

■ Declaration of Sentiments of the American Anti-Slavery Convention

Date: 1833

Author: William Lloyd Garrison

Genre: Public Declaration

Summary Overview

It is not an exaggeration to say that William Lloyd Garrison's speeches and writings, including his "Declaration of Sentiments of the American Anti-Slavery Convention" significantly altered the conversation about slavery in the United States. Garrison's brand of radical abolition startled people in the north while terrifying and angering slave owners in the south. This declaration, in particular, sets out some important aspects of Garrison's viewpoint on slavery that would inform the rest of his career. The first is his militancy—he presents the fight against slavery as equal in importance and consequence as the American Revolution. Garrison's militancy, however, is one of spirit rather than of physical force. While Garrison will reject "all carnal weapons," he believes his cause will triumph because, like the American founders, "the honest conviction that Truth, Justice and Right were on their side" would make his movement "invincible."

Garrison also breaks with the common abolitionist sentiment by demanding complete and immediate emancipation, rather than the gradual efforts that characterized most states' emancipation laws. This declaration clearly demonstrates that Garrison is not a leader who will settle for half measures or compromise. He attacks sacred foundations of the American political and social system—in particular, pointing out aspects of the Constitution that privilege slave owners and slave states. Most striking, however, is his eloquence in the defense of African-American slaves as his fellow human beings and his passion to see them free. Garrison, with his passion and his insistence on radical, rapid change, would become the figurehead of radical abolitionism, revered by some, despised by many.

Defining Moment

The decade of the 1830s saw the development of the abolition movement from one that accepted that the end of slavery in the United States was a long-term project, with a common goal being not only the free-



William Lloyd Garrison. Photo via Wikimedia Commons. [Public domain.]

ralization, provided that such provisions do not discriminate against any particular nationality.

4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

(a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

(c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

(d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

(e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall

■ Virginia Statute for Religious Freedom

Date: January 16, 1786

Author: Thomas Jefferson

Genre: Statute

Summary Overview

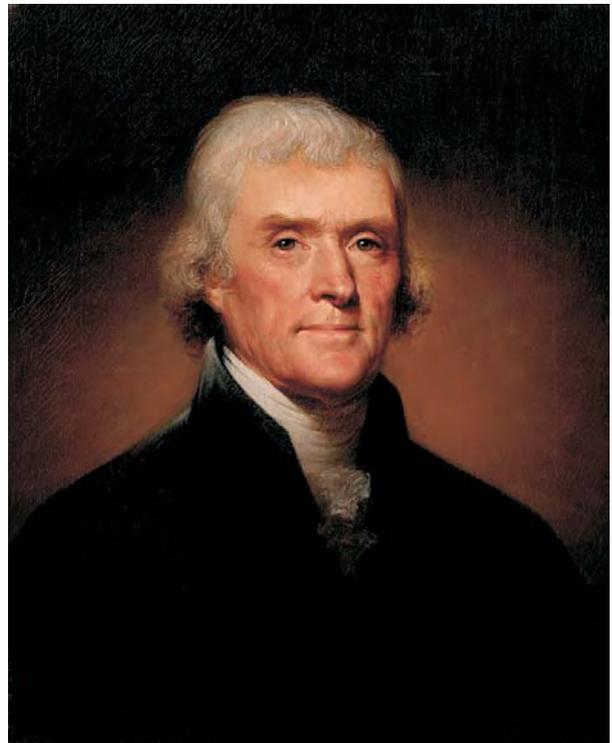
Thomas Jefferson's Virginia Statute for Religious Freedom was adopted by the state's General Assembly on January 16, 1786, and signed into law three days later. The statute, which characterizes religious freedom as a "natural right," influenced the drafting of the U.S. Constitution and the First Amendment of the Bill of Rights by affirming the right of citizens to choose their faith without government coercion. It is noteworthy for its forceful assertion of religion freedom.

Defining Moment

After the American colonies declared their independence from Britain, the General Assembly of Virginia saw that many of the ordinances in effect under the rule of the English monarch would no longer be applicable in an independent state. Accordingly, in 1776, the assembly appointed a Committee of Revisors to review existing laws and recommend changes. Three lawyers on the committee, Thomas Jefferson, George Wythe, and Edmund Pendleton, did most of the drafting, arriving at 126 bills that the committee submitted to the assembly in 1779. By this time, Jefferson had been elected governor of the state.

One of the bills, which Jefferson had drafted in 1777, was a bill for establishing religious freedom. The bill, however, was tabled in the face of stiff opposition from influential members of the Anglican Church, which at the time was the established church of Virginia. It was imported from England by the colonists who landed at Jamestown and institutionalized as the colony's officially sanctioned religion in 1619. The growing interconnection between religion and the civil authority over the next century and a half was in large part attributable to the scarcity of Anglican clergy in the colony and the immensity of the colony's plantations, which made church attendance difficult for many. In the absence of clergy, the General Assembly took on the role of church authority. It passed laws governing the church. It authorized county courts to hear cases that were ecclesiastical in

nature. It set clergy salaries, established new parishes, defined the boundaries of parishes, established requirements for church attendance, specified how ministers should preach, ordered clergy to instruct children in the faith, and delegated local authority over the churches to county courts and vestries.



Portrait of Thomas Jefferson, author of the Statute. Image via Wikimedia Commons. [Public domain.]

■ European Convention on Human Rights

Date: November 4, 1950

Authors: The Council of Europe

Genre: International Convention

Summary Overview

International cooperation in the name of the human rights has not been limited to global organizations like the United Nations. In the years and decades following the Second World War, regional agreements and organizations emerged to address a number of political, legal, economic, and strategic concerns. Some of these were primarily military and defensive in nature, such as the North Atlantic Treaty Organization or the Southeast Asia Treaty Organization. Others, such as the Council of Europe, focused on the enforcement of human rights and the promotion of democratic government. The 1950 European Convention on Human Rights lays out a vision for human dignity and the protection of the rights of all people in an era of increasing conflict and geopolitical tension.

Defining Moment

The roots of the European Convention on Human Rights lay in the Congress of Europe, which took place at The Hague in the spring of 1948. The declaration that resulted from this meeting of European leaders declared a desire for “a Charter of Human Rights guaranteeing liberty of thought, assembly and expression as well as right to form a political opposition” and for a court that had enough authority to enforce those guarantees. There were wider contexts as well. The United Nations’ Universal Declaration of Human Rights had established a framework and pattern for other human rights statements. At the same time, Joseph Stalin’s Soviet Union was solidifying its control over the nations of Eastern Europe, promoting the nations of Western Europe to define itself as a free and democratic society in opposition to the states of the Eastern bloc.

During Summer, 1949, the Council of Europe worked on a draft of the convention, with one of the key participants being Sir David Maxwell-Fyfe, who had been one of the prosecutors of the Nuremberg war crimes trials. The drafters based the rights enumerated in the convention on a number of earlier charters of freedom including the Universal Declaration of Human Rights, the Bill of Rights of the United States Constitution, and the French Declaration of the Rights of Man and of the Citizen. The convention was final-

ized on November 4, 1950 and would have enough signatures to enter into force on September 3, 1953.

Authors’ Biography

Following the end of the Second World War, the establishment of the United Nations ushered in an era increased efforts to foster international cooperation. The notion of a council of European nations originated with British Prime Minister Winston Churchill. In 1943, in a radio address, he proposed a Council of Europe. One of the key purposes of this council would be to reconstruct a ruined Europe in the wake of the War, which was still going on at time. Churchill continued to promote this idea after the war, as did other statesmen. In 1948, a gathering of leaders at the Congress of Europe discussed how such a council might be structured and—subsequently—the Treaty of London established a Council of Europe on May 5, 1949.

From the outset, human rights was one of the key areas of focus for the council along with the promotion of democracy and the rule of law. While the European Convention on Human Rights was a crucial achievement of the council in 1950, the organization has continued to cooperate on matters ranging from the prevention of human trafficking to international efforts to combat terrorism and cybercrime.



Historical Document

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, 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,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, 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,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particu-

■ Human Rights Concerns Related to Forced Displacement in Ukraine

Date: September 7, 2022

Author: Ilze Brands Kehris, Assistant Secretary-General for Human Rights

Genre: Speech

Summary Overview

Civilians who have been forcibly displaced as a result of war or other military action, as well as those who are forced to flee their home country to save their lives are among the most vulnerable to the possibility that their human rights may be disregarded or violated. Compounding these issues are the dangers and obstacles standing in the way of international investigative and relief organizations. In the Information Age of the twenty-first century, however, information and testimony can spread worldwide in ways it never could before, allowing the international community an opportunity to learn and, hopefully, intervene.

This September, 2022 address by Ilze Brands Kehris, the United Nations' (UN) assistant secretary-general for human rights to the UN Security Council highlights the ongoing concerns the organization has about the Russian treatment of civilians in Ukraine and calls upon Russia to cooperate with international efforts to ensure the safety of civilians trapped in the war zone. The address also encourages UN members states in Europe to continue their relief efforts.

Defining Moment

Russia's invasion of Ukraine in late February, 2022 was not the beginning of the conflict between the two nations but was a significant development in a conflict that had been ongoing since 2014. While this wider Russo-Ukrainian War is rooted in deep historical circumstances, including a belief that Ukraine should rightfully be part of a greater Russian empire, a much more recent trigger was Ukraine's 2008 application to join the North Atlantic Treaty Organization (NATO) military alliance. Russia (and some NATO members, such as France and Germany) opposed this move, concerned that it would upset the balance of power between Western Europe and Russia. While Ukraine was not admitted to NATO in 2008, the possibility would remain open for the future. Russia would continue to be on guard against developments in Ukraine and, in 2014, when a pro-Russian president was removed following nationwide protests, Russia would annex Crimea and war would erupt between



Russia's Vladimir Putin commanded the invasion. Photo by kremlin.ru, via Wikimedia Commons.

■ *Eisenstadt v. Baird*

Date: March 22, 1972

Author: William J. Brennan Jr.

Genre: Court Decision

Summary Overview

*The legal fight over access to birth control information, medication, and devices was a decades-long struggle for sexual and reproductive freedom. The development of oral contraceptive pharmaceuticals, in conjunction with the growing sexual revolution and women's rights movement during the 1960s and 1970s put the issue of whether state or federal governments had the authority to regulate or restrict contraceptives at center stage and raised broader questions about the ability of governments to impose sexual morals on individuals. While these arguments had been taking place for decades, during this period the U.S. Supreme Court became more involved in addressing these questions. In the 1965 case *Griswold v. Connecticut*, the Supreme Court held that the state could not restrict married persons' right to obtain and use contraception and clearly stated that this was an issue of upholding a right to privacy guaranteed by the Fourteenth Amendment. In 1972, the issue of whether a state could prevent unmarried persons from obtaining contraception came before the court. In *Eisenstadt v. Baird*, the Supreme Court would rule that to make a distinction between married and unmarried persons regarding access to contraception was unconstitutional, with Justice William J. Brennan Jr. writing the majority opinion.*

Defining Moment

William Baird was the clinical director of birth control manufacturer EMKO who began engaging in public education and activism for birth control in the 1960s. Baird would deliver talks on birth control and would also distribute samples of contraceptive foam at public places such as shopping centers and universities. Several times, Baird was arrested and jailed for his birth control presentations, but persisted in his activities. In 1967, Baird gave a presentation at Boston University, where students had asked him to challenge Massachusetts's laws against providing contraceptives to people who were not married. Baird gave the talk and gave a woman a condom and a sample of contraceptive foam. He was arrested on felony charges for lecturing about birth control and for distributing contraceptives which, under the law, could only be done by a pharmacist with a physician's prescription and, even then, only to those who were married. Baird was convicted and appealed to the Massachusetts Supreme Judicial Court. That court overturned part of Baird's conviction, on the grounds that his lecture was protected by the First Amend-

ment. However, it upheld his conviction for distributing contraceptives.

Baird then petitioned for a writ of habeas corpus, which was initially denied, but granted on appeal by the Court of Appeals for the First Circuit, holding that the birth control law in Massachusetts violated the human rights of unmarried people. That ruling was then appealed to the U.S. Supreme Court by Suffolk County, Massachusetts Sheriff Thomas S. Eisenstadt. The Supreme Court heard the case on November 17 and 18, 1971 and issued its decision March 22, 1972.

Author's Biography

William J. Brennan Jr. was born in 1906. Following graduation from the University of Pennsylvania, Brennan attended Harvard Law School and began practicing law in his native New Jersey. Following service in the Second World War, Governor Alfred Driscoll appointed Brennan to the New Jersey Supreme Court, where he served from 1951 to 1956. When Supreme Court Justice Sherman Minton re-

■ European Union: Summary of Directive on Gender Equality

Date: July 5, 2006

Author: European Parliament and Council of the European Union

Genre: Legislation

Summary Overview

Gender inequality is a pervasive problem in Europe, as it is in the United States. The directive that is summarized in this entry is an attempt by the European Union to combat this problem. The EU issued this directive in 2006. Its stated goal was to coordinate and simplify previous directives on gender equality, as well as provide a more comprehensive vision for achieving this elusive end. The directive was written by the European Parliament and the Council of the European Union, the two major decision making bodies of the European Union. The directive outlines the areas in which gender equality is to be sought. It also puts forward procedures for empowering victims of gender discrimination, as well as bodies to oversee and manage all of these efforts.

Defining Moment

The European Union has long made gender equality a priority. In 1957, the Treaty of Rome established the predecessor to the European Union, the European Economic Community, made up of Belgium, France, Italy, Luxembourg, the Netherlands and West Germany. The Treaty of Rome itself included the principle of equal pay for equal work. A number of directives aimed at curbing gender discrimination followed. A 1978 directive aimed to secure equality for women and men in the matter of social security. A 1992 directive introduced measures to help keep pregnant, recently pregnant, and nursing women safe in the workplace. After the official founding of the European Union, more directives followed. In 2004, a directive codified the principle of equality “in the access to and supply of goods and services.”

The 2006 directive featured in this chapter sought to consolidate these previous measures and provide a more comprehensive approach to gender equality. After this landmark directive, other directives have attempted to shore up details. One 2010 directive strove to standardize parental leave policies, and another one from the same year took on gender discrimination among self-employed individuals. The results have been mixed. For example, the European Union began issuing yearly reports on the gender pay gap, the difference in pay that a man and a woman receive

for doing the same work. The close monitoring of this statistic and the European Union’s commitment to decreasing this gap are promising signs, as is the modest decline in the estimated rate. Despite these positives, according to the European Union itself the pay gap as of January 2017 was still at 16.3 percent. The stubborn persistence of the pay gap shows the difficulty in combating both this specific form of inequality as well as other, similar entrenched types of gender discrimination.

Author Biography

The official authors of this legislative document are the European Parliament and the Council of the European Union, two official bodies of the EU. The Parliament consists of seven-hundred-and-fifty-one members elected by direct election every five years; the Council of the European Union is made up of ministers sent from all of the member nations. Together the Parliament and the Council comprise the two main decision making bodies of the European Union, and both bodies predate the European Union itself. The European Parliament was established in 1952 as the Common Assembly of the European Coal and Steel Community. It became the European Parliament in 1962 and held its first elections in 1979. The Council was formed in 1958 as the Coun-