



## SOCIAL SCIENCE

# What is a Right?

by Christian Olson

### Overview

#### Students will:

- Learn about Josef Mengele and the Nuremberg Code.
- Discuss human rights.
- Create their own activity specific code of conduct.

**Terrain Articles:** “Want Pesticides with your Orange Juice?” pages 6-7, Spring 2006

### Introduction



*Dr. Josef Mengele, 1943. Photo from: Auschwitz-Birkenau Memorial and Museum*

Dr. Josef Mengele dubbed “the angel of death” by concentration camp inmates, he sent over 400,000 people to their deaths during his twenty-month tenure at Auschwitz-Birkenau.

Many of these deaths occurred minutes after prisoners alighted upon concentration camp grounds. Dr. Mengele took it upon himself to “greet” incoming detainees. After a brief inspection, Dr. Mengele would decide their fate. If he pointed right, the prisoners would be assured life, left: death in the gas chambers. Often these decisions were made on a whim. Once Dr. Mengele directed an entire boxcar of people to be executed simply because they were infested with lice.

But Dr. Mengele is best known for acts even more disturbing. At Auschwitz’s “gypsy camp,” Mengele conducted experiments on what he called his “exotics”: dwarves, the handicapped, and children. His main focus was twins.

Often, he would take his victims directly from the trains in wagons painted with the Red Cross emblem. He would give the children candy and tell them to call him Uncle Mengele.

This positive, near father figure image contrasted greatly with Dr. Mengele’s true intentions for his subjects. After being weighed, measured, and (if possible) filling out a questionnaire, each set of twins began their new role as Mengele’s guinea pigs: one would be taken to the operating room, the other would act as the control, pampered and cosseted in a special barracks called “the Zoo.”

Dr. Mengele amputated limbs and removed organs without anesthesia. He gave his victims diseases like typhus and malaria. He beat children to death. He sterilized, castrated, and poisoned. He even tried to conjoin two twins by cutting

them open and stitching their blood vessels together.

By the time Auschwitz was liberated in January of 1945, Josef Mengele was long gone. First he relocated to another concentration camp. Then, he attempted to escape Germany dressed as a regular infantryman. Though he was captured as a POW, the Allied forces had no idea who they had captured, and he was released. From there, Mengele left for Argentina. For the next thirty years or so, Josef Mengele lived life on the run. He worked under a dozen aliases and changed jobs, residences, and countries. He was never captured or tried for the crimes he committed against humanity. Dr. Mengele died in 1979 in Brazil. He drowned while on vacation.

Because of Dr. Mengele and the men who conducted inhumane medical experiments during WWII, the Nuremberg Code was developed in order to protect the subjects of human experimentation.

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CA HISTORY-SOCIAL STUDIES STANDARDS: 10.8 Students analyze the causes and consequences of World War II.5. Analyze the Nazi policy of pursuing racial purity, especially against the European Jews; its transformation into the Final Solution; and the Holocaust that resulted in the murder of six million Jewish civilians. 6. Discuss the human costs of the war, with particular attention to the civilian and military losses in Russia, Germany, Britain, the United States, China, and Japan.



## Whose Rights Are Most Important?

## Warm-up Activity

Students will decide whether they think the rights of the individual outweigh the rights of a group.

### Student Directions

Take out a pen and a piece of paper. Respond to the prompt below in one page of writing. Though you need not write formally, make sure to support your opinion with examples.

*Whose rights are most important: the individual or the group?*

### Teacher Directions

Once the students have finished writing, draw the chart below on an overhead, chalkboard or a piece of butcher paper:

Individual rights are more important	Why?	Group rights are more important	Why?

Have students call out their responses and fill in the chart. Here are a few examples you may use to spur discussion:

- Pesticide experimentation (expose an individual to pesticide to determine safe levels for all)
- The desires of the coach outweighing those of the team.
- An individual playing music loudly at night when other neighbors need to get up early to work.

Once the students have explained their reasoning, ask them what personal experiences have led them to believe what they do.



Auschwitz-Birkenau rail entrance  
Photo from the Weiner Library

## Glossary of Terms

**Allied Forces:** The group of countries opposed to the Axis Powers during the Second World War. Central to this group were Great Britain, France, and later, the United States. Other countries joined the Allies as WWII wore on, including the Soviet Union.

**Auschwitz-Birkenau:** Auschwitz is the name used to identify the largest of the Nazi extermination camps. The name is derived from the German name for the nearby town of Oświęcim, situated about 60 kilometers (37 miles) west of Kraków in southern Poland. Beginning in 1940, Nazi Germany built several concentration camps and an extermination camp in the area, which at the time was under German occupation. The camps were a major element in the perpetration of the Holocaust; at least 1.1–1.7 million people were killed there, of whom over 90% were Jews.

**Concentration Camp:** Before and during the Second World War, Nazi Germany set up camps called concentration

camps (Konzentrationslager, abbreviated KZ) which were initially intended to concentrate those considered by the regime as undesirable on ethnic or political grounds; they were initially treated harshly and in many cases made to work as virtual slaves. Later, camps were set up which were designed simply to exterminate those consigned to them as efficiently as possible.

**Josef Mengele:** A Nazi officer and physician whose unspeakable crimes against humanity led to the development of the Nuremberg Code.

**Nuremberg Code:** The Nuremberg Code is a set of principles for human experimentation set as a result of the Nuremberg trials at the end of the Second World War. Specifically, they were in response to the inhumane human experimentation carried out during the war by individuals such as Dr. Mengele.



## NUREMBERG CODE

### Directives for Human Experimentation

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonable to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment.

The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.
4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
5. No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.
8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.
10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

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Reprinted from Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10, Vol. 2, pp. 181-182. Washington, D.C.: U.S. Government Printing Office, 1949.



## Analyzing Documents

## Reading Activity

Students use the Nuremberg Code to gain a deeper understanding of a *Terrain* article about pesticide testing.

### Student Directions

1. With a partner read and discuss the Nuremberg Code on page 16. This is your copy, so you can write all over it to make sense of it.
2. After you are done reading, take out a piece of paper and number it 1-10.
3. Next to each number, write in own words what the Nuremberg code says. You are allowed to write ONLY ONE sentence of description per number – no more, no less. This is going to be difficult, especially for number 1.
4. Now that you have a basic list, read the *Terrain* article, “Want Pesticides with Your Orange Juice?” and the introduction on page 14. As you read, think of the list you just made. What violates the Nuremberg Code? Circle those areas. Also, write the number of the Code.

### Teacher Directions

Once the students have completed the assignment, ask them to call out their findings. Ask them where they think we should draw the line in terms of human experimentation.



## Let's Talk about It

## Discussion

Students will define what they think are unalienable human rights.

### Student Directions

As homework tonight, come up with ten basic human rights. You can turn to your history book or to the Bill of Rights. You can simply make them up or you can interview your parents, your family, and friends. Really, it's up to you.

### Teacher Directions

On the next day, have the students write the rights up on a chalkboard, overhead, or butcher paper. Once they're finished, have the class decide which ten rights affect their lives. After they've chosen ten, tell them that these ten “rights” will be the basis for the code of conduct that they will make.

## Creating a Code

## Wrap-Up

Students will create a code of conduct for an extracurricular activity.

### Student Directions

Now that you have developed 10 “rights” that specifically touch your life, you are going to create a code of conduct using those rights.

1. First, find three other students in this class with whom you share a hobby, a sport, or a club. Together, you will be writing the code.
2. Once you get together, take out a piece of paper. At the top, write the name of the activity that you're writing the code for (i.e. varsity football).
3. Next, write ten things that have made you feel mad, sad, or mistreated by the people running your activity. Look at

the “rights” the class has agreed upon. How do the things you've witnessed fly in the face of these rights? Discuss this with your group.

4. Now, write a code of conduct that is specific to your activity. What directives could rein in an overzealous activity leader?
5. Make sure that your code includes signing up for the activity, clauses for stopping or quitting the activity by all members, including the leader, specific harm that may be common as a result of the activity, who gets to lead the activity, etc. Look at the Nuremberg Code as a guide!