

***A BRIEF HISTORY OF HUMAN RIGHTS***

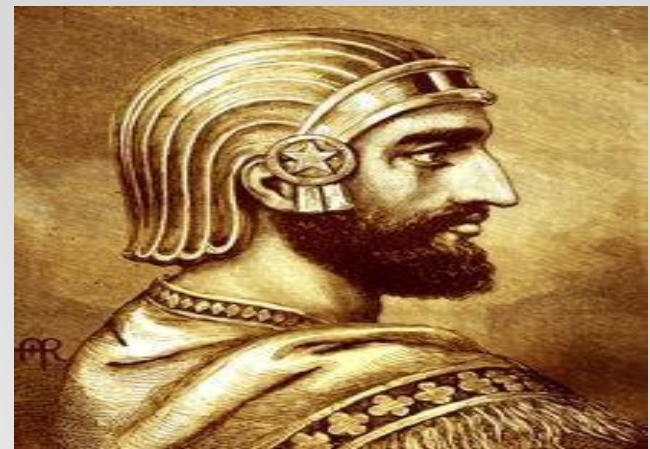
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# The Cyrus Cylinder (539 B.C.)

- In 539 B.C., **the armies of Cyrus the Great**, the first king of ancient Persia, **conquered the city of Babylon**. But it was his next actions that marked a major advance for Man. **He freed the slaves, declared that all people had the right to choose their own religion, and established racial equality.**
- These and other decrees were recorded on a **baked-clay cylinder in the Akkadian language with cuneiform script.**



# The Magna Carta (1215)

- In 1215, after **King John of England violated a number of ancient laws and customs by which England had been governed, his subjects forced him to sign the Magna Carta**, which enumerates what later came to be thought of as human rights. Among them was the right of the **church to be free from governmental interference, the rights of all free citizens to own and inherit property and to be protected from excessive taxes.**
- It established the **right of widows who owned property to choose not to remarry**, and established principles of due process and **equality before the law. It also contained provisions forbidding bribery and official misconduct.**

# Magna Carta

1215



- The Magna Carta was signed by King John in **1215**.
- It asserted the right of British citizens to
  - A trial by jury
  - No imprisonment without a trial
  - No taxation except by approval of Parliament

## Roots of Government

Magna Carta 1215

Limited the power of the king.

Had to ask to raise taxes



# Petition of Right (1628)

- The Petition of Right, **initiated by Sir Edward Coke**, was based upon earlier statutes and charters and asserted four principles: **(1) No taxes may be levied without consent of Parliament, (2) No subject may be imprisoned without cause shown (reaffirmation of the right of habeas corpus), (3) No soldiers may be quartered upon the citizenry, and (4) Martial law may not be used in time of peace.**
- **Refusal by Parliament to finance the king's unpopular foreign policy had caused his government to exact forced loans and to quarter troops in subjects' houses as an economy measure. Arbitrary arrest and imprisonment for opposing these policies had produced in Parliament a violent hostility to Charles and to George Villiers, the Duke of Buckingham.**





*"The right of petition is  
an old undoubted  
household right of the  
blood of England,  
which runs in our  
veins."*

**Caleb Cushing**

THE  
**PETITION**  
OF RIGHTS,  
EXHIBITED TO  
His Maiestie,  
BY THE LORDS SPIRI-  
TVALL AND TEMPORALL,  
and Commons in PARLIAMENT  
assembled, concerning divers Rights and Liber-  
ties of the Subjects: with the Kings Maje-  
sties severall Answers thereunto.  
With his Majesties Declarati-  
on upon the same.

LONDON,  
Printed for M. Walbancke and L. Chapman,  
1642.



# United States Declaration of Independence (1776)

- **On July 4, 1776, the United States Congress approved the Declaration of Independence.** Its primary author, Thomas Jefferson, wrote the Declaration as a formal explanation of why Congress had voted on July 2 to declare **independence from Great Britain**, more than a year after the outbreak of the American Revolutionary War, and as a statement announcing that the thirteen American Colonies were no longer a part of the British Empire.
- **Philosophically, the Declaration stressed two themes: individual rights and the right of revolution.** These ideas became widely held by Americans and spread internationally as well, influencing in particular the French Revolution.



**"...all men are created equal, that they are  
endowed by their Creator with certain  
unalienable Rights, that among these are  
Life, Liberty and the pursuit of Happiness."**

**Declaration of Independence  
IN CONGRESS, July 4, 1776**





# The Constitution of the United States of America (1787) and Bill of Rights (1791)

- The Bill of Rights protects freedom of speech, freedom of religion, the right to keep and bear arms, the freedom of assembly and the freedom to petition. It also prohibits unreasonable search and seizure, cruel and unusual punishment and compelled self-incrimination.
- The first ten amendments to the Constitution—the Bill of Rights—came into effect on December 15, 1791, limiting the powers of the federal government of the United States and protecting the rights of all citizens, residents and visitors in American territory.

# Signing of the United States Constitution

## September 17, 1787



The signing of the U.S. Constitution on September 17, 1787, in Philadelphia, Pennsylvania is one of the most significant events in American history, establishing the many rights and freedoms *"We the People"* enjoy today.

# Declaration of the Rights of Man and of the Citizen (1789)

- In 1789 the people of France brought about the abolishment of the absolute monarchy and set the stage for the establishment of the first French Republic. Just six weeks after the storming of the **Bastille**, and barely three weeks after the abolition of feudalism, the **Declaration of the Rights of Man and of the Citizen** (French: La Déclaration des Droits de l'Homme et du Citoyen) was adopted by the National Constituent Assembly as the first step toward writing a constitution for the Republic of France.
- **The Declaration proclaims that all citizens are to be guaranteed the rights of “liberty, property, security, and resistance to oppression**

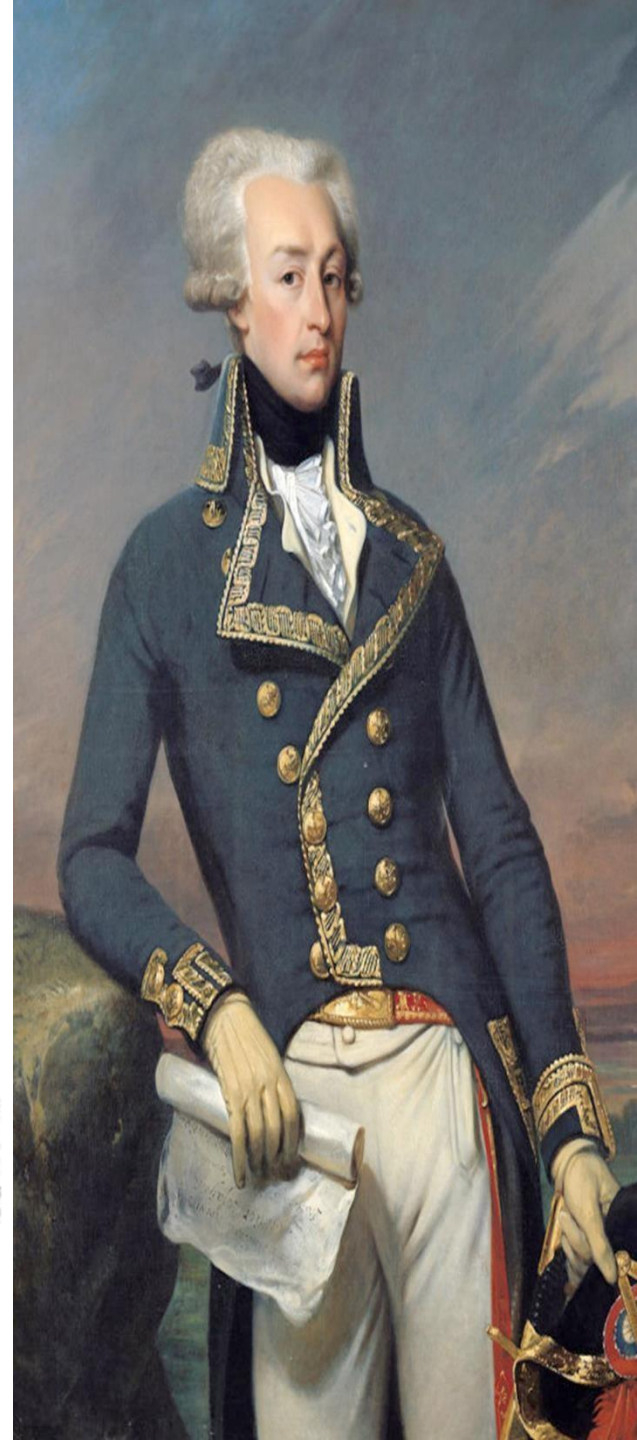


# The Declaration of the Rights of Man and of the Citizen



August 26,  
1789

- ✓ Liberty!
- ✓ Property!
- ✓ Resistance to oppression!
- ✓ Thomas Jefferson was in Paris at this time.



# The First Geneva Convention (1864)

- In 1864, sixteen European countries and several American states attended a conference in Geneva, at the invitation of the Swiss Federal Council, on the initiative of the Geneva Committee. The diplomatic conference was held for the purpose of adopting a convention for the treatment of wounded soldiers in combat.
- The main principles laid down in the Convention and maintained by the later Geneva Conventions provided for the obligation to extend care without discrimination to wounded and sick military personnel and respect for and marking of medical personnel transports and equipment with the distinctive sign of the red cross on a white background.



# THE GENEVA CONVENTION



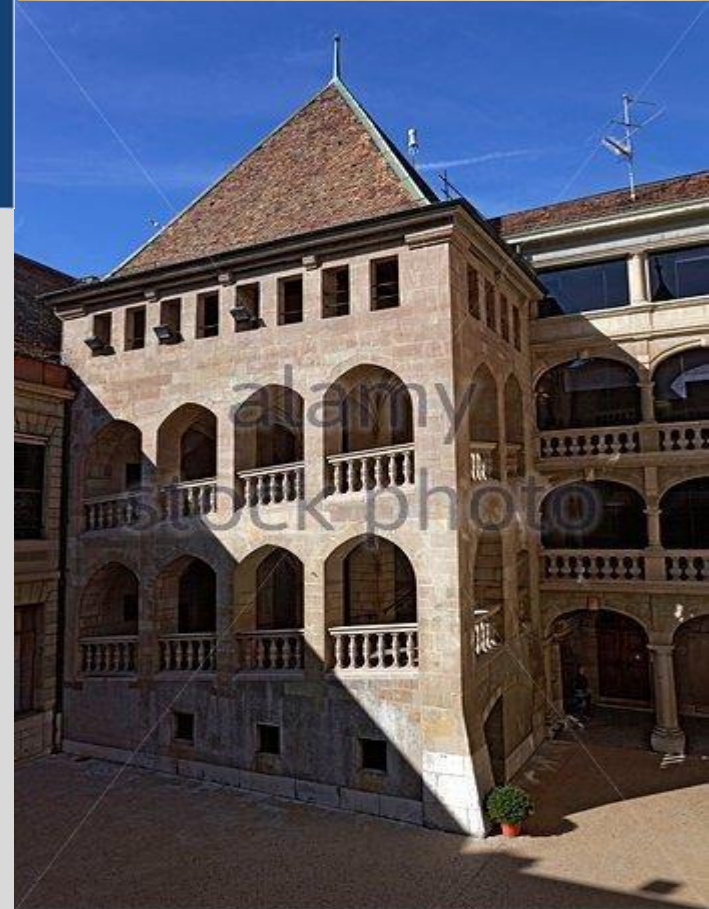
THE HIDDEN ORIGINS  
OF THE **RED CROSS**

THE  
GENEVA CONVENTIONS  
I, II, III, IV  
&  
PROTOCOLS I, II, & III



BY  
THE WORLD COMMUNITY  
*CIRCA 20<sup>TH</sup> & 21<sup>ST</sup> CENTURY*

IN THE NAME OF MERCY  
GIVE !





# The United Nations (1945)

- World War II had raged from 1939 to 1945, and as the end drew near, cities throughout Europe and Asia lay in smoldering ruins. Millions of people were dead, millions more were homeless or starving.
- In April 1945, delegates from fifty countries met in San Francisco full of optimism and hope. The goal of the United Nations Conference on International Organization was to fashion an international body **to promote peace and prevent future wars**. The ideals of the organization were stated in the preamble to its proposed charter: **“We the peoples of the United Nations are determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind.”**

# The United Nations Secretariat

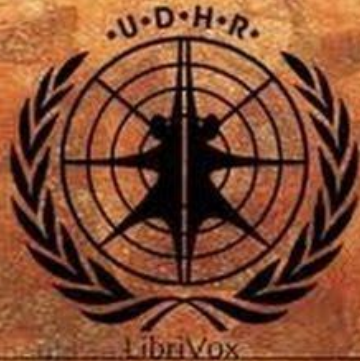


# The Universal Declaration of Human Rights (1948)

- By 1948, the United Nations' new Human Rights Commission had captured the world's attention. **Under the dynamic chairmanship of Eleanor Roosevelt—President Franklin Roosevelt's widow, a human rights champion** in her own right and the United States delegate to the UN—the **Commission set out to draft the document that became the Universal Declaration of Human Rights.** **Roosevelt**, credited with its inspiration, referred to the Declaration as the **international Magna Carta for all mankind.** It was adopted by the United Nations on December 10, 1948.



THE UNITED NATIONS  
UNIVERSAL DECLARATION OF  
HUMAN RIGHTS

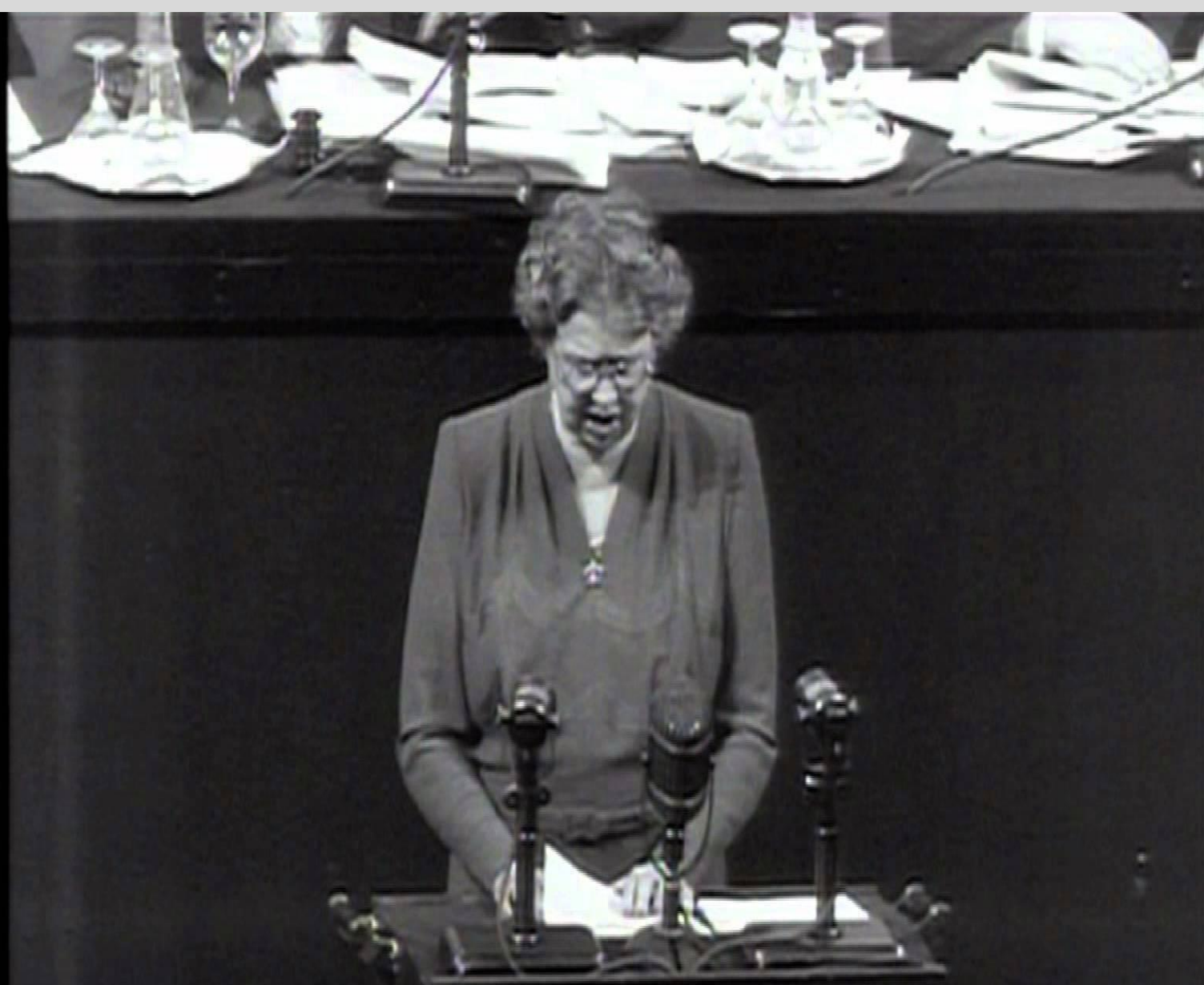


Human rights begin "close to home,"  
Eleanor Roosevelt, a drafter of the  
Universal Declaration of Human Rights, once wrote.  
And unless they have meaning there,  
"they have little meaning anywhere

**"DO WHAT YOU FEEL IN  
YOUR HEART TO BE  
RIGHT — FOR YOU'LL BE  
CRITICIZED ANYWAY."**

**-ELEANOR ROOSEVELT**





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OF INTERNATIONAL LAW

# UNIVERSAL DECLARATION OF HUMAN RIGHTS

- The Declaration was drafted by representatives of all regions of the world and encompassed all legal traditions. Formally adopted by the **United Nations on December 10, 1948, it is the most universal human rights document in existence, delineating the thirty fundamental rights that form the basis for a democratic society.**
- **Today, the Declaration is a living document that has been accepted as a contract between a government and its people throughout the world.** According to the Guinness Book of World Records, it is the most translated document in the world.





# PREAMBLE

- *Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,
- *Whereas* disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,
- *Whereas* it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

"One of the fundamental human rights  
is freedom for the individual.

**FREEDOM**

**CAN NEVER BE ABSOLUTE**

because it

**MUST BE CONSISTENT**

with the

**FREEDOM  
OF OTHERS."**

*- Eleanor Roosevelt*





# U D H R OFFICIAL DOCUMENT

- **Article 1.**
- **All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.**
- **Article 2.**
- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- **Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.**

# U D H R.OFFICIAL DOCUMENT

- **Article 3.**
- **Everyone has the right to life, liberty and security of person.**
- **Article 4.**
- **No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.**
- **Article 5.**
- **No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.**
- **Article 6.**
- **Everyone has the right to recognition everywhere as a person before the law.**
- **Article 7.**
- **All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.**
- **Article 8.**
- **Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.**

# U D H R OFFICIAL DOCUMENT

- Article 9.
- No one shall be subjected to arbitrary arrest, detention or exile.
- Article 10.
- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.
- Article 11.
- Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.



# U D H R .OFFICIAL DOCUMENT

- **Article 12.**
- **No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.**
- **Article 13.**
- Everyone has the right to freedom of movement and residence within the borders of each State.
- **Everyone has the right to leave any country, including his own, and to return to his country.**
- **Article 14.**
- **Everyone has the right to seek and to enjoy in other countries asylum from persecution.**
- This right may not be invoked in the case of prosecutions genuinely arising from nonpolitical crimes or from acts contrary to the purposes and principles of the United Nations.

# U D H R .OFFICIAL DOCUMENT

- **Article 15.**
- **Everyone has the right to a nationality.**
- **No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.**
- **Article 16.**
- Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- **Marriage shall be entered into only with the free and full consent of the intending spouses.**
- **The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.**
- **Article 17.**
- Everyone has the right to own property alone as well as in association with others.
- No one shall be arbitrarily deprived of his property.

# U D H R .OFFICIAL DOCUMENT

- **Article 19.**
- **Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.**
- **Article 20.**
- Everyone has the right to freedom of peaceful assembly and association.
- No one may be compelled to belong to an association.
- **Article 21.**
- **Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.**
- **Everyone has the right to equal access to public service in his country.**
- The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.



# U D H R .OFFICIAL DOCUMENT

- **Article 22.**
- **Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.**
- **Article 23.**
- **Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.**
- **Everyone, without any discrimination, has the right to equal pay for equal work.**
- **Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.**
- **Everyone has the right to form and to join trade unions for the protection of his interests.**
- **Article 24.**
- **Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.**

# U D H R .OFFICIAL DOCUMENT

- **Article 25.**
- **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 and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.**
- Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.
- **Article 26.**
- **Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.**
- Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- Parents have a prior right to choose the kind of education that shall be given to their children.

# U D H R .OFFICIAL DOCUMENT

- **Article 27.**
- **Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.**
- **Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.**
- **Article 28.**
- **Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.**
- **Article 29.**
- **Everyone has duties to the community in which alone the free and full development of his personality is possible.**
- **In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.**
- **These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.**
- **Article 30.**
- **Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.**



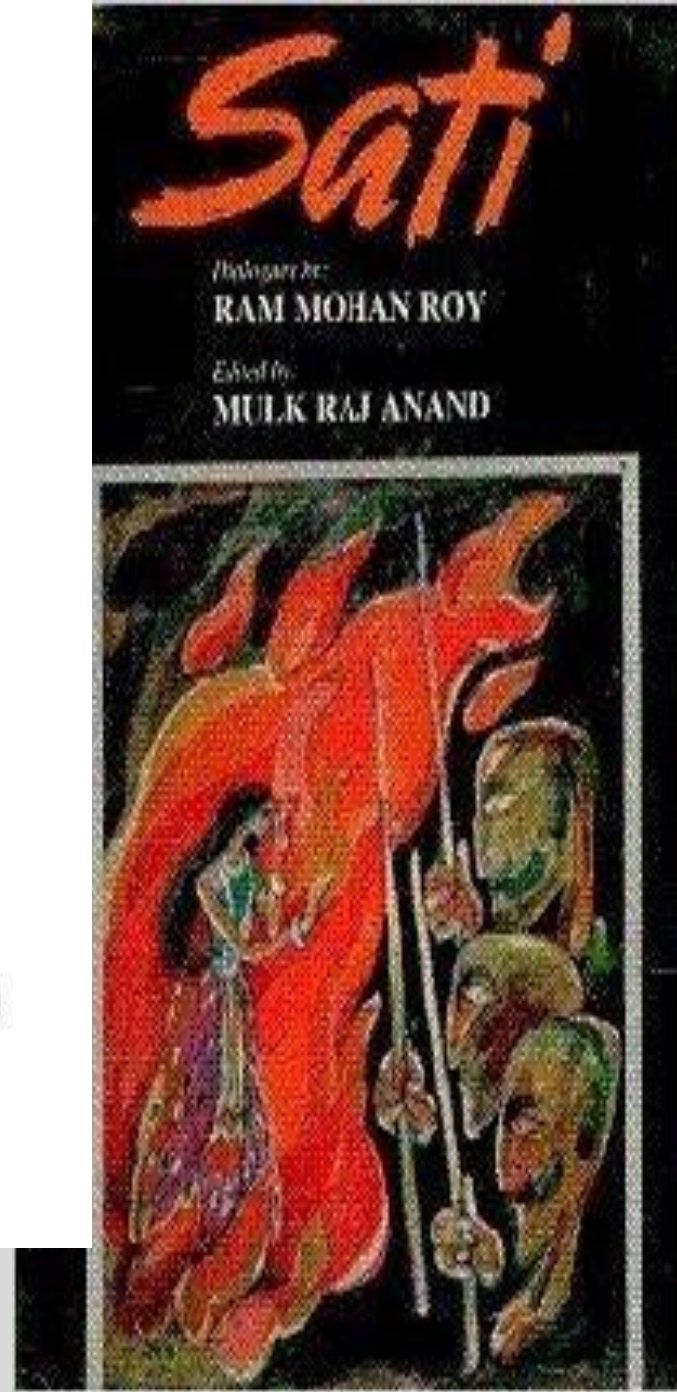
# Chronology of events regarding human rights in India

1829	The practice of <u>sati</u> was formally abolished by <u>GovernorGeneral William Bentick</u> after years of campaigning by <u>Hindu reform movements</u> such as the <u>Brahmo Samaj</u> of <u>Ram Mohan Roy</u> against this orthodox Hindu funeral custom of self-immolation of widows after the death of their husbands.
1929	<i>Child Marriage Restraint Act</i> , prohibiting marriage of minors under 14 years of age is passed.
1947	India achieves <u>political independence</u> from the <u>British Raj</u> .
1950	The <u>Constitution of India</u> establishes a sovereign <u>democratic republic with universal adult franchise</u> . Part 3 of the Constitution contains a <u>Bill of Fundamental Rights</u> enforceable by the Supreme Court and the High Courts. It also provides for reservations for previously disadvantaged sections in education, employment and political representation.

# Raja Ram Mohan Roy



- Wanted girls to get educated, not to get married early
- Opened schools to promote modern learning
- Fight against Sati
  - Abolished in 1829
- Brahmo Samaj
  - Society which worships Brahman
  - No idol worship, no caste restrictions



# Chronology of events regarding human rights in India

1952	<u>Criminal Tribes Acts</u> repealed by government, former "criminal tribes" categorized as " <u>denotified</u> " and <u>Habitual Offenders Act</u> (1952) enacted.
1955	Reform of family law concerning Hindus gives more rights to Hindu women.
1958	<u>Armed Forces (Special Powers) Act, 1958</u> <sup>[6]</sup>
1973	<u>Supreme Court of India</u> rules in <u>Kesavananda Bharati case</u> that the basic structure of the Constitution (including many fundamental rights) is unalterable by a constitutional amendment.
1975-77	<u>State of Emergency in India</u> extensive rights violations take place.



Forty years ago, **Indira Gandhi** declared Emergency as she thought that 'the security of India had been threatened by internal disturbances'

# A BLACK SPOT ON DEMOCRACY

**3rd time Emergency** was declared in India. The other two times were in 1968 (India-China war) and 1971 (India-Pakistan war)

**Around 10 lakh** people were sterilised forcibly

**Duration:** 21 months, from Jun 25, 1975 to Mar 21, 1977

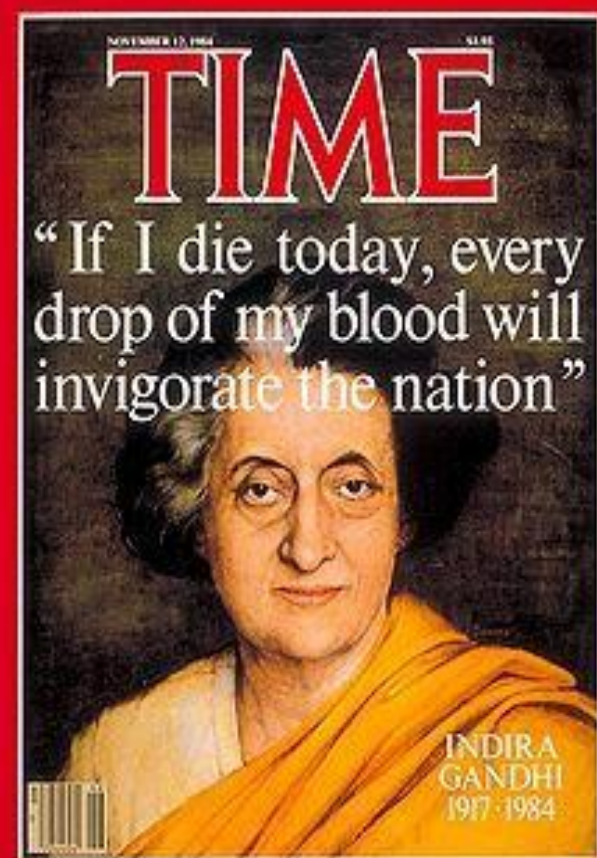
**Over 1,00,000** people were jailed without trial. 22 custodial deaths were reported

Cong before emergency: **352 seats in Lok Sabha**

Cong after emergency: **153 seats**



newsficks.com




## EMERGENCY DECLARED JP, Morarji, Advani, Asoka Mehta & Vajpayee arrested



# Chronology of events regarding human rights in India

1978	SC rules in <i>Menaka Gandhi v. Union of India</i> that the right to life under Article 21 of the Constitution cannot be suspended even in an emergency.
1978	Jammu and Kashmir Public Safety Act, 1978 <sup>[7][8]</sup>
1984	<u>Operation Blue Star</u> and the subsequent <u>1984 Anti-Sikh riots</u>
1984	2006 Extrajudicial disappearances in Punjab by the police
1985-86	The <u>Shah Bano</u> case, where the Supreme Court recognised the Muslim woman's right to maintenance upon divorce, sparks protests from Muslim clergy. To nullify the decision of the Supreme Court, the <u>Rajiv Gandhi</u> government enacted <u>The Muslim Women (Protection of Rights on Divorce) Act 1986</u>



A portrait of Shah Bano Begum, an elderly woman with a light blue headscarf and a serious expression. She is wearing a small gold earring.

## Mohammed Ahmed Khan v. Shah Bano Begum

- Popularly known as Shah Bano case.
- Divorce to Muslim woman by way of Triple Talaq.
- Maintenance awarded by SC under Sec-125 Crpc.
- Widespread protests by Muslims.
- All India Muslim Personal Law Board reversed the decision.
- Need for UCC was urgently sought by everyone.



# Chronology of events regarding human rights in India

1987	<a href="#"><u>Hashimpura massacre</u></a> during communal riots in <a href="#"><u>Meerut</u></a> .
1989	<a href="#"><u>Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989</u></a> is passed.
1989–present	<a href="#"><u>Kashmiri insurgency</u></a> sees <a href="#"><u>ethnic cleansing</u></a> of <a href="#"><u>Kashmiri Pandits</u></a> , desecrating Hindu temples, killing of Hindus and Sikhs, and abductions of foreign tourists and government functionaries.
1992	A constitutional amendment establishes <a href="#"><u>Local Self-Government (Panchayati Raj)</u></a> as a third tier of governance at the village level, with one-third of the seats reserved for women. Reservations were provided for scheduled castes and tribes as well.
1992	<a href="#"><u>Babri Masjid</u></a> demolished by Hindu mobs, resulting in riots across the country.
1993	<a href="#"><u>National Human Rights Commission</u></a> is established under the <i>Protection of Human Rights Act</i> .
2001	Supreme Court passes extensive orders to implement the right to food.
2002	<a href="#"><u>2002 Gujarat riots</u></a> which claimed several thousand lives of Muslims and Hindus.

# TOTAL RECALL

**May 22, 1987** | 42 Muslims massacred in Meerut. Victims allegedly picked up from Hashimpura mohalla by personnel of 41st company of PAC during a search op

**1996** | Chargesheet filed before CJM court in Ghaziabad; 164 listed as prosecution witnesses, some of them die during the trial

**Sept 2002** | Case transferred to Delhi on SC order after



victims' kin file a petition

**July 2006** | Court frames charges of murder, bid to murder, tampering with evidence and conspiracy against 19 PAC personnel, who are chargesheeted

**Jan 21, 2015** | Court reserves verdict against 16 accused as three had died during trial

**March 21** | Court acquits all accused for lack of evidence



सर्वे  
भवन्तु सुखिनः

**National Human  
Rights Commission**

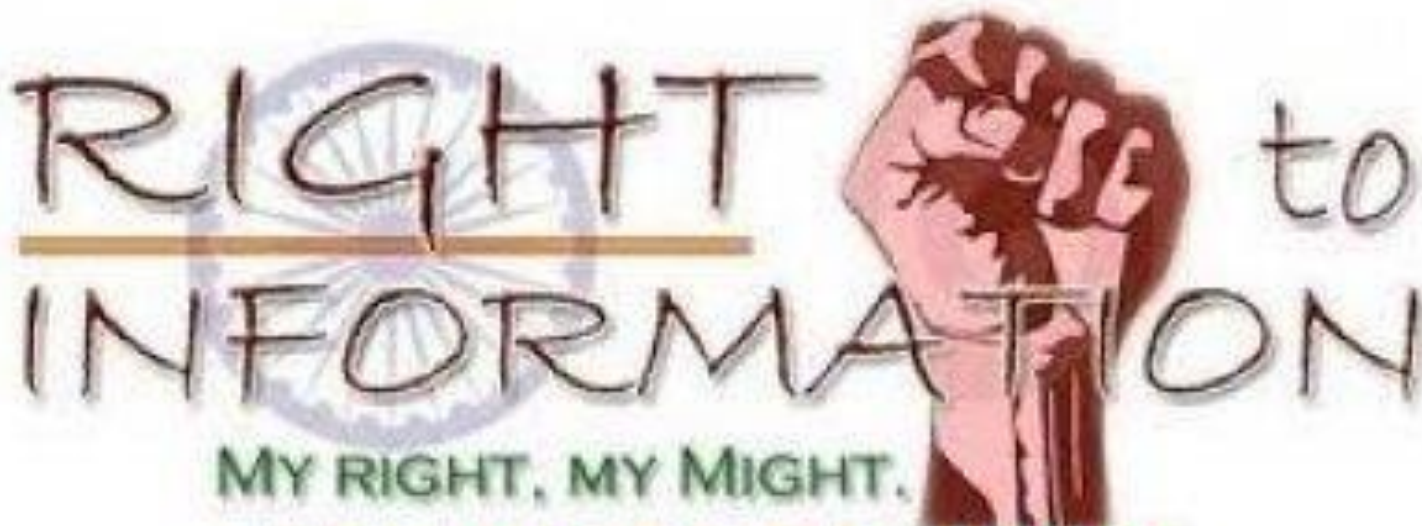






# Chronology of events regarding human rights in India

2005	A powerful <u><a href="#">Right to Information Act</a></u> is passed to give citizen's access to information held by public authorities.
2005	<u><a href="#">National Rural Employment Guarantee Act (NREGA)</a></u> guarantees universal right to employment.
2005	Disappearance of Jaswant Singh Khaira by the Punjab Police (Khaira brought to light the extrajudicial disappearances in Punjab)
2006	Supreme Court orders police reforms in response to the poor human rights record of Indian police.
2009	<u><a href="#">Delhi High Court</a></u> declares that <u><a href="#">Section 377 of the Indian Penal Code</a></u> , which outlaws a range of unspecified "unnatural" sex acts, is unconstitutional when applied to homosexual acts between private consenting individuals, effectively decriminalizing homosexual relationships in India.



MY RIGHT, MY MIGHT.

**THE RIGHT TO KNOW**  
**KEEPING GOV'T ACCOUNTABLE**



सूचना का  
अधिकार  
**RIGHT TO  
INFORMATION**

