

HABSMUN 2020

SOCHUM 2 Briefing Paper

**The Question of Historical Remembrance and Cultural Education**

**Background**

History is fundamental to human culture, and remembering both the positive and negative aspects of history is essential to ensuring a better future, and ensures that some of the mistakes of the past are not repeated again. However, for several reasons, negative aspects of history have been neglected, and even revised by certain nationalist regimes, while the positive aspects have been overblown.

Possibly the best example of negative revisionist history is with the holocaust. While Germany mandate education for children twice in their school years, and strongly recommend at least one school trip to a camp, countries like Poland and Hungary have vigorously denied any complicity in roundups of Jews or the building of concentration camps. This has led so far as Poland passing a law that banned any comment that suggested that Poland was complicit in the Holocaust. President Orbàn of Hungary has eliminated any mention of Hungary’s alliance with Nazi Germany under wartime leader Horthy, and the deportations and roundups that he oversaw.

In a world with rising nationalism, strongman figures have sought to rewrite history, to present a more positive image of their country. Both Poland and Hungary are examples of this, but a lesser known example is in Britain. Michael Gove’s education plan sought to emphasise the positive parts of the British empire while neglecting the negatives. He proclaimed the teaching of the Abolition of Slavery without discussion of the slave trade for example. In China, the Communist Party state the revolution as a ‘liberation’, while neglecting to mention any of Mao’s policies which led to the death of millions. Despite being internationally recognised, Turkey still deny any existence of the Armenian Genocide.

This represents an inherent problem in society, as not only does this propagate a view of history that it objectively incorrect, but it often will also draw upon sentiments that lead to certain scourges in society like racism, xenophobia and antisemitism, as people become defensive of their nation, resorting to attacks in groups that accuse them otherwise. The best example of this is President Duda of Poland refusing to go to the 75th Memorial of the liberation of Auschwitz and Yad Vashem, due to Israeli criticism of their law. It is only with more recognition of one’s failures, that we can achieve a more cooperative world in the future.

**Key Issues**

**Sovereignty of Interpretations**

One of the key issues that delegates will face is the fact that history is not objective, and that each person has a right to interpret history in their own way. Moreover, forcing countries to change their education systems will be difficult given the limited sovereignty of the UN. With increasing nationalism, an imposed specification could lead to backlash against the UN, which would be a fundamental harm.

**Emotional Responses**

For several reasons, some people are emotionally unwilling to bring up their national past. This can be due to a personal family stake in this history for example, and just general national pride into aspects of society which people see as an inherent good. Therefore, it might be an emotional burden to reevaluate history for many people, and therefore they reject this to ease their burden.

**Social Action**

When reevaluating History, as previously mentioned it will bring up emotional and difficult issues. However, this will bring up a debate about compensation and reparations for the descendants of those involved. From this, there is a distinct debate as to whether these should occur, whether there are some outstanding ones, and the way in which they should be payed if decided upon.

**Relevant Stakeholders**

Many countries are known to have altered their history in some way; apart from Hungary and Poland denying the part they played in the Holocaust genocide, and Turkey denying the Armenian genocide, countries including the US and UK have repeatedly been accused of not accurately presenting parts of their history; the massacring of Native Americans, and the devastating damage and casualties caused by British colonialism being the most obvious examples of this. Historical negationism, or denialism is the term used to describe the phenomenon in question; generally defined as the deliberate distortion of significant historical events, and there are several salient examples of it:

* Holocaust denial
  + While not specific to any one country or regime, several governments, such as those mentioned earlier have denied the part they played in the holocaust, and many politicians and public figures have severely downplayed the scale and significance of the atrocities committed, usually in three ways, all of which have been absolutely discredited as being false:
    - The Final Solution wasn’t an extermination program and was merely aimed at the deportation of Jews from the Reich
    - Nazi authorities did not use extermination camps and gas chambers for the genocidal mass murder of Jews
    - That the actual number of Jews murdered was only a tenth of the widely and officially accepted true figure of between 5 and 6 million.
* The Lost Cause of the Confederacy
  + This is the view that the cause of the Confederacy in the American civil war was a heroic and just one; i.e. that the Southern states had an inherent right to defend the ‘just and good way of life’ (with relation to slavery) and that Northern “aggression” was unjustified
* Japanese war crime denial
  + This was an ongoing controversy until the 1990’s, whereby the Japanese government approved textbooks which fitted their agenda of whitewashing the war crimes committed by the Empire of Japan in World War II.
* Soviet crime denial
  + The Communist Party of the Soviet Union (CPSU) attempted to control and censor academic and popular history publications, both politically and ideologically. This was actually successful between 1934 and 1952.

**Previous Measures to combat the issue**

The problem with combatting denialism is that the boundary between free speech and hate speech comes into question when the legality of historical remembrance inaccuracies and negationism are brought into play. However, especially with regards to Holocaust denial, the line has repeatedly been set at it being hate speech and damaging to the general public. The German Constitutional Court has been quoted as declaring that

“The dissemination of untrue and deliberately false statements of fact cannot contribute to the development of public opinion and thus does not fall into the remits of the protection of free speech”.

The issue of historical remembrance and education is one that applies to all countries, as a result of its massively international nature. The vast majority of historical events that have been deliberately diluted or distorted involve many countries, and took place on a large scale, at the expense of vast numbers of innocent people, and so all countries should be concerned with building upon all previous measures to combat this issue, of which there have been countless numbers due to the repetitive nature of denialism.

**Questions to consider**

* *How can the United Nations as an international body constructively and collaboratively lay out measures to prevent the systematic distortion of historical events?*
* *How can the issue of historical remembrance be combatted on a smaller scale, in order to stop the spreading of inaccurate media with regards to historical remembrance?*
* *How can we reform education internationally to fill gaps left, either deliberately or inadvertently in historical curricula?*

**The Question of Arbitrary Detention**

**Background**

Arbitrary detention is the detention or arrest of an individual in a case where there is no evidence that they committed a crime against the law, and in which the proper (due) process of law and order has not been followed.

Definitions

‘Arbitrary’ can be defined as taking action for reasons based on choice, rather than following a proper system or reason. ‘

‘Detention’ can be defined as detaining someone or when somebody is detained, that is being kept in custody.

‘Arbitrary detention’, together, refers to the detainment of an individual when there is no proper evidence that they have done something wrong. Note that detention on its own may not violate human rights.

**Key Issues**

Most individuals who are arbitrarily arrested or detained are not provided with an explanation as to why they have been arrested, and they will not be shown an arrest warrant. Depending on where this has happened, many of these individuals will be kept in a location unknown to their family, any courts and other important people. The individual who is arbitrarily arrested or detained may suffer physical and psychological torture during any interrogations, and other abuse by those who have detained them.

Individuals who experience arbitrary detention are deprived of ways to defend themselves from cruel and inhumane treatment like torture. They may not be given a fair trial and they may not be made aware of the full details of their charge. As can be imagined, it may be difficult for the individual detained to have a fair say.

During arbitrary detention, it is likely that the due process is not followed. Due process means the fair treatment through the judicial system. This would include an individual’s right to notice of a charge and a proper hearing before an impartial judge. An impartial judge means a judge who would make decisions that are unbiased and would not favour one party over the other. Therefore, it can be expected that in arbitrary detention, the due process may not be followed.

Exceptions

However, the law of arbitrary detention may have to be breached in certain cases. For example, if someone is dangerous, and they are caught, the country may believe that the individual possesses some information that threatens the lives of many. If that is the case, then the country may not be able to wait for the trial process. They might have to extract the information from the threat to help reduce the threat on several people’s lives. It can be said that in these such cases, the state may have to carry out some actions which may break the law and do not follow the due process.

Reasons for Arbitrary Detention

Individuals can be arbitrarily detained for a variety of reasons. It usually occurs in countries with weak human rights enforcements, perhaps war torn with poor law enforcement. It can occur to individuals who are attempting to promote change and peace, like charity workers or human rights workers. It can happen to journalists staying in the country they are reporting on. In the case of workers or activists, others may see this as a threat or be against what they are doing, and then arbitrarily detain them. With journalists, they may also be seen as a threat, exposing the country they are in, and it is possible that the government gets people to arbitrarily detain them. Both workers and journalists can be seen as opposing a group’s ideologies, and are wrongly arbitrarily detained for that reason.

If this were to happen, with the cases described, there are a variety of ways in which someone can reach the arbitrary detention stage. The individual may be kidnapped or taken hostage by others. In countries with poor law enforcement, the governments may be corrupt and pay people to detain individuals who pose a threat to the country.

Others who can be arbitrarily detained include migrants, asylum seekers, and people can also be detained based on sexual orientation, ethnicity or religion.

**Relevant Stakeholders**

The Working Group on Arbitrary Detention was established by resolution in 1991 by the former Commission on Human Rights. They are a group of human rights experts that investigate cases of arbitrary detention and arrest. They are overseen by the United Nations Human Rights Council, so they are a subsidiary body of the UN.

Their role is to investigate cases and situations where it is likely that a country may have several occurrences of arbitrary detention. As detention doesn’t have to violate human rights, the group must be able to differentiate between lawful police power, and detention without a lawful basis that may be arbitrary.

See this link to read about their mandate: <https://www.ohchr.org/en/issues/detention/pages/wgadindex.aspx>

The work of groups like the Working Group on Arbitrary Detention is quite helpful in assisting those who have been arbitrarily detained.

Other similar groups work to free those who have been arbitrarily detained. They raise awareness of real-life cases and educate readers. See the link below.

<https://trialinternational.org/topics-post/arbitrary-detention/>

**Previous Measures to combat the issue**

Article 9 of the 1948 Universal Declaration of Human Rights states: ‘no one shall be subjected to arbitrary arrest, detention or exile’.

Article 9(1) of the International Covenant on Civil and Political Rights states: ‘Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be Deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.’

This means that no one’s liberty can be taken away from them without them first having carried out an offense against a legal statute. A government cannot take someone’s liberty away without the due process of law being followed.

**The Question of Automation**

**Background**

The question of automation is a paramount one, shown clearly by Powerwaterhouse Corporation’s (a multinational professional services company) estimation that automation could replace up to 30% of jobs by 2030. It is evident that on one hand, the growing use of automation could greatly benefit society as intellectual or manual automation will increase efficiency but, on the other hand, a large workforce compared to a relatively small number of job opportunities could lead to unemployment and austerity – although major robotics companies argue that an increased demand for automation would open up more job opportunities in the manufacturing and programming of robots.

**Key Issues**

With the influence of automation being so significant, how would an imbalance in access to automation affect the poverty gap as more affluent countries are able to utilise more automation to their interest whilst others do not have the means to gain from automation in the same way? What also must be considered is how robots may be used in warfare, decreasing the number of human lives lost, but also potentially increasing the scale and calibre of conflict.

Furthermore, we must address the rise of prejudiced robots who, having learnt from observing social media platforms and other members of society, have adopted racist and sexist views. A shocking example of this is the US Court’s Correctional Offender Management Profiling for Alternative Sanctions (Compas) software that was shown to mistakenly label African American defendants as much more likely to reoffend than their white counterparts – flagging them almost twice as often (45% vs 24%), displaying the dangers of relying on unverified automated systems.

The competency of artificial vs human intelligence is also an important consideration in the healthcare sector, where AI can already review mammograms 30 times faster than humans. However, as robots do not have a conscience, it can be argued that they are unsuitable to making healthcare decisions and diagnoses, as they will not be able to act in the best interests of a patient with a full regard for the medical ethics involved. This point also challenges the argument for self-driving cars, as the safety of the driver vs the pedestrian must be considered in the case of an accident, and whilst many believe that robots possess the rational ability to make reasoned decisions in such scenarios, many also contest that human nature plays a huge role in making impulse decisions and a lack of moral sense would thus be extremely detrimental.

We must also consider how robots store and use our data and, hence, how the population’s privacy may be at risk, especially concerning personalised advertising, where 72% of display ads are responsive ads, meaning they process a user’s data in order to make adverts as applicable as possible to the consumer. What is obvious, is that the question of automation and how it will impact our lives as it develops is hugely complex and delegates must take into account the wide influence of automation and the many factors that affect the robots themselves. Delegates must try to maximise the expanse of automation’s benefits but, at the same time, minimise its disadvantages.

**Questions to consider**

* How can it be ensured that all countries play an equal role in developing automation?
* How will redundancy due to automated replacement be dealt with?
* What are the ethical issues of increased AI presence in society and how can they be tackled?
* How will equal representation be reached in the robotics industry in order to ensure that robots do not develop pre-conceived prejudice?
* With increased robotic presence, will robotic warfare and hacking become more of an issue and how can this be solved?

**Useful links for delegates:**

* <https://www.britannica.com/technology/automation>
* [https://ifr.org/](https://ifr.org/%25252520)
* https://www.bbc.com/future/article/20170522-how-automation-will-affect-you-the-experts-view