

# THE FIFTIETH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Warren Allmand\*

The adoption of the Universal Declaration of Human Rights on 10 December 1948 was an important landmark in human history. Eleanor Roosevelt described it as the Magna Carta for all mankind. To begin with, it was a revolutionary development in international law because, for the first time, international law gave a high priority to individual rights. Before World War II, international law dealt principally with relations between nation-states and had little, if nothing, to say about individual human rights.

It was also a landmark development because, unlike most national declarations and charters at that time, it dealt with economic, social and cultural rights in addition to civil and political rights. This led to much discussion since neither the great French nor American bill of rights dealt with economic or social rights. But the majority of delegates maintained that civil and political rights could not be separated from economic, social and cultural rights and their views prevailed.

One must remember that the Universal Declaration was passed in the aftermath of a bloody world war where human rights were most often ignored, where 100,000 civilians were killed at Hiroshima by the indiscriminate first use of nuclear weapons and where millions of Jews and other minorities were exterminated in fiery ovens.

This inspiring document was passed on 10 December 1948 by a vote of 48 nations in favour, none opposed but with eight abstentions. The abstentions were six from the Soviet bloc plus South Africa and Saudi Arabia. It is interesting to note that Canada was one of the abstentions when the Declaration was voted in Committee but this was corrected in the plenary. This was due to the belief by some bureaucrats that human rights were a provincial responsibility and could not be dealt with by the federal government.

However, there were many difficulties in getting the Declaration passed. There were problems with the interpretation of words such as "democratic". Any reference to "God" had to be omitted. The UK Labour government objected to the "freedom of association" clauses because they might have prevented "union" and "closed shops"; and South Africa objected to the French proposal that "all human beings are born free and equal in dignity and rights". Vladimir Karetsky of the USSR criticized the political philosophy in the two drafts for "their tendency to liberate man, not from persecution, but from his government". John Humphrey, the Canadian who helped draft the document recalled "that Karetsky hit the nail on the head. One explicit purpose of both

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\*President, International Center for Human Rights and Democratic Development.

drafts was to protect individuals from their governments. If the protection of human rights did not mean that, it did not mean much”.

This year, as we celebrate the Universal Declaration's 50th Anniversary, we should recall its outstanding provisions and recommit ourselves and our nations to their implementation and respect. Despite our achievements in Canada, we still have a long way to go – especially with respect to minorities, aboriginal peoples, children, the disabled and those economically and socially deprived.