

## “Universal Declaration of Human Responsibilities: A Distant Dream in 21<sup>st</sup> Century”

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This paper reviews “A Universal Declaration of Human Responsibilities,” proposed by the Inter Action Council in 1997, from the current political, social and global context. New issues have arisen, of which some have brought more serious impacts vis-à-vis previous years. New challenges in the 21<sup>st</sup> century include climate change, terrorism, resource shortages, a digital divide and internet violence. Poverty and disease still remain to be solved, while the instability of a globalized market continues to pose alarming threats to humanity. In dealing with these new challenges, this paper suggests that the above agenda need to be included for new tenets of human responsibility, especially at the political governance level. The foundation of human responsibility should be built through education. In addition, media should support the spread of human responsibility, rather than mobilizing hatred against others. The initiative to draft a Universal Declaration of Human Responsibilities is not only a way of balancing freedom with responsibility, but also a means of reconciling ideologies and political views that were deemed antagonistic in the past. The basic premise of this paper is that humans deserve the greatest possible amount of freedom, but also should develop their sense of responsibility to its fullest in order to correctly administer their freedom.

**Keywords:** Human Responsibility, Inter Action Council, Human Rights, Global Governance, Leadership.

I learned from my illiterate but wise mother that all rights to be deserved and preserved came from duty well done.

**- Mahatma Gandhi<sup>1</sup>**

Rights don't work without responsibilities and responsibilities don't work without a higher purpose. Acting on this mysterious and sacred duty that we feel towards one another is the glue of any society. It's easy to think that human rights happen in some distant court or deliberating body but the purpose of freedom is bigger than freedom. The point is to be free for something and for someone. Rights start with the individual but do not end there. We find our truest selves in families, friends, neighborhoods, causes and congregations. These two sides of freedom — self and community gives reinforce and meaning to one another. We all have rights simply because we are human. They are inherent and inalienable and not merely a gift from those who happen to be in power somewhere.

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<sup>1</sup> Mahatma Gandhi, *Letter Addressed to the Director-General of UNESCO*, collected in JACQUES MARITAIN, *HUMAN RIGHTS: COMMENTS AND INTERPRETATIONS* (1949)

A little over seventy years ago the Universal Declaration of Human Rights (UDHR) was endorsed by the United Nations in 1948. Over that time, much progress has been made but now much more needs to be done. For at least the last 35 years there has been a group of people who believe that, in a globalised, inter-related world, we also need a Universal Declaration of responsibilities. Those working to this purpose believe that a world in which everyone demands rights but do not accept responsibilities, will be an unequal and even a dangerous and incongruous world. In 1983, initiated principally by Takeo Fukuda of Japan, the Inter Action Council, consisting of around thirty former heads of government, was formed. Its members comprised people from all continents of the world, from east and west, from north and south, and it included conservatives, liberals, socialists and communists involved in the affairs of the council. The council has devoted time to the problems of peace, to economic and social issues, to globalization, to population and pressing issues related to the environment.

On September 1, 1997, the Inter Action Council proposed a Universal Declaration of Human Responsibilities. Recognizing that globalization brought about new global problems, the Inter Action Council sought to bring responsibilities into balance with rights in order to promote a movement of involvement regarding freedoms. Working on the draft of human ethical standards since 1987, the Inter Action Council firmly believes that “a better social order nationally and internationally cannot be achieved by laws, prescriptions and conventions alone, rather it needs a global ethic.”<sup>2</sup> While the Inter Action Council had hoped to have their Responsibilities Declaration adopted by the General Assembly of the United Nations, their proposal did not receive universal acclaim. In the Summary Report of the Steering Meeting on the Dissemination of the Universal Declaration of Human Responsibilities (1998), the Committee acknowledged that “it will take years before the moral appeal of the document will be accepted by the multitude of the people around the world”.<sup>3</sup> Adopted almost two decades earlier, reactions to the document were mixed and wide-ranging. Most Asian countries quickly and widely accepted the Universal Declaration for Human Responsibility but the majority of Western governments remained reluctant to sign on the ideals presented.

The resistance to the Universal Declaration of Human Responsibilities stems from the belief by some states and most human rights activists that the Responsibilities Declaration will weaken the issue of human rights. Concerns arose that oppressive regimes shall readily embrace the concept of human responsibilities as a substitute for the advancement of human rights. Further, Article 14 of the Declaration of Human Responsibilities draw attacks from the Western media who were concerned about the freedom of press. The original motivation of the Universal Declaration of

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<sup>2</sup> Mia Giacomazzi, “Human Rights and Human Responsibilities: A Necessary Balance” 3 *Santa Clara Journal of International Law* 164 (2005)

<sup>3</sup> Summary Report of the Steering Committee Meeting on the Dissemination of the Universal Declaration of Human Responsibilities, (March, 1998), available at [www.interactioncouncil.org](http://www.interactioncouncil.org) (Visited on Nov.2, 2018)

Human Responsibilities was based on the notion that human rights and human responsibilities are complementary and supplementary to one another. Initially the objective was to have the Responsibilities Declaration presented to the U.N. General Assembly for adoption as a resolution on the 50th Anniversary on the Human Rights Declaration. Without western support, however, this goal was not realized. Duties were considered, but ultimately rejected, by the drafting committee of the Universal Declaration of Human Rights. The void that was created – the one the Inter Action Council aims to fulfill – has yet to be successfully dealt with in a meaningful way. Both the activists of human rights and human responsibilities share one important common purpose: protecting and promoting human dignity. Indeed, the authors of the Universal Declaration of Human Responsibilities contend that their efforts were done in the name of human rights. Despite this common goal, however, only few human rights activists have signed on to the ideas of the Universal Declaration of Human Responsibilities.

### **Globalization calls for Global Ethics**

Let the dichotomy be explained. On the one side, almost all of mankind is nowadays engaged in a globalization of technology. But globalization is not limited to technology, it is also globalization of information, of economic markets and also of economic behavior. But on the other hand, we do at the same time maintain sharply conflicting ideologies, religions and even more so conflicting fundamentalisms. Without the sense of responsibility, the freedom of any individual can soon degenerate into a situation of hegemony by the strong and the mighty, not only inside ones society but also between nations and states. Therefore, politicians as well as citizens should strive to keep rights and responsibilities together in balance.<sup>4</sup> Today, nearly seventy years after the adoption of the Universal Declaration of Human Rights, these rights, which are necessary ethical imperative, are being endangered. They are being endangered, because some Western leaders, particularly some Americans, are misusing the concept and the term "human rights" as a kind of verbal weapon and also as an aggressive instrument for pressure in the field of foreign affairs. They are quite sagacious to do it in a rather selective way. They use it, for instance, against China or against Iran or North Korea, but not for instance against Israel or against Saudi Arabia or other allies. The reasons for this selective use of that pressure instrument, of course, are to be found in geo- strategic and domestic political interests.<sup>5</sup> Rights and responsibility are, in fact, closely intertwined and human rights should also entail human duties. The concept of human obligation also serves to balance the notions of freedom and responsibility.

The declaration by the Inter Action Council (IAC) is not an isolated document. It responds to the urgent call by many important international bodies for global ethical standards made in long chapters of the reports both of the UN Commission on Global Governance (1995) and the World Commission on Culture and Development (1995). The same topic has also already been discussed for a long time at the World Economic Forum (WEF) in

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<sup>4</sup> Chancellor Helmut Schmidt's Speech at Hansung University, Seoul Korea (October 17,1999)

<sup>5</sup> *Id.* at 3

Davos and on similar lines in the new UNESCO Universal Ethics Project. Increasing attention is also being paid to it in Asia where they often find it problematic to speak about human rights without speaking at the same time on human responsibilities. Mahatma Gandhi, who was consulted about the UN Declaration of Human Rights, wrote: "The Ganges of Rights originates in the Himalayan of responsibilities".<sup>6</sup> This is why at the turn of our century, seventy years after the adoption of the Universal Declaration of Human Rights by the United Nations, it is time to talk about human responsibilities.

A minimum of worldwide recognized ethical standards is an imperative necessity for the inter-continental co-existence. Not only as far as individual behavior is concerned but also for political authorities, for religious societies and churches, as well as for nations and states and their governments. It becomes a necessity for international manufacturing corporations or trading and financing corporations, the latter being in a serious danger of falling into a new kind of world-wide, speculative predatory capitalism. The necessity for conscientious responsibility counts, all the same, for the international media too, which runs the danger of poisoning people world-wide with murder, shooting, violence and all the kinds of abuse against the dictates of morality.<sup>7</sup> A Declaration of Human Responsibilities supports and reinforces the Declaration of Human Rights from an ethical perspective, as is already stated programmatically in the preamble: "We thus... renew and reinforce commitments already proclaimed in the Universal Declaration of Human Rights: namely, the full acceptance of the dignity of all people; their inalienable freedom and equality, and their solidarity with one another." The "weakness of human rights" is in fact not grounded in the concept itself but in the lack of any political and ethical will on the part of those responsible for implementing them. To put it plainly: an ethical impulse and a motivation to accept responsibilities are very important for an effective realization of human rights.<sup>8</sup>

### **Development of Rights Declaration**

Protection and promotion of human rights was at the core of the United Nations since its very inception. Reference to the respect for human rights was made in Article I of the United Nations Charter. Further, Article 68 mandates that "the Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights...."<sup>9</sup> When created in 1946, the United Nations Commission on Human Rights had one item high on its agenda – drafting of the Universal Declaration of Human Rights. During the two-year drafting process, the drafting committee and the UNESCO Philosophy committee entertained contributions from great thinkers from all of the world's philosophical, political and religious associations. It was in the process that the ideas of both human rights and duties were first

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<sup>6</sup> Hans Kung, "Global Ethics and Human Responsibilities", Submitted to the High-level Expert Group Meeting on HUMAN RIGHTS AND HUMAN RESPONSIBILITIES IN THE AGE OF TERRORISM (April,2005)

<sup>7</sup> *Supra* note 4 at 3.

<sup>8</sup> *Supra* note 6 at 4.

<sup>9</sup> <http://www.un.org/aboutun/charter/> (Visited on March 4,2020)

discussed on a global level.<sup>10</sup> Eastern thinkers noted that the language of “human rights” was relatively a modern European development. However, this did not mean that sources of human rights were not present in Eastern traditions. As Confucian philosopher Chung-Shu Lo has explained *“The problem of human rights was seldom discussed by Chinese thinkers of the past, at least in the very same sense as it was in the West. There was no open declaration of rights in China, either by individual thinkers or by political constitutions, until this conception was introduced from the West....[However], the idea of human rights developed very early in China.”*<sup>11</sup>

Additionally, Muslim scholar and poet **Humayin Kabir** believed that the most important consideration for a charter of human rights is that it be universal. The fundamental flaw in the Western conception of human rights is that in practice, it often applied only to Europeans and sometimes to only some among Europeans. The concept of balancing rights and responsibilities was strongly emphasized by most Asian and some European respondents. Political scientist **S.V. Puntambekar** wrote that Hindu thinkers propounded a code that included five social freedoms (freedom from violence, freedom from want, freedom from exploitation, freedom from violation and dishonor and freedom from early death and disease) and also five individual virtues (“absence of intolerance, compassion or fellow-feeling, knowledge, freedom of thought and conscience, and freedom from fear, frustration or despair”). **Chung-Shu Lo** also explained that the “basic ethical concept of Chinese social political relations is the fulfillment of duty to one’s neighbor, rather than the claiming of rights.”<sup>12</sup>

While not explicit in Anglo-American rights documents, the idea of responsibility had been a part of the traditions of many countries of the world. Drawn from continental and Latin American rights documents and classical, biblical and socialist thoughts, the first two drafts of the Rights Declaration included duty language. **Cassin** proposed the following Article as one of the general principles, “Each man owes to society fundamental duties which are: obedience to law, exercise of a useful activity, acceptance of the burdens and sacrifices demanded for the common good of mankind.”<sup>13</sup> Eventually the duty language proposed was embodied in Article 29(1) of the Universal Declaration of Human Rights, which reads: “Everyone has duties to the community in which alone the free and full development of his personality is possible.” Since then, the United Nations has adopted various agreements aimed at protecting only the rights of human beings. Among these agreements are: the Covenant on Civil and Political Rights, the Optional Protocol to

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<sup>10</sup> The Committee’s report, the questionnaire, and collected responses are collected in JACQUES MARITAIN, *HUMAN RIGHTS: COMMENTS AND INTERPRETATIONS* (1949)

<sup>11</sup> Chung Shu Lo, “Human Rights in the Chinese Tradition”, in *HUMAN RIGHTS*, Supra note 10 at 5.

<sup>12</sup> *Ibid.*

<sup>13</sup> Suggestions Submitted by the Representative of France for Articles of the International Declaration of Human Rights, the “Cassin Draft”, Art. 3, in *A WORLD MADE NEW*, Mary Ann Glendon 74 (2001)

the Covenant on Civil and Political Rights, the Covenant on Economic, Social, and Cultural Rights, the Convention Against Torture, the Convention Against Genocide, the Geneva Conventions, the Convention on the Rights of the Child, the Convention on Elimination of Discrimination Against Women and the Charter of the United Nations, etc.<sup>14</sup> In order to monitor violations of the aforementioned agreements on human rights, the United Nations created a wide variety of mechanisms. For each convention, treaty bodies were established to monitor and promote the provisions of respective covenants. Extra-conventional mechanisms were also created. UN special rapporteurs, representatives, experts and working groups monitor compliance and investigate allegations of human rights abuses by any of the State parties. In recent years, field offices were opened at the request of Governments to assist in the development of national institutions for the promotion and protection of human rights in various countries which also conduct educational campaigns in their base countries.

### **Development of Responsibilities Declaration**

Who is responsible for defending and enhancing human responsibility? The ultimate answer is each and every individual. Human responsibility comes from the free-will of individuals. Nonetheless, the role of a leader is especially important in the enhancing of human responsibility. Concerted efforts and mutually reinforcing cooperation among the state, business, civil society, and individuals are the prerequisites to enhance human responsibility in the 21st century. As previously noted, the concept of human responsibility was new to only some regions of the world. As Oscar Arias Sanchez noted in April 1997:

*“Many societies have traditionally conceived of human relations in terms of obligations rather than rights. This is true, in general terms, for instance for much of the Eastern thought. While traditionally in the West the concepts of freedom and individuality have been emphasized, in the East the notions of responsibility and community have prevailed. The fact that a Universal Declaration of Human Rights was drafted instead of a Universal Declaration of Human Duties undoubtedly reflects the philosophical and cultural background of the document's drafters who, as is known, represented the Western powers who emerged victorious from the Second World War.”<sup>15</sup>*

Believing that a world in which everyone demands rights but does not accept responsibilities will be an unequal and even dangerous and discordant world, Takeo Fukuda of Japan founded the Inter Action Council in 1983. Soon thereafter, members began to explore the possibility of establishing a common ethical standard. After meetings with several groups, the Inter Action Council was encouraged that some ethical standards spanned across all political and religious

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<sup>14</sup> A Summary of United Nations Agreements on Human Rights, available at: [www.http://www.hrweb.org/legal/undocs.html](http://www.hrweb.org/legal/undocs.html) (Visited on March 7, 2020).

<sup>15</sup> Oscar Arias Sanchez, “Some Contributions to a Universal Declaration of Human Obligations,” available at: <http://www.interactioncouncil.org> (Visited on Nov.5,2018).

beliefs of the world.<sup>16</sup> Chairperson Helmut Schmidt explains:

*“The initiative to draft a Universal Declaration of Human Responsibilities is not only a way of balancing freedom with responsibility, but also a means of reconciling ideologies and political views that were deemed antagonistic in the past. The basic premise, then, should be that humans deserve the greatest possible amount of freedom, but also should develop their sense of responsibility to its fullest in order to correctly administer their freedom.”<sup>17</sup>*

The Universal Declaration of Human Responsibilities is organized in five parts— fundamental principles for humanity, non-violence and respect for life, justice and solidarity, truthfulness and tolerance, and mutual respect and partnership. The Responsibilities Declaration covers many subjects including marriage, property, professionals, and also the media.<sup>18</sup> Endorsers and supporters of the document hail from every corner of the globe. Therefore, having a more careful look at the darker side of globalization can enlighten the way to “balance freedom with responsibility” and to “develop the fullest sense of responsibility to guarantee the greatest amount of freedom,” as mentioned in the Declaration.

The UNESCO-Cousteau Society Meeting of Expert proposed the Universal Declaration of Human Rights for Future Generations in 1994. Recognizing that future generations also have rights, the declaration imposes duties on each generation in order to preserve rights for the future. Outlining a prohibition of future discrimination, the proposed Article 12 which asserts that each “generation must undertake not to adopt any measure which might lead in future to discrimination of any kind.”<sup>19</sup> Similarly, Article 13 outlines that each “generation must always ensure that the rights of those belonging to future generations are fully safeguarded and are not sacrificed for the sake of expediency of interests.” In 1999, The UN General Assembly adopted the Resolution 53/144, entitled “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.”<sup>20</sup> The Declaration of Human Rights and Responsibility presents affirmative duties on states to take measures to promote understanding of civil, political, economic, social and cultural rights.<sup>21</sup> The 1999 Declaration also imposes affirmative duties on every individuals, non-governmental organizations and institutions to promote understanding, tolerance and peace.<sup>22</sup>

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<sup>16</sup> Malcolm Fraser, A Declaration on Human Responsibilities?, *available at:* <http://www.interactioncouncil.org> (Visited on Feb.5,2020).

<sup>17</sup>A Universal Declaration of Human Responsibilities, Report on the Conclusions and Recommendations by a High-Level Expert Group Meeting, Chaired by Helmut Schmidt (1997).

<sup>18</sup> The Universal Declaration of Human Responsibilities, *available at:* <http://www.interactioncouncil.org> (Visited on Mar 4,2020)

<sup>19</sup> Human Rights for Future Generations, UNESCO-Cousteau Society Meeting of Experts.

<sup>20</sup> *available at:* [http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.RES.53.144.En?OpenDocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.RES.53.144.En?OpenDocument) (Visited on Nov.4,2018).

<sup>21</sup> *Id.*, 24 at 9, Art.14(1).

<sup>22</sup> *Id.*, 24 at 9, Art.16.

## Concerns

If we want to avoid a "clash of civilisations", as Samuel Huntington put it, we need to work to bring reason and common sense to the debate and switch off the paranoia. The concerns expressed by states and human rights activities center around three main issues. First, there is a concern that oppressive regimes will misuse the Responsibilities Declaration. Secondly, members of the media feel that Article 14 may infringe upon the freedom of the press. Finally, some are having misgivings over who is responsible for adhering to the morals prescribed within the Responsibilities Declaration. The goals and virtues that the Declaration pursues – i.e., human dignity, truth, justice, harmony, and religious coexistence – are achievable only when humanity is able to successfully handle the new environment of the 21<sup>st</sup> century.

### (1) Misuse of Responsibilities Declaration:

As earlier expressed, some Western states are concerned that oppressive regimes may use misuse the Responsibilities Declaration. The perception is that regimes may point to the concept of human responsibilities as a substitute for the advancement of human rights. In response, Hans Kung counters that while responsibilities can be misused, so too can be the rights.<sup>23</sup> He concludes that this is no reason to reject the concept in Confucianism, Hinduism, Buddhism, and Islam.

### (2) Freedom of Press:

**Article 14** of the draft Universal Declaration of Human Responsibilities states:

*“The freedom of the media to inform the public and to criticize institutions of society and governmental actions, which is essential for a just society, must be used with responsibility and discretion. Freedom of the media carries a special responsibility for accurate and truthful reporting. Sensational reporting that degrades the human person or dignity must at all times be avoided.”*

Members of the media are concerned that this article infringes on the freedom of the press. Specifically, the concern centers around who would be the judge of what is accurate and truthful reporting. In response, Kalevi Sorsa expressed to the International Press Institute:

*“The freedom of the press or of a journalist is guaranteed in a modern constitutional state. There is the right to report freely. The state must support this right and, if necessary, act to enforce it. The state and the citizen has the responsibility to respect that right. However, the right to report freely does not impinge on the responsibility of being truthful and fair of the journalist or of the media.”<sup>24</sup>*

### (3) Levels of Ethical Behavior:

Traditionally, human rights are conceived in terms of obligations of states to individuals. The

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<sup>23</sup> Hans Kung, Don't be Afraid of Ethics! Why we need to talk of responsibilities as well as rights, *available at:* <http://www.interactioncouncil.org> (Visited on 6 March, 2020)

<sup>24</sup> Kalevi Sorsa, “Rights and Responsibilities,” speech made at international Press Institute, World Congress in Moscow, May 1998, *available at:* <http://www.interactioncouncil.org> (Visited on 6 March, 2020).

ethical code suggested by the Inter Action Council considers at least four dimensions of human actions i.e. obligations between persons; obligations between nations; obligations toward the planet; obligations toward ourselves. The debate on this subject is rich. Eleanor Roosevelt observes:

*“Where, after all, do universal human rights begin? In small places, close to home -- so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.”<sup>25</sup>*

### **Conclusion**

Over 50 years ago, the drafters of the Universal Declaration of Human Rights found that indeed there were principles underlying the draft Declaration in many cultural and religious traditions. They also found that these principles were not always expressed as rights. Instead, some cultures operate upon the understanding that people also have duties to themselves, each other, their community and towards the world. Apart from Article 29, however, the concept of responsibility was removed from the final draft. It is now essential to revisit the topic. In order to create a more balanced approach that truly spans across all cultures and belief systems, a Responsibilities Declaration is a necessary complement to the Rights Declaration. As scholar Richard Falk stated:

*“Responsibilities must be conceived as correlative to rights. Such a premise would be well served by the drafting of a Universal Declaration of Human Responsibilities as an indispensable companion to the Universal Declaration of Human Rights. The Western discourse on human rights works within the invisible boundaries of self-expression and resistance to authority (the individualist ethos that gives rise to consumer absolutism and all forms of permissiveness), and without sense of responsibility to the well-being and needs of the community. The notion of protection the individual is a great advance over its absolutist antecedents, but it needs to be balanced by the acknowledgement that the individual is embedded within a community. The importance of placing limits upon human assertiveness at all levels of social organization is overlooked if the stress is placed only on the protection of individuals and neglect of collective responsibility towards the community.”<sup>26</sup>*

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<sup>25</sup> Mary Ann Glendon, “A World Made New”, 74 (2001)

<sup>26</sup> Richard A. Falk, “Human Rights Horizons: The Pursuit of Justice in a Globalizing World” 88 (2000).