

---

# John Humphrey

## The Magna Carta of the World

■ John Humphrey was professor of law at McGill University when he was asked in 1946 to set up the Division of Human Rights in the United Nations Secretariat. It was a post he held for nearly 20 years. He was responsible for writing the first draft of the Universal Declaration of Human Rights and guiding it through to adoption by the General Assembly in December 1948. The two human rights covenants, the first on civil and political rights and the second on economic, social and cultural rights, did not come into effect until 1976. In his book *Human Rights and the United Nations: A Great Adventure*, Humphrey tells the story of the genesis of the Declaration, explaining the importance of having it adopted as soon as possible.

“The Covenant of the League of Nations reflected the marginal interest of traditional law in human rights. By 1945, however, the historical context had changed, and references to human rights run through the United Nations Charter like a golden thread.

“The Charter says in its very first article that one of the purposes of the organization is to promote respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion; and, by Article 56, member states pledge themselves to take joint and separate action in co-operation with the organization to promote that purpose.

“The reason for this sudden concern for human rights was, of course, the traumatic experience through which the world had just passed. One of the causes of the Second World War was the cynical, studied and wholesale violation of human rights in and by Nazi Germany. This, unlike any previous war, was a war to vindicate human rights....

“Yet when in the fall of 1944 the governments of China, the United Kingdom, the United States and the Soviet Union agreed on the Dumbarton Oaks proposals, these contained only a general reference to human rights....

“The Dumbarton Oaks proposals were the work of the great powers and reflected their current absorption with military security. There was no opportunity in the circumstances in which the proposals were drafted to hear the representations of the smaller countries or of private interests. The relatively strong human rights provisions of the Charter were largely, and appropriately, the result of determined lobbying by Non-Governmental Organizations and individuals at the San Francisco Conference.

“The United States government had invited some 42 private organizations representing various aspects of American life—the churches, trade unions, ethnic groups, peace movements, etc.—to send representatives to San Francisco, where they acted as consultants to its delegation. These people, aided by the delegations of some of the smaller countries, conducted a lobby in favour of human rights for which there is no parallel in the history of international relations, and which was largely responsible for the human rights provisions of the Charter.

“The United States delegation, remembering that the U.S. Senate had refused to ratify the Treaty of Versailles, wanted nothing in the Charter which might serve as a pretext for not ratifying it, and therefore resisted the pressure. But in a dramatic last-minute session, Mr. [Edward] Stettinius, the Secretary of State, agreed to support the minimum demands of the lobbyists. The U.S.