

**New Frontiers in Human Rights:
The Development of The Universal Declaration of Human Rights,
and Its Impact on the World**

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Process Paper

I was introduced to National History Day around the same time that I was participating in Model United Nations at my school. Through Model UN, I was working with the Universal Declaration of Human Rights (UDHR) to attempt to solve human rights issues in other countries. I thought it would be interesting to explore how the UDHR was a frontier in the development of human rights. The UDHR was a frontier in the sense that no other document like it existed at the time, and its creation inspired many other human rights documents and social movements.

I conducted my research by going to two libraries and finding books about human rights. I also found sources on the internet. I read through each source and wrote down any information that I did not already know that seemed important and put it into a document. After I received feedback, I used Google Scholar to find more sources to help me make the revisions and address the gaps the judges indicated. I did a summary of each source to help me keep track of what I wanted to include.

I began my paper by creating an outline and then followed the format I developed there. I started with two introductory sections that explain what human rights and the UDHR are. I then wrote the third section, which discusses the development of the UDHR. After that, I wrote my fourth section, which talks about the critiques of the UDHR and why certain countries did not sign it. I concluded my paper by explaining how the UDHR was a frontier in human rights and its impact on the world. After I fleshed everything out, I went back and edited the paper and added sentences to make it flow better. I got feedback from teachers and made improvements. After I received feedback from the judges at both the regional and state competitions, I made a list of revisions to address. I then found new sources to help me address the feedback and improve my argument. I edited the paper to include this new information. I added in some historical details and quotes to support my argument with specific evidence.

My historical argument is that the UDHR was a frontier in human rights and changed the way the world thinks of human rights in many ways. It was very different from other documents like it at the time because it emphasized that human rights are inherent and universal, rather than granted or approved. It encouraged countries to work together to address atrocities and included the perspectives of a broad range of people. It became the basis for many other human rights documents.

My topic is significant because people exercise their human rights every day. People need access to human rights in order to flourish. The UDHR changed what rights people are entitled to and how people think about and use these rights. It inspired many human rights movements around the world.

Introduction

According to the Universal Declaration of Human Rights (UDHR), “Human rights are rights inherent to all beings regardless of race, sex, nationality, ethnicity, language, religion, or any other status” (“Universal Declaration of Human Rights”). But while we may take for granted this belief in universal human rights, historically a person’s rights have been determined by their respective country alone. When the United Nations passed the UDHR in 1948, it opened a new frontier in human rights. The UDHR argued that human rights reside in the fact of personhood rather than citizenship status, and that these rights are crucial to “the foundation of freedom, justice, and peace in the world” (“Universal Declaration of Human Rights”). The UDHR includes thirty articles that outline key rights and pressures countries to honor these rights. This has major implications for international relations and law, setting a new global standard for human rights, encouraging cooperation between countries on human rights issues, and motivating human rights activism around the globe.

What are Human Rights?

There are three essential characteristics of human rights. The first is that they are inherent. They are not granted by governments, but rather all humans possess these rights based solely on the fact that they are human beings. The second is that they are universal. This means that all humans are entitled to these rights regardless of where they live. Finally, they are inalienable, meaning that no government has the right to take them away. They are supposed to be both enforceable and to prevent governments from gaining too much power over individuals (Conde and Gelsinger). This concept of human rights takes as its inspiration prior rights documents such as the Magna Carta in 1297 (Klug), the American Declaration of Independence in 1776 (Conde and Gelsinger), the French Declaration of the Rights of Man and of Citizen in 1789 (Conde and

Gelsinger), and the work of early modern philosophers, such as John Locke (Waltz). Like the UDHR, these works emphasize the importance of inalienable individual rights and protection of citizens from government tyranny (Conde and Gelsinger).

The purpose of human rights is to make sure people have what they need to both live and thrive. This includes access to healthy food, clean water, shelter, sanitation, clothing, and safety, but also things that help them flourish, such as education, high self-esteem, and the freedom to make choices about how to live their lives (Watson). To philosophers, this is known as the “human capabilities approach” (Nussbaum 12), which simply means that people should be able to fulfill their potential as human beings. Governments vary in how much they support or violate these rights. Sweden provides its citizens with free healthcare, enabling them to have longer lifespans (“Healthcare in Sweden”). The Netherlands has strong worker rights (International Comparative Legal Group). On the other hand, North Korea denies its citizens freedom of movement (“World Report 2021”). Afghanistan denies women the right to an education (Ogden).

Human rights violations happen for a variety of reasons. Poverty, overpopulation, pollution, and natural disasters lead to housing insecurity, health problems, and difficulties securing vital resources. While some governments have the resources and desire to help their populations address these problems, others do not (Watson). Some governments, instead, exploit their populations and the populations of other countries to enrich themselves and the wealthy (Dolinger). Some countries or factions oppress individuals or groups of people to gain or maintain political power, or for ideological reasons. For example, in Burma (Myanmar), Aung San Suu Kyi was arrested in 1989 for arranging peaceful protests and criticizing the government for “not respecting the human rights of its citizens” (Ogden 29). During war, combatants often kill innocent civilians and commit war crimes (Watson).

The Development of The Universal Declaration of Human Rights

In 1945, World War II ended in the Allies' victory. In the wake of the destruction of the war, the victors formed the United Nations (UN), an organization of countries around the world committed to solving world problems without violence. Eleanor Roosevelt, the former First Lady of the United States and a pioneer for human rights, became the first chairperson of the newly formed UN Human Rights Commission. She gathered Charles Malik from Lebanon, René Cassin from France, Peng Chung Chang of China, and John Humphrey of Canada to write the UDHR (Glendon).

The atrocities of the war motivated the working group and are referenced in the UDHR preamble, which refers to the “disregard and contempt for human rights that have resulted in barbarous acts which have outraged the conscience of mankind” (“Universal Declaration of Human Rights”). Japanese soldiers forced women into prostitution, murdered noncombatants, raped women, and starved prisoners of war (Tanaka). During the Holocaust, the Nazis deemed Jewish people, Roma, gay people, communists, and political prisoners inferior and took them to concentration camps where they forced them to work or killed them, ultimately murdering over eleven million people (Ogden). When the Allies defeated Germany and liberated the concentration camps, people were so horrified that they vowed to never let such a thing happen again. Raphael Lemkin, a Polish lawyer, created the word genocide at that time to rally people to support human rights and prevent these types of atrocities in the future. As he asked, “Why is the killing of a million a lesser crime than the killing of an individual?” (United States Holocaust Memorial Museum).

Over several months, Roosevelt and her working group wrote the first draft of the UDHR. They proposed it in September 1948. With this initial document, they hoped to create a foundation

for the UDHR and motivate others to assist them in their endeavors. It was an uphill battle because, at the time, many believed that Black people, women, and many other groups should have fewer rights. This document aimed to change that (Glendon).

In the end, over fifty UN member states and their constituents participated in the final draft (Glendon). People with a wide range of backgrounds and perspectives contributed to the document. Although many people criticize the UDHR for being a product of the imperialist West, many non-western voices were involved in shaping the UDHR, such as Chang from China and Malik from Lebanon. Women also played an important role in the creation of certain key rights (Waltz). For example, Hansa Mehta from India changed Article One from “all men are created equal” to “all human beings are created equal.” Bodil Begtrup from Denmark made similar changes throughout the rest of the document, making the language more inclusive of women. Evdokia Uralova from Byelorussia put forth the right that provided equal rights in the workplace (“The Role of Women in Shaping the Universal Declaration of Human Rights”).

The final draft of the UDHR consisted of a preamble that explained its purpose and thirty articles (Glendon). Each of the articles discusses a distinct right, including key rights such as the right to life, but also unique rights such as the right to rest (“Universal Declaration of Human Rights”). The UDHR represented an unprecedented frontier in human rights. First, it set a global standard for human rights and encouraged cooperation on rights between countries. Rather than encourage nationalism, the goal was solidarity, “duties to the community,” and mutual humanity (Klug 362). As Cassin stated, the “essence” of the UDHR is “the fundamental principle of the unity of the human race” (Klug 362). Second, it has inspired widespread human rights activism, and many social movements now make demands based on human rights. Professor Jean Quatert argues that “the language of human rights” has “become an increasingly effective method by which

to press a moral claim” (Klug 363). But while most of the world has signed the UDHR, some countries have not.

Critiques of The Universal Declaration of Human Rights

There was much debate over the UDHR. Certain countries disliked that it was not legally binding. Eleanor Roosevelt argued that the UDHR was the first step, and that the UN could pass additional human rights treaties to address that problem. She said that the purpose of the UDHR was the moral weight that would pressure countries to respect human rights, arguing that it would “guide and inspire individuals and groups throughout the world...” (Glendon 167). Later, the UDHR did inspire two binding treaties, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights (Klug).

Other countries believed that the UDHR intruded on their national sovereignty (Glendon). Again, Roosevelt emphasized that it was non-binding. Still, the Soviet Union decided not to support the UDHR as a result. The UDHR was drafted at the start of the Cold War and tensions between the U.S. and the Soviet Union were high. In her speech to the UN about the UDHR, Roosevelt critiqued communist countries for their “suppression and dictatorship” (Glendon 138). The language of human rights then became an additional “weapon in the Cold War” (Waltz 440). South Africa did not sign because it would disrupt apartheid. Apartheid was their practice of racial segregation and discrimination, which was at odds with the UDHR’s claim that all rights apply to everyone regardless of race. South Africa finally signed in 1996, when Nelson Mandela was in office (Ogden). As Mandela said, the UDHR, with its “simple and noble words,” was “an inspiration to millions of South Africans” in their fight against apartheid (Klug 363). Saudi Arabia chose not to sign the UDHR because Article 18 allows for freedom of religion. They follow Islamic law and do not provide freedom of religion (Glendon).

In addition, some smaller countries did not get to contribute to the UDHR because larger countries drowned out their concerns about how they could find the resources to meet these obligations (Conde and Gelsinger). In some cases, countries were excluded due to colonization and exploitation. Countries in Sub-Saharan Africa were completely unrepresented, due to Europe's legacy of colonialism (Klug). Given this context, many countries accused the world leaders supporting the UDHR of hypocrisy (Dolinger).

Another critique of the UDHR was that it only reflected Western values and focused too much on individual rights as a result. Many Asian countries, for example, place more importance on "family and social harmony" and less on "civil and political freedoms" (Bauer and Bell 5). Yet, the document reflects a combination of Eastern and Western values and blends "economic, social, and cultural rights alongside civil and political liberties...." (Klug 358). The UDHR was unique precisely because it brought together western political liberties and eastern social and economic rights (Klug).

In fact, these types of inspirational rights documents exist across the globe, not just in the West. In Iran, Talibov-i Tabrizi published *Izahat dar Khusus-i Azadi* in 1906 (Explanations Concerning Freedom). In China, in the early twentieth century, Kang Youwei published early parts of *Datong shu* (The Book of Great Harmony), which encouraged personal liberty, equality, freedom, and natural rights for humanity (Waltz). As the Syrian delegate to the UN said, the UDHR "is not the work of a few delegates," but "the achievement of generations of human beings..." (Waltz 446). In the end, on December 10, 1948, most countries voted in favor of the UDHR, demonstrating the impressive diplomacy of Roosevelt and the commission. Only the Soviet Union and five other communist countries abstained, as did Saudi Arabia and South Africa (Glendon).

Since the UDHR passed, people have also criticized its failure to protect human rights worldwide. The UN does not have any clear authority over countries, so the UDHR cannot be legally enforced. This left the UN and member countries with the inability to protect people from genocide or systematic atrocities (Dollinger). Many countries continue to commit human rights abuses and the UN and other countries often do not intervene because of fear of escalating the situation, national sovereignty, or a disinterest in certain people's human rights. Although people urged the UN and member countries to act during the Rwandan genocide in 1994, the UN declared it an internal problem and refused to use the word genocide so they would not feel obligated to intervene (Gourevitch). Even the U.S. commits abuses, although it presents itself as a world leader on human rights. Reports emerged that the government tortured people during the War on Terror, both at Guantanamo Bay and at Abu Ghraib prison in Iraq ("The Aftermath of 9/11"). The language of human rights can also be abused for political reasons. The U.S. justified its invasion of Iraq in 2003 using a humanitarian pretext, which some saw as an "imperial conquest" with a "moral facade" (Barša 5). While some criticisms of the shortcomings of the UDHR are valid, the goal was to create a global vision for human rights and inspire future work. Its creators did not expect it to stop all human rights abuses.

A New Frontier in Human Rights

The UDHR represented a frontier in human rights because it established on a global scale the idea of human rights that apply to every human, "without distinction of any kind" ("Universal Declaration of Human Rights"). This was something that no other document did at the time. The UDHR brought together the voices and perspectives of people from many cultures around the world to create a shared vision for human rights to inspire the international community. According to the United Nations, "[T]he UDHR has inspired more than 80 international human rights treaties

and declarations, a great number of regional human rights conventions, domestic human rights bills, and constitutional provisions....” (“The Foundation of International Human Rights Law”). Many of these treaties are important because they are legally binding. Every member state of the UN has integrated at least one of the nine core international human rights treaties that developed because of the UDHR. The UDHR is considered the foundation of human rights law around the globe and is the most translated document in history (Klug). Given its concrete impact and inspirational value, Eleanor Roosevelt considered it her greatest achievement (Glendon; See Also Appendix A).

The UDHR set a new international standard for human rights. International organizations may intervene to stop human rights abuses, such as when NATO intervened in Bosnia in 1992 (Daalder). The UN sends special representatives of the Secretary General to monitor compliance with international human rights tools and investigate claims of abuse (“United Nations in the Promotion and Protection of Human Rights”). The International Criminal Court can try signatories of the Rome Statute for genocide, war crimes, and crimes against humanity (“International Criminal Court”). Finally, the UDHR provides the language to support the claims of activists and social movements around the world, such as with the current democracy movement in Hong Kong, Black Lives Matter in the United States, and Ni Una Menos in Argentina (“Nine Human Rights Movements Around the World”). People draw on its principles to protest human rights abuses, validate their claims, and inspire others to support their causes. They pressure businesses to divest from countries that violate human rights, like when boycotts led Coca-Cola to leave South Africa in 1986 in protest of apartheid (Isikoff). The UDHR emphasizes our common humanity, the importance of global community, and as Peng Chung Chang said, inspires us all to be “better

human beings...” (Glendon 239). In these ways, the Universal Declaration of Human Rights was truly revolutionary.

Appendix A



Eleanor Roosevelt considered the Universal Declaration of Human Rights to be her greatest achievement. Others agree. She was awarded the United Nations Human Rights Prize in 1968 for this accomplishment, which was considered especially significant given that she steered its passage during a time of heightened conflict between the West and the East.

"Women Who Shaped the Universal Declaration." *United Nations*. Accessed March 31, 2023. <https://www.un.org/en/observances/human-rights-day/women-who-shaped-the-universal-declaration>

Annotated Bibliography

Primary Sources

“Healthcare in Sweden.” *Sweden.se*. Accessed 17 April 2023.
<https://sweden.se/life/society/healthcare-in-sweden>.

This source informed me of how the Swedish healthcare system works. It is funded by taxes and is free. They have one of the largest elderly populations due to this.

International Comparative Legal Group. “Employment & Labour Laws and Regulations Report 2023 Netherlands.” *International Comparative Legal Guides International Business Reports. Global Legal Group*. Accessed 17 April 2023. <https://iclg.com/practice-areas/employment-and-labour-laws-and-regulations/netherlands>.

This source helped me understand the labor laws in the Netherlands. They do not require a permit to come and work there, and the workers have a high minimum wage.

“International Criminal Court.” *Human Rights Watch*, 14 July 2022. Accessed 17 April 2023.
<https://www.hrw.org/topic/international-justice/international-criminal-court>

This source helped me explain what the International Criminal court is. The International Criminal Court is a court that can try people for genocide. It is needed because genocide is something that the world should deal with together, and not just one country.

Isikoff, Michael. “Coke to Sell All Holdings in S. Africa.” *The Washington Post*, 18 September 1986. <https://www.washingtonpost.com/archive/politics/1986/09/18/coke-to-sell-all-holdings-in-s-africa/495f0069-2682-4d67-8769-506f4fbd2d83/>.

This source helped me understand why Coke stopped selling to South Africa. They were threatened with a boycott and pulled out to support the protest of Apartheid. I used this source to support my argument that social movements use human rights claims to pressure for social change.

“The Aftermath of 9/11: The U.S. Torture Program in the ‘War on Terror.’” *Physicians for Human Rights*, 10 September 2021. Accessed 20 February 2023. <https://phr.org/our-work/resources/twenty-years-of-the-u-s-torture-regime/>.

This source explained to me how the United States tortured people during the War on Terror. They would waterboard people, sexually assault people, deprive people of sleep, and many other forms of torture just to get what they wanted or to take revenge. This is important to understand since the United States is often held up as defenders of human rights around the world and it shows that many countries violate human rights laws when they want to.

“The Foundation of International Human Rights Law.” *United Nations*, 2022. Accessed 15 February 2023.
<https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law>.

This source explained to me what the Universal Declaration of Human Rights has been used for. It has been used to create many human rights treaties and documents, expanding the number of human rights that the public have.

“The Role of Women in Shaping the Universal Declaration of Human Rights.” *United Nations Human Rights Office of the High Commissioner*. Accessed 31 March 2023. <https://www.ohchr.org/en/stories/2018/03/role-women-shaping-universal-declaration-human-rights>.

This source talks about how women changed the UDHR. Women helped revise rights and change them to be broader. Eleanor Roosevelt was the driving force in creating the UDHR, making sure it was completed.

“United Nations in the Promotion and Protection of Human Rights.” *United States Department of State*, 2023. Accessed 15 February 2023. https://1997-2001.state.gov/issues/un_human_rights.html#:~:text=Responding%20to%20allegations%20of%20human.

This website explained what the United Nations does in situations where they need to intervene. It also talked about what human rights projects the United States has helped with.

United States Holocaust Memorial Museum. “Coining a Word and Championing a Cause.” *Holocaust Encyclopedia*. Accessed 16 April 2023. <https://encyclopedia.ushmm.org/content/en/article/coining-a-word-and-championing-a-cause-the-story-of-raphael-lemkin>

This source taught me how Raphael Lemkin created the word genocide. Lemkin did this to help rally people to fight for human rights.

“Universal Declaration of Human Rights.” *United Nations*, 1948.

I used this primary source because it is what this project is focused on. It lists all the rights across 30 articles. It was a massive document that brought many new rights to the people of the world.

“Women Who Shaped the Universal Declaration.” *United Nations*. Accessed March 31, 2023. <https://www.un.org/en/observances/human-rights-day/women-who-shaped-the-universal-declaration>

I used this source to include a picture of Eleanor Roosevelt and the UDHR. I also used it to explain why its passage was seen as a major accomplishment at the time.

“World Report 2021: Rights Trends in North Korea.” *Human Rights Watch*, 16 December 2020. Accessed 15 February 2023. <https://www.hrw.org/world-report/2021/country-chapters/north-korea>.

This website helped explain what rights people in North Korea have and how the government frequently disregards these rights. It also talked about the specific ways the country violates international human rights laws.

Secondary Sources

Barša, Pavel. "Waging War in the Name of Human Rights? Fourteen Theses about Humanitarian Intervention." *Perspectives*, no. 24, 2005, pp. 5-20.

I used this source to explain how the language of human rights can be weaponized to justify interventions for political and economic reasons. This shows that the language of human rights can be used in negative ways.

Bauer, Joanne R., and Daniel A. Bell. "Introduction." *The East Asian Challenge for Human Rights*. Edited by Joanne R. Bauer and Daniel A. Bell. Cambridge: Cambridge University Press, 1999.

This book explained how Asians found their values distinct from individualistic western values. It also explained why the Universal Declaration of Human Rights was deemed "Western" by many.

Condé, H Victor, and Charles F Gelsinger. *Human Rights and the United States*. Amenia, Ny: Grey House Publishing, 2017.

I used this secondary source because it is a legal book and provided a very complete history of human rights concepts and law. It connected analysis to primary source documents.

Daalder, Ivo H. "Decision to Intervene: How the War in Bosnia Ended." *Brookings*, 1 December 1998. Accessed 31 March 2023. <https://www.brookings.edu/articles/decision-to-intervene-how-the-war-in-bosnia-ended/>.

This source helped me show how international organizations may intervene to stop human rights abuses. Bosnia is one place where NATO intervened to stop ethnic cleansing.

Dolinger, Jacob. "The Failure of the Universal Declaration of Human Rights." *University of Miami Inter-American Law Review* vol. 47, no. 2, 2016, pp. 164-199.

This source talks about how the UDHR was a failure. This is due to the document not being legally binding, and the fact that it took a long time to integrate it through treaties and documents. Human rights abuses are still widespread.

Glendon, Mary Ann. *A World Made New*. New York: Random House, 2003.

I used this secondary source because it had information about how the UDHR was created, and had information on who created it and what prompted them to do so. It talks

about how Eleanor Roosevelt gathered several people and created the first draft of the UDHR. It also explained the political complications of passing the UDHR.

Glendon, Mary Ann. "The Rule of Law in the Universal Declaration of Human Rights." *Northwestern Journal of International Human Rights* vol. 2, 2004, pp. 2-19.

This article talked about how the UDHR was transferred from a declaration and integrated into international law. It talks about how it was integrated into several treaties, and was slowly transferred into actual legally binding documents.

Gourevitch, Philip. *We Wish to Inform You that Tomorrow We Will be Killed with our Families: Stories from Rwanda*. New York: Picador, 1998.

This book taught me about why the United Nations and the United States did not intervene in the Rwandan Genocide. They did not intervene because it was not a foreign interest to them at the time.

Klug, Francesca. "The Universal Declaration of Human Rights at 70: Rejuvenate or Retire?" *The Political Quarterly* vol. 90, no. 3, 2019, pp. 356-367.

This source taught me about the importance of the UDHR as an inspirational document and how it has inspired social movements and supported their claims. It also explained to me how the UDHR has held up over the years, and how it is still being used to this day.

"Nine Human Rights Movements Around the World." Human Rights Careers. Accessed March 31, 2023. <https://www.humanrightscareers.com/issues/human-rights-movements/>

I used this source to support my argument that the language of human rights is used in social movements. I selected three current human rights-driven social movements as my examples.

Nussbaum, Martha. *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press, 2000.

This helped me understand how philosophers understand the concept of universal human rights. Nussbaum explained why they should be universal, even when some people argue that they vary by culture.

Ogden, Charlie. *Human Rights & Liberty*. King's Lynn, Norfolk: The Secret Book Company, 2020.

This secondary source helped me to know all of the rights presented in the UDHR, and went in depth about each individual right. It also talked about various human rights injustices. It also discussed the history of human rights to the present.

Tanaka, Yuki. *Hidden Horrors: Japanese War Crimes in World War II*. Boulder, CO: Westview Press, 1996.

This source helped me understand what war crimes the Japanese committed during World War Two. The Japanese soldiers forced women into prostitution, raped them, murdered people, and cannibalized people. I used it to explain what inspired people to create the UDHR.

Waltz, Susan. "Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights." *Third World Quarterly* vol. 23, no. 3, 2002, pp. 437-448.

This source helped explain how the UDHR's history has been misrepresented. I used it to challenge some of the common misconceptions.

Watson, Susan. *Understanding Human Rights*. North Mankato: Smart Apple Media, 2003.

This source helped me understand certain rights and provided examples for each of them. It explains each right carefully, and gives examples of each. I used it to understand why some countries do not have the resources to protect human rights.