

STATEMENTS AND SPEECHES

INFORMATION DIVISION
DEPARTMENT OF EXTERNAL AFFAIRS
OTTAWA - CANADA

No. 47/6

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

An address by Right Hon. Louis S. St. Laurent,
Secretary of State for External Affairs,
to the Montreal Branch of the United Nations
Society, February 24, 1947.

It is a most encouraging and stimulating experience to be present tonight at this great meeting of the United Nations Society. The Charter of the United Nations begins with the words: "We the peoples of the United Nations". It says, "We the peoples of the United Nations, determined ... to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security ... have resolved to combine our efforts to accomplish these aims".

Those words express a profound truth. The creation of the United Nations was the result of the blood and sweat and tears shed by the peoples of the world during the past unholy thirty-three years of depression, frustration, injustice and war. The strength of the United Nations lies in the determination of the peoples of the world to unite their strength to keep the peace. If that determination falters the United Nations will decline in strength.

It is therefore essential that throughout the world the peoples should unite their efforts in societies such as this United Nations Society of Canada so that they may become well-informed about the United Nations and so that they may understand the problems which confront their governments in carrying out their obligations to the United Nations. The government of Canada, like the governments of the other Members of the U.N., undertook serious commitments when Canada joined the U.N. The ability of the government of any country to honour its international commitments depends on how well the people of that country understand the extent and nature of the commitments and how far they are willing to honour them.

The commitments of Canada to the U.N. include a commitment to use force to resist aggression, and a commitment not to use force to settle one's own private disputes with other nations. But it is not these commitments which I wish to draw to your attention tonight. I should like instead to draw to your attention, in the presence of the chairman of the Human Rights Commission of the United Nations, the commitment entered into by the government and people of Canada to promote and encourage "Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion". We are pledged under the Charter "to take joint and separate action in co-operation with the 'Organization' for the achievement" of this purpose.

Speaking tonight in the largest French-speaking city outside of France, speaking as a representative of a country which long before the Charter of the U.N. was drawn up had rejected as a damnable heresy the doctrine that a nation must be based on only one culture and one language, and speaking in the presence of Mrs. Roosevelt who is herself so delightfully fluent in French, it would, I think, be appropriate if, in the remainder of my remarks, I were to speak in French.

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I would not be happy, Madame, and all the citizens of Montreal, whether English or French-speaking, would hold it against me if I did not use French words in welcoming you among us. We know how easily and how charmingly you speak French, and we venture to believe that you make use of it with as much pleasure as ease.

But that is not the main reason why I should make use of it myself. We wish to speak to you tonight of human rights and fundamental liberties for all and there is no better proof of the respect of these rights and liberties under British institutions, than the fact that so many French Canadians have kept their language, their religion, their institutions and their laws since their country passed to the British Crown, a century and three-quarters ago.

The officers in command of the victorious troops did not hesitate for one moment at the time of the capitulation of Quebec, in 1759, and that of Montreal, in 1760, to guarantee to our ancestors the free practise of their religion and the peaceful enjoyment of their homes, personal properties, effects and privileges at a time when in England religious tolerance was not an accepted principle of the Constitution.

It is true that after the treaty of Paris, a Royal proclamation for the establishment of courts of justice tried to substitute English law for the rights and customs which our ancestors had known until then, but, as early as 1774, the Quebec Act guaranteed to the new subjects of the King the free exercise of their religion, abolished for them the Test and re-established their laws and customs without which French Canadians would not have felt certain of the continued enjoyment of them.

And when, after the establishment of Parliamentary institutions under the Constitution of 1791, the Canadians of that period had to proclaim their own attachment to the rights of man and to fundamental liberties, they were not long in doing so in a striking way.

I shall quote only two examples: The Parliament of Lower Canada passed a law in 1831 to declare that, since doubts had arisen in this connection, it was convenient to record in an explicit text that His Majesty's subjects of Jewish faith and residing in our territory were to enjoy, and were to continue to enjoy, the same privileges and rights and equal eligibility to hold public office as the other inhabitants of the country. In 1839, the same Parliament passed another law to ensure the freedom of worship by enacting that any society of Christians, whatever its denomination, could acquire and possess, holding in trust, real estate serving as places of worship. Our historic traditions therefore prepared us to accept eagerly the declarations of the San Francisco Charter on the rights of man and fundamental liberties.

Certain circles may be inclined to consider these declarations as rather empty phrases or as assertions of good intentions but, even if they were merely assertions of good intentions, it would be just as well for the people of the United Nations to reaffirm solemnly their faith in the criterions of the true civilization that we had to defend against our enemies during the last war.

But the declarations on human rights contained in the Charter are not solely assertions of principles. Each nation associated with the United Nations, in signing the Charter which contains these declarations, has contracted by solemn treaty an obligation to develop and encourage respect for the rights of man and fundamental liberties for all, without distinction of race, sex, language or religion. Each national government, in the name of its people, has accepted this obligation knowing the difficulties which its full accomplishment might entail.

The members of the United Nations have pledged themselves to act both jointly and severally to overcome these difficulties. As a result the inaction of one member does not constitute an excuse for similar inaction on the part of another. Happily the achievement of the difficult task of realizing fully the treaty obligations with respect to human rights will be facilitated for the members of the United Nations by the help which they will receive from the International Organization presided over by Mrs. Roosevelt, the Commission on Human Rights of the Economic and Social Council of the United Nations.

This Commission met for the first time in New York at the beginning of this month. It entrusted to its Chairman, Mrs. Roosevelt, together with the vice-president, Dr. Chiang of China, and its rapporteur, Dr. Malik of Lebanon, the task of preparing a tentative draft of an International bill of Human Rights with the assistance of the Secretariat of the United Nations.

This draft will be submitted as a resolution for approval by the General Assembly and it must be transmitted to the other members of the Commission by the 25th of June, 1947. Mrs. Roosevelt and her colleagues, therefore, have only four months to carry out the exceedingly difficult task of preparing a satisfactory draft for an international bill of Human Rights. In your name, allow me to offer to them, as well as to Professor J.P. Humphrey, formerly of McGill University, and now Director of the Division of Human Rights at the Secretariat of the United Nations, who as such will be their principal adviser, all our good wishes for their success.

Mrs. Roosevelt and her colleagues will have at their disposal a number of draft declarations on human rights already prepared by distinguished sociologists and statesmen of several countries.

I shall refer only to two of them. One was prepared approximately three years ago by a committee of "The American Law Institute" on which sat Dr. P. E. Corbett, formerly of McGill, and Mr. C. W. Jenks, legal adviser of the International Labour Organization, now a Montrealer.

The other one appeared in the magazine "Free World" nearly two years ago. "Free World" patterned its draft on that of "The American Law Institute" and made certain additions. I mention these two drafts because they both assert in their preambles principles that are basic.

Here is how "Free World" expresses these principles. The first:

"The individual man, woman and child is the cornerstone of culture and civilization. He is the subject, the foundation, the end of the social order. Upon his dignity, his liberty, his inviolability depend the welfare of the people, the safety of the State and the peace of the world."

The second one is expressed thus:

"In society complete freedom cannot be attained. An individual possesses many rights but he may not exercise any of them in a way which will destroy the rights of others. No right exists in isolation from the other rights. The liberties of one individual are limited by the liberties of others, and by the just requirements of the democratic state. The preservation of the freedom of the individual requires not only that his rights be respected, preserved and defended but also that he respect, preserve and defend the rights of others by fulfilling his duties as a member of society."

The third principle is expressed thus:

"The state exists to serve the individual. He does not exist to serve the state. The state exists to promote conditions under which he can be most free."

The two declarations then contain a long list of the specific rights which should be guaranteed to every single human being. These include personal rights, such as freedom of religion, speech, information and ownership, the right to be protected by the agencies of the state, right to work and to achieve a certain degree of economic, social and cultural well-being, political rights, citizenship and the right of the citizen to participate in the government of the state.

Mrs. Roosevelt can be assured of our deep interest in the activities of her Commission. In the speech from the Throne at the opening of the present parliamentary session, the Canadian government announced that it intends to propose the establishment of a special committee of both Houses to study the question of human rights and fundamental freedoms and report on the best way to ensure the complete fulfilment of the obligations contracted in this respect by all members of the United Nations.

And now, as I have already said, it gives me great pleasure, on behalf of the Canadian Government and people, to welcome Mrs. Roosevelt.

The Prime Minister has asked me to express his regrets that he is unable to be here himself tonight and wishes me to convey to you a personal message of kindest regards.

Mrs. Roosevelt is highly qualified to speak on human rights. At the meetings of the General Assembly of the United Nations in 1946, both in London and New York, her speeches were among the most effective in bringing home to us the problems of the hundreds of thousands of refugees from the viewpoint of their essential rights as human beings. As the chairman of the Commission on Human Rights of the United Nations, her voice is today, in that respect, the voice of the conscience of the world.

That Mrs. Roosevelt was chosen unanimously to be chairman of this Committee was not the result of mere chance. Throughout her career she has been known and beloved for her constant devotion to the interests of ordinary people and especially those whose rights were threatened or abused. She has travelled across the United States and in many other lands and everywhere has talked with persons in every walk of life. Whenever she is not travelling herself, people travel to see her. She is sought after for her wisdom, her understanding and the compassion which fills her heart. That is why, whenever she speaks at the meetings of the General Assembly of the United Nations her voice carries double weight: she is listened to, both as a spokesman of her own Government and as a great citizen of the world.

I have the honour to introduce to you Mrs. Roosevelt.