

Revue québécoise de droit international
Quebec Journal of International Law
Revista quebequense de derecho internacional



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Volume 11, numéro 2, 1998

URI : <https://id.erudit.org/iderudit/1100554ar>

DOI : <https://doi.org/10.7202/1100554ar>

[Aller au sommaire du numéro](#)

Éditeur(s)

Société québécoise de droit international

ISSN

0828-9999 (imprimé)

2561-6994 (numérique)

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Citer ce document

Baum, G. (1998). HUMAN RIGHTS: CRITICAL REFLECTIONS. *Revue québécoise de droit international / Quebec Journal of International Law / Revista quebequense de derecho internacional*, 11(2), 275-276.
<https://doi.org/10.7202/1100554ar>

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HUMAN RIGHTS: CRITICAL REFLECTIONS

*By Gregory Baum**

The fiftieth anniversary of the Universal Declaration of Human Rights deserves to be celebrated by people everywhere. It represents an extraordinary leap of the ethical conscience of humanity. While we praise the Declaration and are grateful for it, we do not want to overlook the complexity of the human rights agenda and the possibility of its ideological distortion.

Human rights can be divided into three distinct families: 1) personal rights or civil liberties; 2) socio-economic rights or, as they are sometimes called, solidarity rights; and 3) collective rights. The major emphasis of the Universal Declaration was on the personal rights, yet Article 22 and the following also recognize socio-economic rights: the right to food and shelter, the right to work, the right to education, and so forth. Collective human rights to political, economic and cultural self-determination were acknowledged by the United Nations only in Universal Covenants signed and promulgated in 1966.

These three families of rights are not easily harmonized. In many historical situations, they are competing rights. If socio-economic rights are respected by a government, if, in other words, the national economy is guided by a government so that all citizens have access to the necessities of life and work, education and health, then the government must curtail, to some extent at least, the personal freedoms, in particular the freedom to pursue one's own interests. A country that puts the major emphasis on personal freedom, such as the USA, finds it almost impossible to honour the socio-economic rights. Conversely countries that have tried to honour the socio-economic rights and provided food and work for all their citizens have often violated the personal rights of their citizens.

Collective human rights for self-determination create even greater conflicts. In order to promote the common good, for instance in the struggle of a people against colonial domination, it is almost inevitable that the personal rights of certain people (for instance, the resident white colonizers) be somewhat curtailed. A Canadian example of a minor conflict of this kind is Bill 101 passed by the Quebec government in 1978 that makes French the official language of Quebec, including the language of work and of public signs. French-speaking Quebecers (80% of the population) regard Bill 101 as an expression of their collective right to self-determination, while some members of the English-speaking minority argue that Bill 101 violates their personal human rights.

Because human rights represent an internally competing tradition, they cannot be integrated into a single vision or formula. Societies are unable to respect at

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the same times all of the human rights. Canadians are reminded of this when they walk through the streets of the big cities and see homeless people begging for alms. The freedom of the market to buy and to sell leaves some people without shelter and food. Should the market be contained? It seems to me that the hunger of the masses in today's world is a terrible indictment of the global society and its lack of respect for human rights, despite the beautiful documents which we publish. Gandhi regarded hunger as the most prevalent form of violence.

Human rights can also be used as an ideology to promote national interests of various kinds. Western countries are rightly proud of their civil liberties, but they can use this political achievement to justify a sense of superiority in regard to the ancient cultures of Asia for which social solidarity, not personal freedom, had the highest priority. The exclusive emphasis on personal rights creates a culture of individualism and undermines traditional cultures that are bearers of common values and common customs. Since the corporate effort to globalize the free market system is accompanied by the demand of personal freedom, religious leaders in Africa, Asia and Latin America have complained that the globalization of Western standards undermines the communal traditions that have sustained people and given them their dignity.

Socio-economic rights have also been used as an ideology. Communist countries emphasized solidarity rights in a one-sided fashion, claimed on the basis of these superiority over the democratic countries of the west, and persuaded their own people that political freedom was at odds with a socialist vision of society. Soviet television reporters arrived in the USA to film poor people lining up at soup kitchens and Salvation Army shelters, while American television teams traveling in the Soviet Union interviewed political dissidents harassed by the government. In a similar fashion, can collective rights of self-determination be politically abused? The obvious example are the national security states that, in the name of protecting the unity and well-being of the society against its "internal enemies", cruelly violated the human rights of their critical citizens.

What follows from these brief reflections is that human rights are values which we must praise, foster, and defend: at the same time, the practice of these rights is not a simple application of a set of rules, but the result of an ethical reflection in a particular historical situation.