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## Document 1: The United States Bill of Rights

Historical context: The collective name for the first 10 amendments to the United States Constitution. Twelve amendments were proposed in 1789 during a session of the First Congress. Ten of these were ratified by the state legislatures in 1791. These amendments were proposed as a compromise between those who were in favor of ratifying the Constitution (Federalists) and those who were not (anti-Federalists). The anti-Federalists wanted the Constitution

to guarantee individual civil liberties such as freedom of speech, religion, and the right to a trial by jury, among many others. After being relatively divided— first as colonies, then as separate states under the Articles of Confederation—the states were now united under the umbrella of the United States of America, with a strong national government and state governments that shared power, and with protections guaranteed to all citizens in the Bill of Rights.

**Note**: The following text is a transcription of the enrolled original of the Joint Resolution of Congress proposing the Bill of Rights, which is on permanent display in the Rotunda at the National Archives Museum. The spelling and punctuation reflect the original.

Transcription of the 1789 Joint Resolution of Congress Proposing 12 Amendments to the US Constitution

Congress of the United States begun and held at the City of New-York, on Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Article the first... After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

Article the second... No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

Article the third... Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth... A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth... No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth... The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh... No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article the eighth... In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Article the ninth... In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth... Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh... The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth... The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

*ATTEST,*

Frederick Augustus Muhlenberg, Speaker of the House of Representatives John Adams, Vice-President of the United States, and President of the Senate John Beckley, Clerk of the House of Representatives.

Sam. A Otis Secretary of the Senate

The ten amendments ratified as the US Bill of Rights

*Amendment I*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

*Amendment II*

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

*Amendment III*

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

*Amendment IV*

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

*Amendment V*

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

*Amendment VI*

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

*Amendment VII*

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

*Amendment VIII*

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

*Amendment IX*

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

*Amendment X*

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Source: “US Bill of Rights.” US National Archives and Records Administration. <https://www.archives.gov/founding-docs/bill-of-rights-transcript>

## Document 2: Fundamental Rights, Constitution of India

Historical context: Fundamental Rights is a charter of rights contained in the Constitution of India. It guarantees civil liberties such that all Indians can lead their lives in peace and harmony as citizens of India. This document was formally adopted after India gained its independence from Great Britain. The rights that were protected include individual rights common to most democracies, such as equality before the law, freedom of speech and expression, peaceful assembly, freedom to practice religion, and the right to constitutional remedies for the protection of civil rights.

PART III

Fundamental Rights

Right to Equality

1. The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
2. (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
	1. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—
		1. access to shops, public restaurants, hotels and places of public entertainment; or
		2. the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.
	2. Nothing in this article shall prevent the State from making any special provision for women and children.
	3. Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.
	4. Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.
3. (1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.
	1. No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State. ...
4. “Untouchability” is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of “Untouchability” shall be an offence punishable in accordance with law.
5. (1) No title, not being a military or academic distinction, shall be conferred by the State.
	1. No citizen of India shall accept any title from any foreign State.

Right to Freedom

1. (1) All citizens shall have the right—
	* 1. to freedom of speech and expression;
		2. to assemble peaceably and without arms;
		3. to form associations or unions [or co-operative societies];
		4. to move freely throughout the territory of India;
		5. to reside and settle in any part of the territory of India; [and]
		6. to practise any profession, or to carry on any occupation, trade or business. ...
2. (1) No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.
	1. No person shall be prosecuted and punished for the same offence more than once.
	2. No person accused of any offence shall be compelled to be a witness against himself.
3. No person shall be deprived of his life or personal liberty except according to procedure established by law.

21A. The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.]

1. (1) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice.
	1. Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.
	2. Nothing in clauses (1) and (2) shall apply—
		1. to any person who for the time being is an enemy alien; or
		2. to any person who is arrested or detained under any law providing for preventive detention.
	3. No law providing for preventive detention shall authorise the detention of a person for a longer period than three months unless— ...
	4. When any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making the order shall, as soon as may be, communicate to such person the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order. …

Right against Exploitation

1. (1) Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.
	1. Nothing in this article shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them.
2. No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Right to Freedom of Religion

1. (1) Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.
	1. Nothing in this article shall affect the operation of any existing law or prevent the State from making any law—
		1. regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice;
		2. providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus. …
2. Subject to public order, morality and health, every religious denomination or any section thereof shall have the right—
	* 1. to establish and maintain institutions for religious and charitable purposes;
		2. to manage its own affairs in matters of religion;
		3. to own and acquire movable and immovable property; and
		4. to administer such property in accordance with law.
3. No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination.
4. (1) No religious instruction shall be provided in any educational institution wholly maintained out of State funds. ...
	1. No person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has given his consent thereto.

Cultural and Educational Rights

1. (1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.
	1. No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.
2. (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice. …

Right to Constitutional Remedies

1. (1) The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed.
	1. The Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate, for the enforcement of any of the rights conferred by this Part. …

Source: Part III Fundamental Rights, Ministry of External Affairs. <https://www.mea.gov.in/Images/pdf1/Part3.pdf>

## Document 3: Fundamental Rights and Guarantees, Constitution of Brazil

Historical context: Drafted as a reaction to a period of military dictatorship, the Constitution of Brazil sought to guarantee individual rights and restrict the state’s ability to limit freedom, punish offenses, and regulate individual life. These protections were considered essential to establishing a democratic government that would unite all Brazilians as one community.

TITLE II

Fundamental Rights and Guarantees

CHAPTER I

Individual and Collective Rights and Duties

Article 5. All people are equal before the law, without any distinction whatsoever. Brazilians and foreigners residing in the country are ensured the inviolability of their right to life, liberty, equality, security, and property, under the following terms:

1. – men and women have equal rights and duties, as provided by this Constitution;
2. – no one shall be compelled to do or refrain from doing something except by reason of law;
3. – no one shall be subjected to torture or to inhuman or degrading treatment;
4. – expression of thought is free and anonymity is forbidden;
5. – the right of reply equivalent to the grievance is ensured, in addition to compensation for pecuniary loss, emotional distress or damages to reputation;
6. – freedom of conscience and of belief is inviolable; the free exercise of religious services is ensured as well as, as provided by law, the protection of places of worship and their liturgies;
7. – religious assistance in civil and military establishments of collective confinement is guaranteed;
8. – no person shall be deprived of rights due to religious belief or philosophical or political convictions, unless the person claims it to be exempted from legal obligations imposed on everyone and refuses to comply with an alternative provision established by law;
9. – the expression of intellectual, artistic, scientific, and communication activity is free, irrespective of censorship or license;
10. – personal intimacy, private life, honor and reputation are inviolable; the right to compensation for pecuniary loss or emotional distress due to their breach is ensured;
11. – the home is the inviolable refuge of individuals; no one may enter therein without the resident’s consent, except in the event of flagrante delicto or disaster, or to provide help, or, during the day, with a court order;
12. – the secrecy of correspondence and of telegraphic, data and telephone communications is inviolable; except, in the latter case, by a court order, in the cases and as provided by law for the purposes of criminal investigation or finding of evidence in criminal proceedings;
13. – all people are free to perform any occupation, as long as they comply with the professional qualifications the law shall establish; …

XVI – all people may hold peaceful meetings in public places regardless of authorization, as long as they bear no weapons, do not hinder another meeting previously convened for the same place, and issue prior notice to the competent authority;

XVII – freedom of association for lawful purposes is fully guaranteed; paramilitary groups are forbidden;

XVIII – the establishment of associations and, according to law, that of cooperatives, requires no authorization; the State is forbidden to intervene in their operation; …

XXII – the right of property is guaranteed; …

XXXVII – there shall be no trial or court ad hoc;

XXXVIII – the institution of the jury is recognized; the law shall provide its organization and ensure the:

* + 1. full defense;
		2. secret voting;
		3. sovereignty of verdicts;
		4. jurisdiction to try willful crimes against life;

XXXIX – there is no crime unless a prior law defines it, nor is there a punishment unless a prior law so provides;

XL – criminal law shall not retroact, except to benefit the defendant;

XLI – the law shall punish any discrimination that may attempt against fundamental rights and liberties;

XLII – the practice of racism is a non-bailable crime, with no statute of limitations and subject to prison sentence, under the terms of law;

XLIII – acts of torture, illicit trafficking in narcotics and similar drugs, terrorism, and crimes regarded as heinous shall not be bailable or subject to grace or amnesty by law; those who order, commit or omit themselves while being able to prevent such crimes shall be held liable; …

LIV – no one shall be deprived of freedom or property without due process of law;

LV – parties in judicial or administrative proceedings and defendants in general are ensured an adversary system and a full defense, with the means and resources inherent therein;

LVI – evidence obtained through unlawful means is unacceptable in proceedings;

LVII – no one shall be considered guilty before the criminal conviction becomes final and unappealable; …

LXII – the arrest of any person as well as the place where one is being held shall be immediately communicated to the competent judge and to the arrestee’s family or to a person the arrestee designates;

LXIII – arrested people shall be informed of their rights, including the right to remain silent; they are ensured assistance by their family and by a lawyer;

LXIV – arrested people are entitled to identification of those responsible for their arrest or their police interrogation;

LXV – courts shall immediately release the people illegally arrested;

LXVI – no one shall be taken to prison or held therein when the law authorizes release prior to trial whether subject or not to bail;

LXVII – there shall be no civil imprisonment for debt, except for a person who is voluntarily and inexcusably in default on alimony obligation or for the unjustifiably unfaithful bailee;

LXVIII – habeas corpus shall be granted whenever a person suffers or is threatened with suffering violence or coercion in their freedom of movement as a result of illegal actions or abuse of power; …

LXXIV – the State shall provide full and free of charge legal assistance to any person who proves insufficiency of funds;

LXXV – the State shall compensate anyone convicted by judicial error, as well as any person who remains imprisoned for a period longer than that established by the sentence; …

LXXVIII – everyone is ensured a trial within a reasonable time and the remedies that guarantee the expeditious processing of judicial and administrative proceeding; (CA 45, 2004) …

CHAPTER II

Social Rights

Article 6. Education, health, food, work, housing, transportation, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute, are social rights, as set forth by this Constitution. (CA 90, 2015)

Sole paragraph. Every Brazilian in a social vulnerability situation shall be entitled to a basic family income, granted by the State in a permanent income transfer program, with norms and access requirements determined by law, according to the fiscal and budgetary legislation. (CA 114, 2021)

Article 7. The following are rights of urban and rural workers, among others that aim to improve their social conditions:

I – employment protected against arbitrary dismissal or against dismissal without cause, under the terms of a supplementary law that shall establish severance pay, among other rights;

II – unemployment insurance, in the event of involuntary unemployment; …

IV – national uniform minimum wage, established by law, capable of meeting workers’ basic living needs and those of their family for housing, nourishment, education, health, leisure, clothing, hygiene, transportation, and social security, with periodic adjustments to maintain its purchasing power; it is forbidden to use it as an index for any purpose; …

1. – normal working hours not exceeding eight hours per day and forty-four hours per week, having the option to compensate working hours and reduce the length of workday through a collective labor agreement or collective-bargaining agreement;
2. – workday of six hours for work carried out in continuous shifts, unless otherwise established under collective-bargaining agreement;
3. – paid weekly rest, preferably on Sundays;
4. – overtime pay rate at least fifty percent higher than the regular pay rate;
5. – annual vacation paid at least one third higher than the regular salary;
6. maternity leave without loss of job and of salary, for a period of one hundred and twenty days;
7. – paternity leave, under the terms established by law;
8. – protection of the labor market for women through specific incentives, under the terms of law; …
9. – free assistance for children and dependents of up to five years of age, in daycare centers and pre-school facilities; (CA 53, 2006)
10. – recognition of collective labor agreement or collective bargaining agreement; …
11. – prohibition of any difference in wages, duties and employment decisions based on sex, age, color or marital status;
12. – prohibition of any discrimination with respect to wages and hiring criteria of handicapped workers; …

Article 8. Professional or union association is free, …

Article 9. The right to strike is guaranteed; workers are empowered to decide on the advisability of exercising it and on the interests to be defended thereby. ...

CHAPTER IV

Political Rights

Article 14. The sovereignty of the people shall be exercised by universal suffrage and by direct and secret voting, with equal value for all and according to the law, by means of:

1. – plebiscite;
2. – referendum;
3. – popular initiative.

Paragraph 1. Electoral enrollment and voting are:

1. – mandatory for people over eighteen years of age;
2. – optional for:
3. the illiterate;
4. those over seventy years of age;
5. those over sixteen and under eighteen years of age. …

Source: Brazil’s Constitution of 1988 with Amendments through 2017. <https://www.constituteproject.org/constitution/Brazil_2017.pdf?lang=en>

## Document 4: Bill of Rights, Constitution of the Republic of South Africa

Historical context: Chapter Two of the Constitution of the Republic of South Africa was adopted at the end of apartheid (legal discrimination and separation of races). The document contains the Bill of Rights, a human rights charter that protects the civil, political, and socioeconomic rights of all people in South Africa, not just one race or ethnic group.

7. Rights

1. This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.
2. The state must respect, protect, promote and fulfil the rights in the Bill of Rights. …

9. Equality

1. Everyone is equal before the law and has the right to equal protection and benefit of the law.
2. Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
3. The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. …

10. Human dignity

Everyone has inherent dignity and the right to have their dignity respected and protected.

11. Life

Everyone has the right to life.

12. Freedom and security of the person

1. Everyone has the right to freedom and security of the person, which includes the right
2. not to be deprived of freedom arbitrarily or without just cause;
3. not to be detained without trial;
4. to be free from all forms of violence from either public or private sources;
5. not to be tortured in any way; and
6. not to be treated or punished in a cruel, inhuman or degrading way.
7. Everyone has the right to bodily and psychological integrity, which includes the right
8. to make decisions concerning reproduction;
9. to security in and control over their body; and
10. not to be subjected to medical or scientific experiments without their informed consent.

13. Slavery, servitude and forced labour

No one may be subjected to slavery, servitude or forced labour.

14. Privacy

Everyone has the right to privacy, which includes the right not to have

1. their person or home searched;
2. their property searched;
3. their possessions seized; or
4. the privacy of their communications infringed.

15. Freedom of religion, belief and opinion

Everyone has the right to freedom of conscience, religion, thought, belief and opinion. …

16. Freedom of expression

1. Everyone has the right to freedom of expression, which includes
2. freedom of the press and other media;
3. freedom to receive or impart information or ideas;
4. freedom of artistic creativity; and
5. academic freedom and freedom of scientific research.
6. The right in subsection (1) does not extend to
7. propaganda for war;
8. incitement of imminent violence; or
9. advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

17. Assembly, demonstration, picket and petition

Everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions.

18. Freedom of association

Everyone has the right to freedom of association.

19. Political rights

1. Every citizen is free to make political choices, …
2. Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution.
3. Every adult citizen has the right
4. to vote in elections for any legislative body established in terms of the Constitution, and to do so in secret; and
5. to stand for public office and, if elected, to hold office. …

22. Freedom of trade, occupation and profession

Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law.

23. Labour relations

1. Everyone has the right to fair labour practices.
2. Every worker has the right
3. to form and join a trade union;
4. to participate in the activities and programmes of a trade union; and
5. to strike. …

24. Environment

Everyone has the right

1. to an environment that is not harmful to their health or well-being; and
2. to have the environment protected, for the beneft of present and future generations, through reasonable legislative and other measures that
3. prevent pollution and ecological degradation;
4. promote conservation; and
5. secure ecologically sustainable development and use of natural resources while promoting justiable economic and social development.

25. Property

No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property. …

26. Housing

1. Everyone has the right to have access to adequate housing.
2. The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.
3. No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.

27. Health care, food, water and social security

1. Everyone has the right to have access to
2. health care services, including reproductive health care;
3. sufficient food and water; and
4. social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.
5. The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.
6. No one may be refused emergency medical treatment. …

29. Education

1. Everyone has the right
2. to a basic education, including adult basic education; and
3. to further education, which the state, through reasonable measures, must make progressively available and accessible. …

34. Access to courts

Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum.

35. Arrested, detained and accused persons

1. Everyone who is arrested for allegedly committing an offence has the right
2. to remain silent;
3. to be informed promptly
4. of the right to remain silent; and
5. of the consequences of not remaining silent;
6. not to be compelled to make any confession or admission that could be used in evidence against that person;
7. to be brought before a court as soon as reasonably possible, but not later than
8. 48 hours after the arrest; or
9. the end of the first court day after the expiry of the 48 hours, if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day;
10. at the first court appearance after being arrested, to be charged or to be informed of the reason for the detention to continue, or to be released; and
11. to be released from detention if the interests of justice permit, subject to reasonable conditions. …
12. Every accused person has a right to a fair trial, which includes the right
13. to be informed of the charge with suficient detail to answer it;
14. to have adequate time and facilities to prepare a defence;
15. to a public trial before an ordinary court;
16. to have their trial begin and conclude without unreasonable delay;
17. to be present when being tried;
18. to choose, and be represented by, a legal practitioner, and to be informed of this right promptly;
19. to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly;
20. to be presumed innocent, to remain silent, and not to testify during the proceedings;
21. to adduce and challenge evidence;
22. not to be compelled to give self-incriminating evidence;
23. to be tried in a language that the accused person understands or, if that is not practicable, to have the proceedings interpreted in that language; ...

Source: Constitution of the Republic of South Africa, 1996 – Chapter 2: Bill of Rights. [https://www.gov.za/documents/constitution/chapter-2-bill- rights#:~:text=This%20Bill%20of%20Rights%20is,in%20the%20Bill%20of%20Rights](https://www.gov.za/documents/constitution/chapter-2-bill-rights#%3A~%3Atext%3DThis%20Bill%20of%20Rights%20).

## Document 5: The Declaration of the Rights of Man and of the Citizen, 1789, and the French Constitution of 1958 and Charter of the Environment, 2004

Historical context: The Declaration of the Rights of Man and of the Citizen was a fundamental document of the French Revolution and declared that human rights were universal (for everyone). The Declaration was directly influenced by Thomas Jefferson (working with General Lafayette), and it focused on the natural rights of man. Inspired in part by the American Revolution, the Declaration was a core statement of the values of the French Revolution and of what they hoped would be a united France. The Constitution of October 4, 1958, and the Charter of the Environment from 2004 expand upon this founding document.

*National Assembly of France*

The representatives of the people of France, formed into a National Assembly, considering that ignorance, neglect, or contempt of human rights, are the sole causes of public misfortunes and corruptions of Government, have resolved to set forth in a solemn declaration, these natural, imprescriptible, and inalienable rights: that this declaration being constantly present to the minds of the members of the body social, they may be for ever kept attentive to their rights and their duties; that the acts of the legislative and executive powers of government, being capable of

being every moment compared with the end of political institutions, may be more respected; and also, that the future claims of the citizens, being directed by simple and incontestable principles, may tend to the maintenance of the Constitution, and the general happiness.

For these reasons, the National Assembly doth recognize and declare, in the presence of the Supreme Being, and with the hope of his blessing and favour, the following sacred rights of men and of citizens:

1. Men are born, and always continue, free and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.
2. The end of all political associations, is the preservation of the natural and imprescriptible rights of man; and these rights are liberty, property, security, and resistance of oppression.
3. The nation is essentially the source of all sovereignty; nor can any individual, or any body of men, be entitled to any authority which is not expressly derived from it.
4. Political liberty consists in the power of doing whatever does not injure another. The exercise of the natural rights of every man, has no other limits than those which are necessary to secure to every other man the free exercise of the same rights; and these limits are determinable only by the law.
5. The law ought to prohibit only actions hurtful to society. What is not prohibited by the law, should not be hindered; nor should any one be compelled to that which the law does not require.
6. The law is an expression of the will of the community. All citizens have a right to concur, either personally, or by their representatives, in its formation. It should be the same to all, whether it protects or punishes; and all being equal in its sight, are equally eligible to all honours, places, and employments, according to their different abilities, without any other distinction than that created by their virtues and talents.
7. No man should be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed. All who promote, solicit, execute, or cause to be executed, arbitrary orders, ought to be punished, and every citizen called upon, or apprehended by virtue of the law, ought immediately to obey, and renders himself culpable by resistance.
8. The law ought to impose no other penalties but such as are absolutely and evidently necessary; and no one ought to be punished, but in virtue of a law promulgated before the offence, and legally applied.
9. Every man being presumed innocent till he has been convicted, whenever his detention becomes indispensable, all rigour to him, more than is necessary to secure his person, ought to be provided against by the law.
10. No man ought to be molested on account of his opinions, not even on account of his religious opinions, provided his avowal of them does not disturb the public order established by law.
11. The unrestrained communication of thoughts and opinions being one of the most precious rights of man, every citizen may speak, write, and publish freely, provided he is responsible for the abuse of this liberty, in cases determined by law.
12. A public force being necessary to give security to the rights of men and of citizens, that force is instituted for the benefit of the community and not for the particular benefit of the persons to whom it is intrusted.
13. A common contribution being necessary for the support of the public force, and for defraying the other expenses of government, it ought to be divided equally among the members of the community, according to their abilities.
14. Every citizen has a right, either by himself or his representative, to a free voice in determining the necessity of public contributions, the appropriation of them, and their account, mode of assessment, and duration.
15. Every community has had a right to demand of all its agents an account of their conduct.
16. Every community in which a separation of powers and a security of rights is not provided for, wants a constitution.
17. The right to property being inviolable and sacred, no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity.

Source: Declaration of the Rights of Man and of the Citizen, 1789. <https://constitutionnet.org/sites/default/files/declaration_of_the_rights_of_man_1789.pdf>

Constitution of October 4, 1958

PREAMBLE

The French people solemnly proclaim their attachment to the Rights of Man and the principles of national sovereignty as defined by the Declaration of 1789, confirmed and complemented by the Preamble to the Constitution of 1946, and to the rights and duties as defined in the Charter for the Environment of 2004.

By virtue of these principles and that of the self-determination of peoples, the Republic offers to the overseas territories which have expressed the will to adhere to them new institutions founded on the common ideal of liberty, equality and fraternity and conceived for the purpose of their democratic development.

Article 1.

France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs. It shall be organised on a decentralised basis.

Statutes shall promote equal access by women and men to elective offices and posts as well as to position of professional and social responsibility.

TITLE I

ON SOVEREIGNTY

Article 2.

The language of the Republic shall be French.

The national emblem shall be the blue, white and red tricolour flag. The national anthem shall be La Marseillaise. The maxim of the Republic shall be “Liberty, Equality, Fraternity”.

The principle of the Republic shall be: government of the people, by the people and for the people.

Article 3.

National sovereignty shall vest in the people, who shall exercise it through their representatives and by means of referendum. No section of the people nor any individual may arrogate to itself, or to himself, the exercise thereof.

Suffrage may be direct or indirect as provided for by the Constitution. It shall always be universal, equal and secret.

All French citizens of either sex who have reached their majority and are in possession of their civil and political rights may vote as provided for by statute.

Article 4.

Political parties and groups shall contribute to the exercise of suffrage. They shall be formed and carry on their activities freely. They shall respect the principles of national sovereignty and democracy.

They shall contribute to the implementation of the principle set out in the second paragraph of article 1 as provided for by statute.

Statutes shall guarantee the expression of diverse opinions and the equitable participation of political parties and groups in the democratic life of the Nation. ...

CHARTER FOR THE ENVIRONMENT

The French People, Having considered that

Natural resources and equilibria have conditioned the emergence of mankind;

The future and very existence of mankind are inextricably linked with its natural environment; The environment is the common heritage of all human beings;

Man exerts ever-increasing influence over the conditions for life and over his own evolution;

Biological diversity, the fulfilment of the individual and the progress of human societies are affected by certain types of consumption or production and by excessive exploitation of natural resources;

The safeguarding of the environment is a goal to be pursued in the same way as the other fundamental interests of the Nation;

In order to ensure sustainable development, choices designed to meet the needs of the present generation should not jeopardise the ability of future generations and other peoples to meet their own needs,

Hereby proclaim:

Art 1 – Each person has the right to live in a balanced environment which shows due respect for health. Art 2 – Each person has a duty to participate in preserving and enhancing the environment.

Art 3 – Each person shall, in the conditions provided for by law, foresee and avoid the occurrence of any damage which he or she may cause to the environment or, failing that, limit the consequences of such damage.

Art 4 – Each person shall be required, in the conditions provided for by law, to contribute to the making good of any damage he or she may have caused to the environment.

Art 5 - When the occurrence of any damage, albeit unpredictable in the current state of scientific knowledge, may seriously and irreversibly harm the environment, public authorities shall, with due respect for the principle of precaution and the areas within their jurisdiction, ensure the implementation of procedures for risk assessment and the adoption of temporary measures commensurate with the risk involved in order to deal with the occurrence of such damage.

Art 6 - Public policies shall promote sustainable development. To this end they shall reconcile the protection and enhancement of the environment with economic development and social progress.

Art 7 – Each person has the right, in the conditions and to the extent provided for by law, to have access to any information pertaining to the environment in the possession of public bodies and to participate in the public decision-making process likely to affect the environment.

Art 8 - Education and training with regard to the environment shall contribute to the exercising of the rights and duties set out in this Charter. Art 9 - Research and innovation shall contribute to the preservation and development of the environment.

Art 10 - This Charter shall inspire France’s actions at both a European and an international level.

Source: France’s Constitution of 1958 with Amendments through 2008. <https://www.constituteproject.org/constitution/France_2008.pdf?lang=en>