

# FRONTIER CENTRE FOR PUBLIC POLICY

Profile Series

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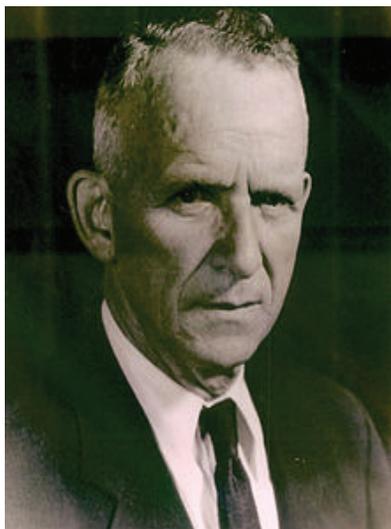
## JOHN THOMAS PETERS HUMPHREY

" There will be peace on earth when the rights of all are respected. "

John Thomas Peters Humphrey, OC (1905-1995) was a lawyer, diplomat, and scholar. He directed the United Nations Human Rights Division from 1946 to 1966. He was instrumental in drafting the U.N. Universal Declaration of Human Rights in 1948 and received the U.N. Prize for human rights advocacy forty years later. He was also an Officer of the Order of Canada and taught Law at McGill University for many years.<sup>1</sup>

### EARLY YEARS

Humphrey was born 30 April 1905 in Hampton, NB. His father died of cancer when Humphrey was only 13 months old. He lost his left arm in a childhood accident, and lost his mother to cancer when he was 11 years of age.<sup>2</sup>



These setbacks did not keep Humphrey from being a precocious and accomplished student. At the age of 15, he began attending Mount Allison University in Sackville, New Brunswick. He soon transferred to McGill University in Montreal. There, he graduated with a Bachelor of Commerce degree in 1925, a Bachelor of Arts degree in 1927, and a Bachelor of Law degree in 1929.<sup>3</sup>

Humphrey was called to the Quebec Bar in 1929. He entered a private law practice before joining the Faculty of Law at McGill University in 1936. He earned a PhD in 1945 and wrote a dissertation on the distribution of powers in government.<sup>4</sup>

He served as the Dean of Law at McGill in 1946.<sup>5</sup>

The Great Depression moved Humphrey to embrace socialism. He joined the League for Social Reconstruction when it was founded by his colleague and mentor at McGill, F.R. Scott. He left the league before World War II because he found Canadian socialists were too inwardly focused.<sup>6</sup> During the Second World War Humphrey considered "the cynical, studied and wholesale violation of human rights in and by Nazi Germany." He believed the Allied effort was "a war to vindicate human rights."<sup>7</sup> Humphrey joined the executive of the United Nations Society in Canada and the Canadian Institute of International Affairs. He also became friends with Henri Laugier, an academic who taught at the University of Montreal while France was occupied by the Nazis.<sup>8</sup>

### UNITED NATIONS CAREER

Following the war, Laugier became the assistant secretary-general for social affairs at the U.N. and invited Humphrey to direct the Human Rights Division.<sup>9</sup> Humphrey was a good choice as he was deeply committed to social change, an expert in international law, and fluent in English and French.<sup>10</sup> Humphrey was appointed director of human rights for the United Nations Secretariat, a position he held until 1966. Humphrey and a small staff in New York looked over every document on human rights they could find from around the world. The U.N. called it "the most exhaustive documentation on the subject of human rights ever assembled."<sup>11</sup>

Eleanor Roosevelt, the widow of the late U.S. President Franklin Delano Roosevelt, was elected chair of the United Nations Human Rights Commission (UNHRC) in April 1946. She was a prominent advocate for liberal causes and immediately set Humphrey to work on an international bill of rights.<sup>12</sup>

Eric Wilton Morse was the national secretary for the U.N. Society and asked Humphrey to get Roosevelt to give a speech in

Canada to rally support for the U.N. The CBC broadcast the event, held at the Montreal Forum on 3 January 1947. Andre St. Laurent, secretary of state for external affairs, and future prime minister, was also a main speaker. Other speakers included MPs Gordon Graydon and Louis Rene Beaudoin, Senator A.K. Hugessen, and Camillien Houde, the mayor of Montreal. Major James William Coldwell, who led the Cooperative Commonwealth Federation also spoke.<sup>13</sup>



Roosevelt and fellow UNHRC executive members P.C. Chang and Charles Malik set Humphrey to work on an international bill of rights, and he began writing early in 1947. The Soviet bloc was not happy with the inclusion of civil and political rights in early drafts. However, in Canada and the United States, the inclusion of social and economic rights sparked opposition from the political right, the business community, and the legal fraternity. Support for the Declaration was largely on the left and in a clear minority.<sup>14</sup>

Humphrey and his wife went to the Lido Beach Hotel in Sarasota, Florida to find some quiet and compose the first draft of the Declaration, which was completed in June of 1947.<sup>15</sup> In July, Humphrey addressed the American Academy of Political and Social Science. There he told attendees that whereas prior international law was based on the law of nations, the U.N. wanted to create a body of international

law based on the individual. He called this change "revolutionary in character."<sup>16</sup> F.E. Holman, president of the American Bar Association concluded that the UNHRC was trying to establish state socialism. Holman met with John T. Hackett, president of the Canadian Bar Association, several times to discuss joint opposition to the Declaration. Hackett was also a Conservative MP and parliamentary advisor to the Canadian delegation to the General Assembly. Canadian business groups were concerned about the price tag for economic rights, and their opposition led most political leaders to distance themselves from the Declaration, all except CCF leader Coldwell.

Despite the opposition, the Declaration was adopted in a resolution of the General Assembly on 10 December 1948. Yet, in his diary, Humphrey expressed disappointment that the Declaration was not unanimously endorsed.

"The Universal Declaration of Human Rights has now been adopted; but the miracle for which some of us hoped did not happen. For while there were no votes cast against the Declaration, the six Slav states, South Africa and Saudi Arabia abstained. The debate in plenary was long but uninspired ... One of the worst contributions was undoubtedly the Canadian - a niggardly acceptance of the Declaration because, it appeared from Mr. [Lester B.] Pearson's speech, the Canadian government did not relish the thought of remaining in the company of those who, by abstaining, rejected it."

Despite its somewhat measured acceptance, Roosevelt called the Declaration the "Magna Carta of all mankind." The document has been translated into 321 languages and dialects, making it the most cited international legal document drafted by a Canadian.<sup>17</sup>

The declaration is one of the UN's most important achievements. The document changed the theory and practice of inter-

national law by its recognition that human rights are a matter of international concern. Although the principles of the declaration are often violated, it has become a customary part of the law of nations.<sup>18</sup>

“There is a fundamental link between human rights and peace,” Humphrey once said. “There will be peace on earth when the rights of all are respected.”<sup>19</sup>

After, Humphrey faced different obstacles in the years to come. The U.N. faced investigations for un-American activities. Dag Hammarskjöld became U.N. Secretary General in 1953. In his diary, Humphrey said the leader “would like to throw the Human Rights Covenants out of the window,” and focus on high-level diplomacy. He even told Humphrey, “There is a flying speed below which an airplane will not remain in the air. I want you to keep the [human rights] program at that speed and no greater.” Humphrey later told Hammarskjöld to put him in another role if he was going to be a prisoner of an insignificant job. They seemed to find more mutual appreciation and common ground in future years, prior to Hammarskjöld’s death in an airplane crash in Rhodesia.<sup>20</sup> Later in his career, Humphrey introduced a highly successful technical assistance program in which international and regional seminars were held on specific human rights topics in countries all over the world. He was also deeply involved in the attempt to create the office of U.N. High Commissioner for Human Rights in the 1960s.<sup>21</sup>

## FINAL YEARS

Humphrey returned to McGill University in 1966 and became Professor of Law and Political Science. In 1967, he co-founded the Canadian Human Rights Foundation (now called Equitas) with Dr. Gustave Gingras and Thérèse Casgrain. Humphrey also helped organize celebrations across Canada for the International Year for Human Rights in 1968. He remained a widely consulted expert on human rights and worked with various organizations, including the Canadian Council on Human Rights.<sup>22</sup>

Humphrey taught full-time until the early 1970s and continued to teach part-time until 1994. He authored several important volumes of human rights and international affairs. He helped investigate human rights abuses in the Philippines. He also helped win compensation for Canadian prisoners-of-war held by the Japanese after the Battle of Hong Kong, and represented Korean women forced into sexual slavery during the Second World War.<sup>23</sup>

Humphrey was made an Officer of the Order of Canada in 1974. He was awarded the United Nations Prize for human rights advocacy on the 40th anniversary of the United Nations in 1988. This latter designation occurred shortly after an early draft in Humphrey’s handwriting was discovered. In the years prior, it had been thought someone from France had written it.<sup>24</sup> Between 1992 and 2011, the federal government bestowed the annual John Humphrey Award to an individual who actively protected human rights. He died 14 Mar 1995 in Montreal.<sup>25</sup>



**Endnotes**

1. <https://thecanadianencyclopedia.ca/en/article/john-peters-humphrey>
2. Ibid.
3. Ibid.
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5. <https://digitalcommons.schulichlaw.dal.ca/cgi/viewcontent.cgi?article=1858&context=dlj>, p. 165.
6. <https://www.jstor.org/stable/40203297> , pp. 325-326.
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9. <https://news.library.mcgill.ca/new-insights-john-peters-humphrey/>
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