

**Friday, January 16, 2009**

## **SIXTY YEARS OF CLAIMING RIGHTS**

Sixty years ago ,in response to the horrors of World War 2, the UN General Assembly adopted the Universal Declaration of Human Rights (UDHR). This remarkable historic document declared "all human beings are born free and equal in dignity and rights".A first global statement. All persons should be treated with dignity simply because the person is human. It has inspired and energized human rights workers worldwide. It spurred the creation of the International Criminal Court,and inspired the creation of human rights organizations such as Amnesty International.

The UDHR introduces two very important new features. First, it is universal. Some human rights ideas go back a long time as in 1740 BC when the Babylonian king Hammurabi codified his laws against unfair trials,torture and slavery. However his laws applied only to his own people. His enemies the Assyrians, fell outside his code's protection. They could be tortured and enslaved without compunction. Similarly , The French Declaration of the Rights of Man and the Citizen and the US Bill of Rights guaranteed rights for the French, and eventually for all Americans.

The UDHR is revolutionary precisely because it is universal, and so takes precedence over every political ideology and parochial claim. It transcends national borders and spells out rights regardless of race, gender or class.

A second significant new feature is that the declaration encompasses both negative rights as well as positive rights. Negative rights are limits to what harms can be done to restrict an individual. For example freedom of speech,freedom from arbitrary detention and torture, free assembly, freedom of the press and a fair trial, as expressed in the US bill of rights. These are important civil and political rights.But-a big but -is the concept of positive rights,social and economic such as education, health care, food and housing, necessities because they are required for the dignity of every human being.This concept articulates a serious responsibility of governments toward its population.

In the discussions leading to the formulation of UDHR,the Soviet Union objected to the civil and political rights,the US government did not support the social and

**Friday, January 16, 2009**

## **SIXTY YEARS OF CLAIMING RIGHTS**

economic rights. Saudi Arabia objected to equal rights of men and women in marriage, and also freedom of religion. Southern senators in the US, shared with South Africa, unhappiness with civil rights.

Eleanor Roosevelt led the commission of Human Rights in the formulation of the UDHR. Under her brilliant guidance and the difficult discussions, especially with the Soviet Union, she managed to craft an historic document. For example she convinced the US State Department to support the social and economic sections by reminding them of her husband's 1941 state of the union address stressing both freedom from fear and the freedom of want. Together they form an organic unity.

It is remarkable that in 1948 while these discussions were taking place the world was experiencing major changes. The Soviet Union consolidated its hold over Eastern Europe, the Middle East war erupted when the Arab armies invaded the fledgling State of Israel. In China the totalitarian Mao was on the verge of gaining power. In spite of all this the General Assembly passed the declaration with no negative votes and only 8 abstentions, the Soviet bloc, Saudi Arabia and South Africa.

These rights were later spelled out in greater detail in two International covenants one on Civil and Political Rights and one on Economic and Social Rights. Many countries have ratified them. Unfortunately the US has never ratified the Economic and Social covenant. Human rights are easier to endorse than to enforce.

The UDHR comes perennially under attack, as for example the justifications offered for torture in the US—a moral outrage. The most recent attack on the idea of universality comes from resurgent Islam. In Dec. 2007 the Organization of Islamic Conference, representing an important bloc of 56 Islamic states renewed their opposition to the universality of human rights focusing on the status of women and freedom of religion.

The new and potentially revolutionary feature of economic and social rights is one of the UN's major focuses in their manifold humanitarian activities in fighting poverty, hunger, disease, unclean water and poor sanitation. All these blights undermine civil and political freedoms. In Eleanor's words both types of rights go hand in hand and are required for dignity and the betterment of humanity.

**Friday, January 16, 2009**

## **SIXTY YEARS OF CLAIMING RIGHTS**

The principles embodied in UDHR underlie the beliefs and concerns of humanists. They need constant and vigilant defense.

A basic pillar for ethics is empathy. The struggle for human rights is the ongoing effort to enlarge the circle of empathy.