

# Rights and Responsibilities



- Why it is an issue?
- What were the experience of those involved?
- How did people respond to the issue?
- What were the consequences?
- Is this still an issue?
- How does this fit into the bigger picture?

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Civic and Political Rights – Social and Economic Rights – Cultural Rights

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On the 25th April 1945, two weeks before the end of the Second World War in Europe and just over three months before the atom bombs were dropped on Hiroshima and Nagasaki, delegates from 50 countries met in San Francisco. They had come together to discuss the setting up of a new international organisation – the United Nations. In front of them was a draft Charter for the new organisation.



**Flag of the United Nations**

This draft Charter had been drawn up by the three main allied powers: the United States, the Soviet Union and Great Britain. As the course of the Second World War began to turn against the Axis Powers the Allies started to think about what needed to be done to create the conditions for a lasting peace. Which countries should be members? What powers should this new organisation have? How could they avoid the weaknesses of the League of Nations, which had been set up after the First World War but had clearly failed to prevent a second global war just 20 years later.

The League of Nations had lacked teeth and it was unable to respond quickly to an international crisis. The Allied leaders, President Roosevelt, Marshall Stalin and Winston Churchill, wanted to set up a body that would be able to carry out joint peacekeeping operations, authorise military action and coordinate international sanctions against any country that was threatening global peace and security. For them, the key to a successful United Nations was the Security Council, which would have 5 permanent members (China, France, the Soviet Union, the United Kingdom and the United States) and ten non-permanent states to be elected every two years.

Today we tend to associate the United Nations not only with its peace keeping forces and its resolutions designed to end or limit conflicts around the world but also with its role in promoting and protecting human rights. But in 1945 human rights were not a priority for the major allied powers. The top priority was how to avoid the failings of the League of Nations and ensure that the new organisation could deal effectively with any threat to world peace. They are only mentioned once in the Draft Charter of the United Nations and then only briefly. So when the international conference was organised in San Francisco it was seen as an opportunity for all the countries who had opposed the Axis powers or been occupied by them to have their say about the new international organisation but the major Allied Powers did not expect any new proposals or significant changes to their draft document. As Churchill said to Roosevelt and Stalin in his characteristic way: “The eagle should permit the small birds to sing and care not wherefore they sang”.

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**Winston Churchill**

But many of the conference participants were in fact singing a different tune. They wanted the United Nations to establish a Commission to draw up an International Bill of Human Rights. They looked at the

conditions, which had led to the Great Depression in the 1920s and 30s and the emergence of dictatorships and totalitarian states of the right and left and they argued that one could not secure a lasting global peace without justice. For them peace and justice went hand in hand.

**“Unless these rights have meaning there [...] they have little meaning anywhere”**

**Eleanor Roosevelt**

At first the major Allied Powers responded to these new proposals with coolness, even hostility. But then something happened during the conference, which had a major impact on everybody’s thinking. The first photographs arrived from the recently liberated concentration camps in Europe. These quickly circulated amongst the conference delegates who reacted with shock, horror and outrage. Of course many of the delegates already knew about the camps and the programme of mass extermination of Jews, Sinti, Romani, homosexuals and disabled persons and they knew about the SS death squads operating in eastern Europe. But the photographs and the newsreels now shocked the millions of ordinary people who saw them in their newspapers and in their cinemas. It was clear to the delegates at the conference that an International Bill of rights was an idea whose time had come.

First the United States dropped its opposition to the idea of a UN Human Rights Commission and then the other allied powers also changed their stance. By the time the Conference ended in June 1945 the principles of universal human rights had been included in the UN Charter along with a commitment to set up a Commission on Human Rights. By December 1948 the Commission had produced a Universal Declaration of Human Rights, which was adopted by the General Assembly of the United Nations.



**Rows of bodies of dead inmates fill the yard of concentration camp Nordhausen, 1945**

Over the next 20 years a series of international covenants and treaties emerged which established the rights of every person, regardless of age, gender, ethnicity, religion or nationality and set the standards by which governments and individuals would be monitored and judged.

The first Chairperson of the Human Rights Commission was Eleanor Roosevelt, wife of the late President of the United States. This helped to ensure that the United States fully supported the work of the Commission. But perhaps, just as important, she reminded everyone that human rights are not just

**“The free communication of thoughts and of opinions is one of the most precious rights of man.”**

about how governments treat their citizens. They are also about how people treat each other. Human rights, she said, begin in small places close to home: the family, the neighbourhood, the school or college, the factory, farm or office where they work. “Unless these rights have meaning there”, she said, “they have little meaning anywhere”.

Now if we look at human rights from an historical perspective we can see that the Universal Declaration of Human Rights and the

associated covenants and treaties introduced some new ideas but we can also see that the way we now think about rights has been shaped by a number of historical developments.

The first of these is the idea of justice and the rule of law. Put yourself into the shoes of someone who has got on the wrong side of his rulers and has been locked away in prison. He doesn't know what he has done wrong and no-one tells him what he is accused of. His family haven't been told where he is. He doesn't know if he will stand trial and his fellow inmates in the prison tell him that if he does he will not get a chance to defend himself. He is threatened with torture and execution without trial. That is what it is like to live in a society where the rule of law does not exist; where the system of justice is not independent of the control of the rulers and people fear the knock on the door because they know that they either have no legal rights or their rights will not be respected. . It sounds like life in the distant past doesn't it? But there are still many people today who share that experience: who are held illegally without trial and tortured to confess or to reveal information about other people.



**Representation of the Declaration of the Rights of Man and of the Citizen in 1789**

The second of these ideas is fairness and equal treatment. Again we can go back in history and find so many examples of groups of people engaged in a struggle with their rulers because they are denied what they feel are their basic rights and freedoms and are not treated in the same way as other people. Think, for example, of the popular revolts, which took place across Europe in the 14th and 15th centuries. However, it is not really until the 17th century that we begin to see the idea taking root that people should rise up against an oppressive government to protect their rights and it is not until the American Declaration of Independence in 1776 and the Declaration of the Rights of Man and of the Citizen in 1789 that these rights are presented as being universal, that is, that we all have these rights, they cannot be taken away from us and we have the right to defy any government that abuses those rights. Now, of course, the American Declaration did not include slaves and it did not recognise the equal rights of women and there have

had to be many amendments to the US Constitution to ensure equality for all. The same is true of the French Declaration. It also left out the rights of women and in the Terror that followed the rights so recently proclaimed could be just as quickly denied. Nevertheless, the Universal Declaration of Human Rights and the other declarations and conventions that emerged in the second half of the 20th century were all direct descendants of those revolutionary documents that first appeared in the 18th century.

Another important idea that we can track back through history is the idea of freedom of thought and expression. The history of the last 500 years or so has been marked by periods when people who did not want to conform to the established beliefs and values in their society struggled for greater freedom of expression. Sometimes these were religious non-conformists struggling against accusations of heresy. Sometimes they were scientists like Galileo, brought before the Inquisition for claiming that the sun does not revolve around the earth. Sometimes they were artists, writers or performers facing censorship by church or state. But there have also been important moments in history when the right to

freedom of expression captured the imagination of ordinary people as well. The US Constitution of 1787 guaranteed the rights of the individual to freedom of speech, religion, assembly and a free press. The French Declaration of 1789 stated, "The free communication of thoughts and of opinions is one of the most precious rights of man." But for the next two centuries there continued to be a tension between the desire of the state to fully exercise its power and authority and the desire of ordinary citizens to exercise their right to freedom of expression.

Our contemporary thinking about human rights has also been shaped by the idea of democracy. From the 17th century through to modern times we see a growing popular demand for a constitution that will protect people from the abuse of power, and give them the right to join together in groups, associations and political parties to promote their own political interests and ideas, and the right to decide who should govern them by casting their vote in constitutional elections.

Human rights then have a long history. But at the same time it would be fair to say that until the 17th century the terms 'rights and responsibilities' were used in a very particular sense to mean the privileges and obligations associated with the individual's position and status in society. Privileges are acquired or given to people usually by those in positions of power and authority and they can also be taken away. However, as we have seen, from the 17th century onwards a new idea of rights emerges. These were called natural rights. We have these rights simply because we are human beings not because of our position or status. This is where the modern idea of universal human rights comes from.

Nevertheless, even though we can see that our modern ideas about human rights have their roots in the developments of the last 300 years the United Nations' Universal Declaration of Human Rights also introduced some very new ideas.

First there is the idea that it is much more difficult to exercise your political and civic rights if you are starving, sick and unable to get treatment and living in extreme poverty. Economic and social rights are as important as political and civic rights.

Second there is the idea that not only individuals have rights. So do groups of people: ethnic and religious minorities, linguistic minorities, people who have disabilities, prisoners, civilians in a war zone and children.

Third, there is the idea that human rights are standards. We recognise that it takes time and resources to create a stable democracy and to ensure that the young, the poor and the sick are cared for properly. But we can use these standards to judge the progress, which each state makes towards ensuring that these rights can be properly exercised, and to criticise a long-established democratic state when its treatment of people falls far short of what is expected.

Fourth, the modern concept of human rights has also introduced the idea of crimes against humanity.

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The idea of war crimes had emerged in the late 19th century but when the sheer scale of the atrocities committed by the National Socialists became known it no longer made sense to put on trial the Nazi leaders for the crimes that had been committed against people in other countries and yet ignore the crimes they had committed against their own people.

Finally, the Declaration of Human Rights also reminded ordinary people that it is not just governments who have a moral responsibility. As Eleanor Roosevelt observed, we as individuals also have a moral obligation towards other people. At a time when some politicians are complaining that people only think about their rights and not their responsibilities it is important to remind them that in addition to our obligations and duties as citizens we also have a moral responsibility to protect and look out for the rights of others.



The ambitious goal of the Exploring European History and Heritage is to build an educational online tool on history and heritage from a European perspective. A European perspective on history and heritage help us to look at our own past through the eyes of the “other” and to understand differences in order to overcome divisions. The thematic approach makes it possible to trace back long term developments, see and analyze turning points in history and see similarities and difference between events and locations. Multiple perspectives on the past and inter- and intra state comparison help, with respect for diversity, to show what people share