only real estate – and therefore conclude that decent housing must be provided even to those who cannot afford the housing costs in the private market?

Discussion of the right to housing immediately leads to the question: What makes housing a right and not only a product? The right to housing is one of a list of **social rights** (for instance, the right to education, health, employment, social security and food security), which are not explicitly protected in the state's Basic Laws, as opposed to another group of political and civil rights (like the right to life, liberty, dignity, property, privacy, and free choice of employment) which are stated in the two Basic Laws passed by the Knesset in 1992. There are those who question and dispute the distinction between the two types of rights, and the hierarchy in their protection by law. The former President of The Supreme Court of Israel, Dorit Beinisch, wrote:

“According to accepted view, **there are no grounds for a clear distinction between social and political rights with regards to the state's positive and negative obligations nor with respect to the allocation of resources.** The alleged disparity between the rights is mainly due to historical evolution and not to actual differences between the rights themselves. Indeed, the “do's and don't's”, side by side, are an integral part of the protection of all human rights, regardless of their nature”.¹

To that former Supreme Court Justice Edna Arbel added:

“Indeed, unlike civil political rights, social rights deal mainly with the social, economic and cultural aspects of human existence. Nonetheless, they are inseparable – **without social rights one would not be able to realize his or her civil rights. Without food, water, housing, healthcare or education one would struggle to cast real content and meaning into civil rights. One would struggle to realize his or her right to vote, freedom of speech, right to free choice of employment, or right to own property.**” (emphasis added)

More on The Basic Law: Social Rights [here](#)

What does the right to housing mean? Does it propose that the state is obliged to provide an apartment to every citizen? Or does it mean everyone has the right to own an apartment? Or is it perhaps a more limited right to a shelter for the homeless? Under which circumstances can an individual claim his or her right to housing has been violated? What are The State's obligations towards this individual?

Many confuse between the right to own property and the right to housing, despite the fact that the right to housing is not the right to own a home. **In essence, it is not a proprietary right at all but rather a social right: the right to adequate housing**.²

Any discussion about the right to housing in Israel should to take into account populations with extreme difficulties in this area. Following are a few examples:

One example which addresses a group significantly deprived in the area of housing was raised in the discussions over the public housing bill, which proposed to enable public housing tenants to purchase their apartments at a substantial discount³. Historical analysis⁴ showed that immigrants who arrived from the 1950s and onward, most from North Africa and Asia, had far less opportunity to purchase housing in comparison to immigrants arriving before then as a result of government policy shift and changes in the housing market during those years. The later immigrants were usually allocated public housing in remote areas with low employment rates as part of the decentralization policy. These poverty stricken housing projects

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Judgment <http://elyon1.court.gov.il/files/04/620/106/n44/04106620.n44.htm>

2

"מעובד מתוך דו"ח "הנדל"ניסטית" <https://www.acri.org.il/he/1916>

3

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411, (2 דורית בפרספקטיבה היסטורית, משפט וממשל ט)-נטע זיו, בין שכירות לבעלות: חוק הדיור הציבורי והעברת הון בין 418-419 (גם .) 2006) 426-428

crippled the tenants chances of bettering theirs and their offspring's socioeconomic standings, and the outcomes of this policy are still apparent today. Therefore, one of the goals of this bill was to deal with the inferior chances the descendants of immigrants from the 1950s, most of whom are 'Mizrachiim', have to purchase an apartment in comparison with the descendants of the earlier immigrants and those of the kibbutz and moshav movements.

Another central example is the situation of the Arab citizens in Israel. The shortage in land, planning and housing in the Arab sector were recognized also by the Or commission. The main adversities include shortage of land and restricted municipal areas, and even within existing Arab settlements there is a shortage of apartments for purchase, of affordable housing, and of public housing – all issues that must be addressed⁵.

In summary, **housing is not a regular consumer product**. Rather, it is a basic right and key to realization of many other human rights. It is key to the protection of life and health, as well as privacy and family life. Housing is not a product we can do without at times of hardship, and therefore when it consumes a large portion of our income, we are forced to forgo other fundamental needs. Housing policy has considerable implications on society, on the degree of integration or segregation between groups and classes, on the extent of inclusion or exclusion of disadvantaged populations and minorities, and on the accessibility to good education, to employment, to a hazard and pollution free environment, and to adequate health and welfare services. That is why **the right to adequate housing** was recognized as one of the fundamental human rights in the Universal Declaration of Human Rights and in various international treaties⁶.

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□ [כאן](#) עוד על סוגיית הדיור בחברה הערבית ניתן לקרוא

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□ 2012 הוצאת הקיבוץ המאוחד **קריאת המחאה** בתוך אריאל הנדל, עורך, **דיור**, מור, גיל, -גן.

Human Rights Day Lesson Plan for Upper School

The Right to Housing

Audience: Upper school students – 7th – 12th grade.

Duration: 90 minutes (double lesson)

Goals:

1. The students will be introduced to the term Human Rights and Human Rights Day.
2. The students will learn the difference between political rights and social rights.
3. The students will learn about the essence of The Right to Housing and the controversies associated with it.
4. The students will be introduced to several issues stemming from The Right to Housing.
5. The students will become aware to the complexity of the subject, and will be motivated to form an opinion on the matters presented to them.

Stage 1: 25 minutes

The teacher will start with an explanation: What is Human Rights Day

Human Rights Day:

Human Rights Day is celebrated around the world on the 10th of December every year. On this day, in 1948, the United Nations' General Assembly adopted The Universal Declaration of Human Rights. The Declaration lists the various human rights individuals and states are obliged to respect.

Educating about the human and civil rights and their protection are essential to our existence as human beings and as citizens of a democratic state. They have an effect on the everyday life of each and every one of us and therefore this subject should be taught again every year. Each year the education system holds special lessons, conferences, lectures and more to mark this day. As part of these activities, an original poster focusing on one of the rights stated in the Declaration is published and distributed to schools nationwide along with a lesson plan. This activity is a joint effort of The Association for Civil Rights in Israel and The Ministry of Education (via the Council for Shared Life and Civic Education).

This year, as part of this day, we will cover the right to housing:

“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...”

Universal Declaration of Human Rights, article 25

The teacher will present the poster to the students:

Examining the poster

The teacher will ask the students:

- What do you see in the poster?
- What is the symbol in the center of the poster? (It may be described as a house, a shelter, a private space, or real estate).
- What does a house signify to you? (Answers might include references to other rights, such as security, privacy, dignity, children's rights, and education).
- What happens to a person when he or she has no housing? One of conclusions might be the insight that without a home many other rights are harmed and their realization becomes impossible.
- Why do you think a maze was chosen to represent this right? Are there people who will find it easier to navigate the maze and reach the house, and those who will have more difficulty reaching the house? Why?

For the teacher: On the one hand, the maze represents challenge, and difficulty on the other hand. Many of the citizens of Israel feel that their aspirations to have a place of their own are met with **insurmountable obstacles**: The number of salaries required to buy an apartment in Israel; the difficulties in receiving a mortgage;

unreasonable rental terms and high rental rates; shortage of public housing; difficulties in receiving rental assistance; demolitions; shortage in housing for the homeless and street dwellers. And the list continues.

- Can you think of any recent dilemmas or controversy on the matter of housing in Israel?

The need to clarify the terms natural rights, political rights and social rights might come up at any stage of the discussion. In the event that this discussion does not begin spontaneously, the teacher will introduce these terms to the students, and will emphasize that the right to housing is a social right. The level of the discussion should be fitted to the level of the specific classroom.

Natural Rights are rights that address the individual's liberties, and protection against the tyranny of the government. The liberal philosophy, as set by John Locke, views the natural rights as basic rights. These rights are bestowed on every person from birth by virtue of their humanity, and are therefore not dependent on the government – the government can neither grant nor repeal them. These rights are: the right to life and security, liberty, property, dignity, equality, and to due process.

Political (Civil) Rights are the rights bestowed on the citizens by the government. These rights enable all citizens to take part in defining the political life in the state, e.g.: the right to vote and to be voted, and the freedom of association.

Social Rights are fundamental rights in democracy. They are part of the human rights and are stated in the United Nations' Declaration of Human Rights. However, they are not natural rights, and each state determines to what extent it provides these rights to its citizens. Social rights include: the right to education, health, housing, labor rights and terms of employment, social security, food security, and the right to an adequate standard of living.

- **Important introductory questions:** What is a social right? What is the right to housing? (Answers and discussion topics can be found in the introduction for teachers at the head of this lesson).

Stage 2: 30 minutes

Right Vs. Product

The teacher will enumerate items such as:

standardized bread, PC, water, telephone, medication, textbooks, electricity, car. The teacher can add to this list. Following this, the teacher will ask whether each item is a consumer product (up for sale in the free market, no need for the government to ensure it is accessible to all citizens) or a right (a product or service everyone should have access to, and the government is responsible to ensure it).

This discussion can be concluded by stating that there is a continuum. At the one end we find the luxury products people can buy according to their financial ability and at the other end we find the basic products – items and services without which human rights are harmed.

There are two options for holding the discussion:

Option A: The teacher will present two claims:

1. **Housing is a private economic matter the state should not interfere with.**
Housing is a **product** bought or rented in the free market. Suppose home owners raise rental rates sky high, and those who cannot afford the rent are 'thrown into the street'. Is that not their prerogative, and right? After all, the apartments are their property!
2. **Housing is a matter of social importance and therefore the state must intervene where necessary.**
Housing is not real estate but rather a home, with all that comes with it. Housing is key to the protection of other rights, hence we must protect everyone's right to adequate housing. Just as one has the right to enjoy his property, another has the right to have a roof over his head.

The teacher will mark two circles on the classroom floor – each representing one of these arguments. Each student will stand in the circle belonging to the argument they support. Afterward, students from each of the circles will be paired together and will discuss the issue for 10 minutes, and will attempt to understand their partner's view and perhaps attempt to persuade each other. They should be reminded of the list of items mentioned earlier on, to be used as a source for comparison with housing. After this, the students will again choose a circle to see if anyone has changed their mind. The class will reassemble, and a representative from each pair will make a brief report on their discussion and its outcome. (If all or most of the students choose one of the claims, the teacher will divide the classroom into two and each half will argue one of the claims).

Option B: The teacher will present both claims mentioned above in option A, and will pose the question: Is a policy that combines both approaches possible? Assuming the answer is yes, the students will be asked to propose ways to reach such a policy. This can also be done using role play.

Stage 3: 35 minutes

The State's Responsibility Regarding Housing:

After discussing the essence of the right to housing and debating whether it's a **right or a product and the important role the state has in ensuring everyone has a roof over their head**, the class will explore the different ways in which the state can (or must) intervene, or act.

If the students reached the opposite conclusion - that the housing market is a free market, and that there should be competition without state intervention, the classroom will explore the implications of this approach. What will happen to housing prices, will they rise or fall? What will happen to the under privileged? Which sectors of the population will be most harmed by this policy?

Points to consider:

- Rent rates – should they be limited or should the government refrain from intervening?
- Affordable housing in new projects – obligatory or optional?
- Public housing for anyone in need – yes or no?
- Rental assistance for the needy – yes, no, small, large?
- Anchoring the right to housing in legislation – yes or no?
- Fighting discrimination in housing – the government's obligation or not its business?
- Expanding current master plans – yes or no?
- Allocating land for housing – changing the current situation?
- Special planning for various populations (such as Arabs, and Haredi) – yes or no?

The teacher has 3 options for this stage:

1. Referring the students to the section on housing on The Committee for Social and Economic Change (Trachtenberg) [website](#). Each group will be assigned a subsection (some of which were mentioned above) to study and then present the issue and the means of intervention the committee proposed to the state authorities.
2. The class will be divided into groups. Each group will receive a copy of "[10 central issues for the promotion of social housing policy in Israel](#)" compiled by the Coalition for Affordable Housing. The issues will be raised as questions, as food for thought. Each group will be asked to discuss one issue and form an opinion regarding that issue.
3. Planning a new neighborhood: the students will be divided into groups of 3-4 participants. Each group will be asked to plan a new neighborhood considering the following points, and to explain the decision they came to:
 - a. Where will you locate the neighborhood? In the center or the periphery? In an existing or new city?
 - b. What type of buildings? Private houses/apartment buildings/sky rises/a combination?
 - c. What size will the apartments be? Will they be uniform or varied? Large or small?
 - d. Will you require the contractors to build small apartments?
 - e. Will you require the contractors to provide affordable apartments?
 - f. Will you regulate the rent? Will you provide aid for those who cannot afford the rates?
 - g. What infrastructures will the neighborhood have? Will it be independent or will it depend on the city center or other neighborhoods?
 - h. Who will be the residents? Will it be homogeneous or heterogeneous? Can anyone live there?
 - i. Will you intervene in the matters stated above or will you leave it to the powers of the market?

At the end, the teacher will gather the classroom together, and each group will present their ideas. Obviously, the students should be encouraged to add considerations and ideas to those above. The teacher will also ask the students about their own neighborhood/city/settlement in respect to the points above: Is it diverse? Is there affordable housing? Are there several types of residents? In other words – how does their plan compare with reality and what are their thoughts on this?

Schools may choose to add an additional activity – the right to housing in other countries or end the lesson here and continue to the lesson summary.

1. The students will be divided into 3 groups, each will receive one of the following articles:

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2. Each group will mark the 5 most important facts or sentences and rank them by order of importance.
3. The class will reassemble and a representative from each group will present the selected sentences and explain why they were selected and the reasoning behind the ranking.
4. The class will vote on the most burning issue that needs to be resolved from those presented in the articles.

The aim of the discussion is to learn about additional aspects of the Right to Housing and how they are addressed elsewhere in the world, as well as to deal with the need to set priorities in view of budget limitations resulting in the fact that some needs of parts of the population will not be adequately met.

Summary: 10 minutes

Concluding discussion:

- Share a fact or idea you learned which surprised you
- Which of the issues regarding housing do you identify with most? Do you see yourself acting for this cause in the future?
- Did your view the classification of housing as a right or a product change as a result of the discussions held?