

“The Universality of the Universal Declaration of Human Rights and Its Challenges” being an Intervention Delivered by His Excellency Ambassador Dr Martin Ihoeghian Uhomobhi on the occasion of the 70th Anniversary of the Declaration of the Universal Human Rights, at the *Palais des Nations*, Geneva, on the 3rd of December 2018.

Congratulations to the Most Holy Father, Pope Francis; Archbishop Ivan Jurkovic and his team at the Permanent Mission of the Holy See to the United Nations and other International Organizations in Geneva; and to all other organizations, agencies and nations that have contributed, not just to the upholding of the groundbreaking 1948 Declaration of the Universal Human Rights, which we mark and celebrate today, but to also putting together today’s event.

Your Excellencies, Distinguished Ladies and Gentlemen, I must, before anything else, reinstate my glowing pride at being a part of the great world human rights family, and reiterate my commitment to the agenda and cause of universal human rights for all, irrespective of status and circumstance, race, character, creed or faith. This becomes even more critical as we reflect on the giant strides we have made since the 1948 Declaration, the highlights of which includes the many global human rights-oriented treaties and optional protocols agreed since 1948; the establishment of strong and effective human rights institutions and structures in more than half of the world’s nations; the adoption of freedom of information laws and policies in more than hundred countries of the world; the outlawing of capital punishment in more

than 100 nations; the entrenchment of women voting rights in nearly 200 countries (as against 91 in 1948); and, of course, the translation of the UDHR document into 500 world languages, and its consequent inscription into the *Guinness Book of World Records* as the most translated document in human history.¹

Considering the almost non-existent human rights status of the world before 1948, especially against the backdrop of a devastating war considered to be the worst humanitarian disaster of all time, Your Excellencies, Distinguished Ladies and Gentlemen, please permit me to congratulate the human rights community as assembled here today for the giant strides recorded in the recognition and protection of the dignity of the human person.

I have always said it that human rights issues are not ‘bread and butter issues,’ and that they are so delicate that any progress scored in any of its many tributaries should warrant a pat on the back. This is even while admonishing on the imperative of greater determination and commitment to the unattended areas of the entire global human rights project. On a personal note, I came face-to-face with the critical seriousness of the human rights commission while serving as the President of the United Nations Human Rights Council in 2008/2009, during which time I had to contend with the issues of grave humanitarian concern that emanated from the Gaza War of December 2008-January 2009. I believe many of us still remember this occasion on which our resolve as the human rights ‘supervisors’ of the world came under aggressive trial. This episode, with all its suffocating legal and political dimensions, taught me some hard lessons about

taking a strong stance on the rights of the defenceless people of the world.

Therefore, in spite of what we could call a set of valid achievements in the past 70 years, there are still challenges to our projections of a world in which the rights of individual citizens would be protected, recognized and even guaranteed. These grey areas, beckoning for contemporary and concerted attention include: the intensifying of the inglorious global slum culture which has now swallowed up about a million of the world's people; the unacceptable incessant murder of journalists to the outrageous tune of about one death every week; the increasingly audacious detention-without-trial syndrome; the gross deprivation of child education rights; child and adolescent marriage of girls; the gender imbalance in rights of political representation; the migrant and refugee crises; among others.

We have actually not neglected these areas of our ever expanding field of responsibility as custodians and advocates for the unconditional entrenchment of human rights. As a matter of fact, many of the contemporary spheres of intervention have received both intensive and extensive treatment. But as we always say, we need to motivate ourselves to do more, for as long as there is one person out there in any part of the world whose full rights have not been realized and given to them, or have been denied, our work as a group, and as individuals, has not been done, and we cannot beat our chests yet as champions of human rights!

The Proclamation of 1948 and the Universality of the Dignity of Life

Your Excellencies, Distinguished Ladies and Gentlemen, we are here today to celebrate the dignity of life, the sanctity of living, and the commitment to upholding the universality of the right to that dignity. As we all know, our world witnessed colossal disruptions of the extreme kind in the 20th century, the most devastating of which surely were the two world wars which had an unprecedented negative effect on the entire idea of a humanity worth the name,. The Declaration of the Universal Human Rights in 1948, just three years after the end of World War 2, was a desperate measure to reinstate and restore the dignity and the sanctity of human life in the coarse circumstances. By 1948, the mindless desecration of the value and essence of humanity was virtually questioning all known theoretical formulations and epistemologies about the divine conception of and intention for human life; and about God's own wisdom in creating man in 'His own image.' The Declaration of 1948, even when we do not always want to acknowledge it in our human rights idiom, sought to re-affirm, reconsolidate and reconnect humanity to the original design of the Almighty God about the right of every human being to experience the full dignity of life, irrespective of race, creed, class and colour.

But it is disheartening that the 21st century has also proceeded on the path of the postmodern intellectual onslaught on the primacy of the dignity of human life, which to me, is one of the fallouts of the staggering ruptures of the previous millennium, arguably the most explosive in the history of the mankind. The tendency towards a revisionist approach to

human life, and the uncompromised dignity thereof, is tantamount to the revision of God's will and purpose for the world; and it represents an unacceptable questioning of the authenticity and reality of life.

I therefore speak directly to the so-called 'postmodernist' deconstruction of the nature and character of human existence, which apparently aims to reduce humanity to a valueless contraption, and ultimately to squeeze 'life' out of life itself. I am not going to bore you with the complicated details of how the flamboyance of postmodernist permutations has increasingly devalued and eroded long-held, time-tested, cross-cultural beliefs about the dignity of life and its universalist imperative, on which the Declaration of 1948 was founded. But the long and short of the matter, which this auspicious occasion affords us the ambience to re-interrogate and to recommit to, is the total rejection of the 'new rights' which the postmodern world so tantalizingly offers us.

These 'new rights' emerge from the contentions of what is called 'moral relativity' which challenges the notion of uniformity and universality, and argues that rights remain a function of individual and subjective perceptions. In other words, rights that are acceptable or authorized in one part of the world may not be seen as such in another part. Apart from the cruel abrogation of the essential principles of life, the moral relativists and the postmodernists are also succeeding in injecting the virus of self-centred individualism in which the human world would be populated by disconnected entities who have no regard for order or the unity of purpose. In plain language, what the intellectual antagonists of the dignity of life and the universal application of its ethos have done is to

put a knife in the things that bind us together (as my countryman novelist, Chinua Achebe would put it)² – the consciousness of these rights that have given the modern world considerable humanity – so that we will fall apart. As one author puts it, “philosophies have the potential for great positive change, such as Enlightenment, or for dire consequences. Postmodernism is a philosophy which falls into the category of the later. It has wrought in our current culture, a selfish society that has begun to erode away.”³

The implication of this situation in the context of the present-day human rights conversation and aspirations is that known values have been recalibrated out of proportion, to make room for the emergence of ‘counter rights.’⁴ For instance, I am one of those who have been astonished by the ‘transformation’ of the right to life to something unrecognizable. The world is today on the fringes of welcoming the first products of the human cloning phenomenon. As Jim Leffel puts it in the sobering article “Engineering Life: Human Rights in a Postmodern Age,” “if a lamb can be cloned, then the door is open to clone humans. But cloning is just one further advance in presently existing genetic research and technology that poses real dangers for human rights.”⁵

So, where is “the right of the child to develop in the mother’s womb from the moment of conception...?”⁶ And it is interesting to note that this brazen anomaly has received positive interpretation in some quarters, particularly within the logic that cloning (and/or its variants) ‘protects’ the rights of the parent to ‘have’ a child. But what about other related matters of moral contingency? “Could the first attempts to clone a human child be made without violating accepted

moral norms governing experimentation on human subjects? What harms might be inflicted on the cloned child as a consequence of having been made a clone? Is it significant that the cloned child would inherit a genetic identity lived in advance by another – and, in some cases, the genetic identity of the cloned child's rearing parent?"⁷

Even then, perhaps the anti-human medical breakthrough of cloning and the 'cloning rights' which it is set to institute, only approximate, for now, a dream of extreme eccentricity which we hope can never come to reality. But what do we say to the 'abortion rights' which we have been living with for ages now? Is it not time for the final push to convince the world that this was the most horrendous violation of everything humanity claims it stands for? Is it not time we reminded our people that cutting short human life at any stage of its development and branding that grave offence a 'right' is the very apogee of hypocrisy? I personally find it seminal that only last month, the Most Holy Father himself, Pope Francis, made probably his most memorable statements against abortion. He compared it "to hiring a hitman," and wonders at "a contradictory approach to life that allows the suppression of human life in the mother's womb in order to safeguard other values." Obviously scandalized that these "other values" could be promoted as 'rights,' His Holiness delivers a haunting rhetorical question: "How can an act that suppresses an innocent, helpless life as it blossoms be therapeutic, civil or simply humane?"⁸ This question will continue to make a demand on us all until we achieve true universality in this aspect of the protection of the dignity of life

And what about the right of a person to ‘a natural death?’ That right is also now fast assuming another complexion, in the form of the ‘right’ to end one’s life through methods associated with medical ‘assistance.’ A retired Swiss doctor who has been in the forefront of the aggressive promotion of the ‘assisted suicide’ procedure vehemently argues that “a doctor-assisted suicide is human right and a relief for many.”⁸ This is the depth of the horrifying rewriting of the original creed of the Universal Rights, influenced by a postmodern thought.

The agenda of the universality of the Declaration has been considerably hampered by the rampaging winds of globalization, which tend to paradoxically blow the world apart, as they blow it together. At surface level, the multi-dimensional contraction into the famed global village should sound like good news to the universalist intentions of human rights. But the lopsided structure of the phenomenon as evident in the social, political and economic interaction among world nations and peoples, cannot exactly be viewed as complimentary to the concept of human rights. In fact some commentators have profiled the process of globalization as the very antithesis of human rights. One informed critic writes: “In postmodern, ‘globalized’ societies the poor are stigmatized and held responsible for their own poverty. Far from generating solidarity, they are associated with everything evil, both at home and on the planetary scale: overpopulation, epidemics, environmental destruction, vices, drug trafficking, the exploitation of child labor, fanaticism, terrorism, urban violence, and crime.”⁹

And how about the ‘proxy’ wars going on in several regions of the world in which rights of defenceless civilians have been brutally abused, or taken away totally? Why would the more powerful regions of the world (in whose territories human rights issues are taken as a matter of life and death) be happy to profit from the suffering of underprivileged parts of the world, whose tragic misfortunes were largely or wholly orchestrated by the class of world superpowers? Sometimes I just cannot help but be cynical about how the total ‘universalizing’ of the principles of the 1948 Declaration can happen when the carnage (the World Wars) that prompted it is being replicated in diverse guises, in various theatres of destruction across the globe, particularly in the third world. Can we have sufficient moral justification to sermonize and intellectualize about the ‘universality’ of the universal rights when segments of humanity – vulnerable, helpless and hopeless ones for that matter – have been trapped on the inhuman side of things, where rights of any kind, even to merely breathe or sleep, are non-existent? What meaning, therefore, do the Universal human rights make to these cornered populations, who, ironically, need our protection most?

I had not become the President of the Human Rights Council in 1994 when I was involved in the desperate battle to rescue Rwanda from the clutches of annihilation. I was a member of the Nigerian team that led the United Nations Security Council in May of 1994, and I was shocked by what I saw as the ambivalence, if not total indifference, of those we knew had the powers to intervene, either to prevent the genocidal killings of nearly a million people, or to reduce the casualty

rate of the epochal massacres. Perhaps, I do not need to tell you that the Rwandan episode (and several more like it) was sufficient motivation for me to join and contribute my modest quota to the world human rights project.

The world has since apologized for Rwanda, and promised that such brutalization of the dignity of life would never happen again. But what do we say to the current or recent situations in Darfur, Syria, Yemen, Libya, among others, and what specific implications does the ‘proxy’ nature of the hostilities have for the reading, interpretation and application of the universalist projections of the Universal Declaration of Human Rights at the collective and individual levels? Or do we wait for the ever resourceful postmodernist thinkers to come up with ‘war rights,’ the moral authority of nations to wage or instigate war against another, before we can act?

There have obviously been remarkable successes scored in the project of the ‘universalizing’ of the Declaration of Human Rights (and the dignity thereof), especially at the level of awareness creation, and the influencing of a review of the significance of the human person. As one author has written, “the inviolable dignity of each human being is [now] the coin of moral discourse the world over. A heightened sensitivity to the inviolable freedom and dignity of each human being is the evocative center from which the requirement for public and private self-government radiates throughout the world.”¹⁰ José A. Lindgren Alves, former Consul General of Brazil in San Francisco, while affirming that universal character of the 1948 Declaration, has written:

It codified the hopes of the oppressed, supplying authoritative language to the semantics of their claims. It

offered a legislative basis to the political struggles for liberty and led national constitutions to transform the notion of citizens' rights into positive law. It subverted the rules of the Westphalian system of international relations, in which sovereign states were the only actors, by conferring upon the human person the status of a subject of law beyond domestic jurisdiction. It launched a new and profuse juridical discipline, the International Law of Human Rights, substituting erga omnes obligations for the criterion of reciprocity. It set parameters for evaluating the legitimacy of any government, replacing the efficacy of force by the force of ethics. It mobilized.¹¹

The 1948 Universal Declaration of Human Rights has surely been subject of intense conversation, controversy and criticism for nearly three-quarters of a century. It is even more so today, as the world passes through yet another category of momentousness. But the heart-warming fact is that these rights remains relevant, and, of course, universal. Such individuals as French philosopher and cultural theorist, John Baudrillard, may have derogatorily referred to the 1948 Declaration and human rights itself as "... soft, easy, post *coitum historicum* ideologies...", and the postmodernists may have taken turns to attempt a dismantling of its founding sensibilities, but, I tell you, we owe humanity an obligation to protect the integrity of our world, despite the buzzing distraction of dissenting voices. As our beloved Apostolic Nuncio, Archbishop Jurkovic, has reminded us, the 1948 Declaration "was not formulated as an abstract philosophical or legal construction" but transmits "the outcome of a convergence of different religious and cultural traditions, all of them motivated by the common desire to place the human person at the heart of institutions, laws and the workings of society."¹⁴ Then, the ever blessed Pope

Benedict XVI, wraps it up for us: "...not only rights are universal, but so too is the human person, the subject of those rights."¹⁵

In the context of today's event, I need not say more.

Notes

1. The Universal Declaration of Human rights 70th Anniversary, www.standup4humanrights.org/layout/files/proposals/UDHR70-mediafactsheetpdf.
2. In fact, *Things Fall Apart* is the title of Achebe's first novel published in 1958.
3. I use this term to loosely refer to a situation in which a particular right entrenched in the Declaration is twisted to have other meanings, to now emerge as a 'new right' to serve postmodernist purposes.
4. Rob Vitaro's "The Selfishness of Postmodernism: The Assault on Today's Marriages and Families" <https://robvitaro.com/.../the-selfishness>
5. Jim Leffel's "Engineering Life: Human Rights and Postmodern Age" CRI Statement De-311.
6. J. P. II *Centesimus*, par 47 as cited in Ivan Jurkovic "Concept Notes for Special Event on the Occasion of the 70th Anniversary of the Universal Declaration of Human Rights."
7. Human Cloning and Human Dignity: An Ethical Enquiry.

<https://bioethicsarchive.gorgetown.edu/pcbe/reports/cloningreport/children.html>.

8. See Hada Messia and Laura Smith-Sparks “Pope Compares Having an Abortion to Hiring a Hitman.”
<https://www.cnn.com/2018/10/10/europe/pope-abortion-hitman-intl/index.html>
9. Michael Inwin’s “A Doctor-assisted Suicide is a Human Right and Relief to Many.”
<https://www.economist.com/open-future/2018/08/23/a-doctor-assisted-suicide-is-a-human-right-and-a-relief-for-many>
Jose A. Lindgren Alves’ “Declaration of Human Rights in Postmodernity” *Human Rights Quarterly* 22 (2000): 457-500.
David Washes’ *The Third Millennium: Reflections on Faith and Reason*. Washington, D.C.: Georgetown University Press, 1999. See Jose A. Lindgren, pg 457.
 - a. John Baudrillard’s *Cool Memories*. London: Editions Galilee, 1999.
10. See Archbishop Jurkovic’s “Concept Notes...”
11. Same as above.