

Rights and Freedom

Sample pages

BY ALISTER McKEICH

HTAV

Rights and Freedoms
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COVER IMAGE: Graeme Garner, 'Trade unionists marching for Aboriginal citizenship, 1966 Brisbane May Day procession,' *Images Documenting Radical Protest and Street Marches in Brisbane: 1960-1980*, F3400, Fryer Library, University of Queensland Library.



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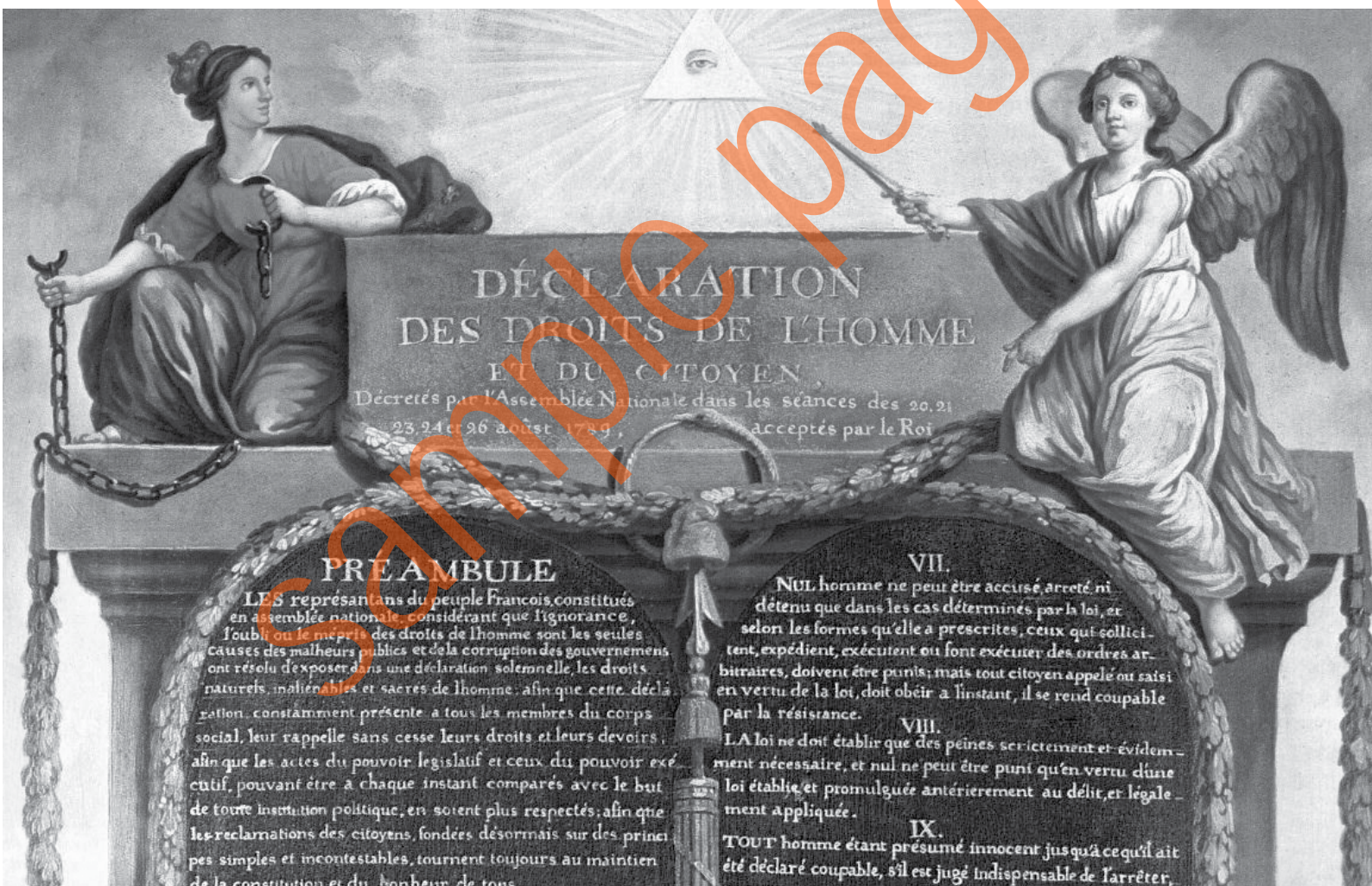
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SECTION 1

Human rights and the Universal Declaration of Human Rights



Above: A precursor to the Universal Declaration of Human Rights – France's Declaration on the Rights of Man and Citizen, 1789.



Australian Curriculum links

NB. All curriculum links in this resource refer to the Australian Curriculum: History for Year 10, Depth Study 2 – Rights and Freedoms (1945 to the present).

Historical knowledge and understanding	Topic code	Elaborations	Historical skills
The origins and significance of the Universal Declaration of Human Rights, including Australia's involvement in the development of the Declaration	ACDSEH023	Describing the drafting of the Universal Declaration of Human Rights and the contribution of Australia's H.V. Evatt	Use chronological sequencing to demonstrate the relationship between events and developments in different periods and places Use historical terms and concepts

Timeline

C. 45 000 YEARS AGO

Indigenous cultures begin in Australia.

1200–300 BCE

The Ten Commandments outline respect for life and for the property of others.

500 BCE

Confucian teaching develops based on *jen* or benevolence and respect for other people.

27 BCE–476 CE

The Roman Empire develops natural law and the rights of citizens.

1215

Britain's King John signs the Magna Carta, acknowledging that free men are entitled to judgment by their peers and that sovereigns are not above the law.

1583–1645

Hugo Grotius, Dutch jurist credited with the birth of international law, speaks of brotherhood of humankind and the need to treat all people fairly.

1689

John Locke sets forth the notion of natural rights of life, liberty and property.

1776

The American Declaration of Independence proclaims that 'all men are created equal' and endowed with certain inalienable rights.



1789

The Declaration of the Rights of Man and Citizen is adopted in France.

1791

The United States Bill of Rights incorporates notions of freedom of speech and press, and the right to a fair trial, into that country's new constitution.

1815

The Congress of Vienna is held by states that defeated Napoleon. International concern for human rights is demonstrated for the first time in modern history. Freedom of religion is proclaimed, civil and political rights discussed and the slave trade condemned.

1833

Great Britain passes the Abolition Act, outlawing slavery in the British Empire.

1863

On 1 January, US President Abraham Lincoln issues the Emancipation Proclamation, declaring that 'all persons held as slaves within any State, or designated part of a State ... [are] forever free.'

1893

New Zealand becomes the first country in the world to give women the vote.

1919

At end of World War I, the Treaty of Versailles requires that Kaiser Franz Josef be placed on trial for a 'supreme offense against international morality and the sanctity of treaties.' Although he escapes, for the first time in history nations consider imposing criminal penalties on heads of state for violations of fundamental human rights.

1941

US President Franklin D. Roosevelt, in a speech before Congress, identifies Four Freedoms as essential for all people: freedom of speech, freedom of religion, freedom from want and freedom from fear.

1945

The United Nations (UN) is established. Its Charter states that one of its main purposes is the promotion and encouragement of 'respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.' Unlike the League of Nations Covenant, the Charter underscores the principle of individual human rights.

1948

On 10 December the UN General Assembly adopts the Universal Declaration of Human Rights, the primary international articulation of the fundamental and inalienable rights of all members of the human family and the first comprehensive statement of nations as to the specific rights and freedoms of all people.



Introduction

Human rights have been recognised since the earliest civilisations, such as those of Babylon, China and India. They contributed to the laws of ancient Greek and Roman societies, and are central to Buddhist, Christian, Confucian, Hindu, Islamic and Jewish teachings. Concepts of ethics, justice and dignity can also be found in the oral and arts traditions of Indigenous peoples around the world.

Many of our current understandings about human rights developed in the modern era, particularly as a response to political, moral and ethical questions regarding absolutism, unequal representation, exploitation, military oppression, religious persecution, racism, slavery, and the subjugation of women and minority groups. Founding documents in this era include the Declaration of Independence (America, 1776), the Declaration of the Rights of Man and Citizen (France, 1789) and the Bill of Rights (US, 1791). More recently, the Universal Declaration of Human Rights (United Nations, 1948) has become the key text relating to human rights around the world.

Before examining the origins and significance of the Universal Declaration of Human Rights and Australia's involvement in its creation, it is important to define human rights.

SOURCE 1: HUMAN RIGHTS

Benchmarks and targets for achieving ... fundamental human rights for Indigenous Australians are not only possible, but are now firm commitments. Let us hope that an Indigenous baby born in 2030 has the same life expectation, the same access to quality health services and the same life outcomes as non-indigenous Australians.

Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner, announcing an alliance to eliminate the gap in life expectancy between Indigenous and non-Indigenous Australians, 2008.

Activity 1

1. In pairs, list FIVE rights you believe human beings have. Then discuss how your own cultural and social (and religious if applicable) background might have influenced your view of human rights.
2. List THREE significant documents or events, apart from those mentioned above, in the development of human rights. These may relate to women, children or Indigenous people, or refer to practices such as slavery or the right to vote. Note down why these documents or events were important at the time, and whether you think they still are.
3. Read and discuss Source 1. How does Tom Calma conceive of human rights in Australia today? Find and copy down TWO FURTHER brief quotes regarding human rights.
4. Compose your own paragraph of 100–200 words communicating what human rights mean to you.



Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) was adopted unanimously by the United Nations on 10 December 1948. It outlines the first globally agreed declaration outlining the inherent and universal rights of all human beings. The UDHR sets out in thirty articles the fundamental rights of all people, including civil, political, economic, social and cultural rights.

The Declaration, one of whose key advocates was Eleanor Roosevelt, wife of Franklin D. Roosevelt (US president 1933–45), was drafted as a direct result of the rise of totalitarian regimes and atrocities committed before and during World War II. That conflict saw the brutal treatment of targeted groups such as Jewish people, homosexuals and gypsies, as well as the silencing of political dissidents and the enslavement of civilians under totalitarian regimes. It also saw civilians being targeted with conventional weapons in all theatres of war and nuclear weapons in the Japanese cities of Hiroshima and Nagasaki.

Some articles in the UDHR apply to individuals, such as the right to life, liberty and security of person. These are called individual rights. Other articles apply to groups such as women and children, or cultural and ethnic groups. These are called collective rights.

The UDHR covers virtually every area of human life and activity, including:

- The right to life
- Freedom from slavery, torture and arbitrary arrest
- Freedom of thought, opinion and religion
- The right to a fair trial and equality before the law
- The right to work and education
- The right to participate in the social, political and cultural life of one's country.

These rights apply to everyone, regardless of race, religion, nationality, gender or sexuality – this is why they are 'universal.' However, even for countries that are signatories of the UDHR, it is still the responsibility of governments to ensure these rights are enshrined in domestic law. It is also the responsibility of each country to ensure citizens have the freedom and opportunity to call their government to account should they fail to protect their rights.



Above: Article 7 of the Universal Declaration of Human Rights. Artwork by Octavio Roth.



Activity 2

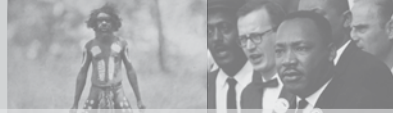
1. Choose THREE of the thirty articles listed in the Universal Declaration of Human Rights and create a concept map or flow-chart showing links between these articles and events that occurred before or during World War II.
2. Divide the thirty articles in the Declaration among class members. Have each person present their allocated article(s) in visual or audio-visual form WITHOUT TEXT and have other students identify them.

DID YOU KNOW?

The Guinness Book of Records says that the Universal Declaration of Human Rights is the most translated text in the world. The Declaration has been translated into in 370 languages and dialects from Abkhaz to Zulu.

Right: Eleanor Roosevelt holding the United Nations Universal Declaration of Human Rights (in Spanish text), 1949.





Four Freedoms

As Western Europe struggled against the tyranny of the Nazi regime in World War II (1939–45), US President Franklin D. Roosevelt presented a vision in which the individual liberties espoused by the United States would be extended to the rest of the world.

The Four Freedoms were:

1. Freedom of speech
2. Freedom of assembly
3. Freedom from fear
4. Freedom from want.

Roosevelt spoke of these freedoms in his State of the Union address in 1941, and they served as a precursor to the drafting of the UDHR.

The Allies adopted the Four Freedoms as they continued to fight in World War II.



Above: US President Franklin D. Roosevelt.

Activity 3

1. Watch Franklin D. Roosevelt's speech on the Four Freedoms, given on 6 January 1941, at www.youtube.com/watch?v=QnrZUHcpoNA.
2. Get into a group of four. Allocate ONE of the Four Freedoms above to each group member.
3. Present a two-minute talk to your group on the freedom you were allocated. In your talk, identify how that freedom was threatened during World War II and whether it is enjoyed by all people today.