



## RESOURCE 2

### A History of Human Rights

#### **The Cyrus Cylinder (539 B.C.)**

In 539 B.C., Cyrus the Great, the first king of Persia (modern-day Iran) conquered the ancient city of Babylon (located in modern-day Iraq). Cyrus's rulings, which were recorded on a cylinder that survives to this day, are extremely important for humanity and are recognised as the world's first charter of human rights. Cyrus freed slaves, declared that all people had the right to choose their own religion and established racial equality, among other things.

#### **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, some of those he ruled over forced him to sign the Magna Carta, a document forcing him to respect certain 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 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.

#### **Petition of Right (1628)**

The Petition of Right was produced in 1628 by the English Parliament and sent to King Charles I as a statement of civil liberties. Parliament had refused to finance the king's unpopular foreign policy, causing the king's government to exact forced loans and to station troops in people's homes as an economy measure. Arbitrary arrest and imprisonment for opposing these policies had produced in Parliament violent hostility to the king. The Petition of Right, initiated by Sir Edward Coke, asserted four principles: (1) No taxes may be levied without consent of Parliament, (2) No subject may be imprisoned without cause shown, (3) No soldiers may be quartered upon the citizenry, and (4) Martial law may not be used in time of peace.

#### **United States Declaration of Independence (1776)**

The Declaration of Independence approved by the United States Congress in 1776 was in fact a formal justification of independence from Great Britain. 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.



## **The Bill of Rights (1791)**

The Constitution of the United States of America was written in 1787. The first ten amendments to the Constitution – the Bill of Rights – came into effect on 15 December 1791, limiting the powers of the federal government of the United States and protecting the rights of all citizens, residents and visitors on American territory. 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. Among the legal protections it affords, the Bill of Rights prohibits the federal government from depriving any person of life, liberty or property without due process of law. In federal criminal cases it requires indictment by a grand jury for any capital offence, or infamous crime, guarantees a speedy public trial with an impartial jury in the district in which the crime occurred, and prohibits double jeopardy.

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

The Declaration of the Rights of Man and of the Citizen aimed to demolish the traditional hereditary monarchy and replace it with new institutions, based on the principles of the Enlightenment, a philosophical movement of the 18th century. In 1789 the people of France brought about the abolition of the monarchy and set the stage for the establishment of the first French Republic, soon followed by the Declaration of the Rights of Man and of the Citizen. The Declaration proclaims that all citizens are to be guaranteed the rights of 'liberty, property, security and resistance to oppression'. It argues that the need for law derives from the fact that '...the exercise of the natural rights of each man has only those borders which assure other members of the society the enjoyment of these same rights'. Thus, the Declaration sees law as an 'expression of the general will', intended to promote this equality of rights and to forbid 'only actions harmful to the society.' The Declaration spoke of liberty that stood for freedom of religion, freedom of the press, and freedom from unreasonable government (e.g. torture, censorship).

## **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 United Nations (1945)**

As the end of World War II drew near, cities throughout Europe and Asia lay in smouldering ruins. Millions of people were dead, 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 was to fashion an international body to promote peace and prevent future wars. The ideals of the



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organisation 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 Charter of the new United Nations organisation came into effect on 24 October 1945, a date that is celebrated each year as United Nations Day.

### **The European Convention on Human Rights (1953)**

The European Convention on Human Rights came into force in 1953. It was the first instrument to give effect to certain of the rights stated in the Universal Declaration of Human Rights and make them binding. Additionally, a protection mechanism was established in Strasbourg to examine alleged violations and ensure compliance by the states party with their undertakings under the Convention. In this context, in 1959, the European Court of Human Rights was set up. Any person who feels his or her rights have been violated under the Convention by a state party can take a case to the Court. Judgments finding violations are binding on the states concerned and they are obliged to execute them.

*Source: European Court of Human Rights*

<http://www.echr.coe.int/pages/home.aspx?p=basictexts>

