
Seventy-Five Years of the UDHR: An Overlooked Past That Holds Important Lessons for the Future

MICHAELA DRUCKER AND CHIDI ANSELM ODINKALU

ABSTRACT

The Universal Declaration of Human Rights (UDHR) brought human rights into global salience like never before and inspired a proliferation of human rights norms worldwide. However, its birth in the wake of human rights abuses from the Holocaust minimizes equally appalling atrocities from before World War II, including slavery, colonialism, and earlier genocides. In commemorating seventy-five years of the UDHR, the international community can reflect on the past of the Declaration and plan for its future. In looking ahead, the international community must examine its responses to prior human rights abuses, such as slavery and racism, while acknowledging that there is much to be done to rectify the abuses of the past.

Michaela Drucker is second-year dual degree student pursuing a Master of Arts in Law and Diplomacy from The Fletcher School and Juris Doctor from the University of Virginia School of Law. Michaela focuses on the intersection of international human rights law and international criminal law. **Chidi Anselm Odinkalu** is Professor of Practice in International Human Rights Law at The Fletcher School and currently chairs the Truth, Justice, and Peace Commission, a transitional justice initiative established to address the crises of violence and agitation in the states of southeast Nigeria. He previously chaired Nigeria's National Human Rights Commission and was involved in the creation of the African Court on Human and Peoples' Rights.

INTRODUCTION

December 10, 2023, marked seventy-five years since the adoption of the Universal Declaration of Human Rights (UDHR or Declaration), which was proclaimed a day after the United Nations Convention on Genocide. Following the tragedies and grave human rights abuses that preceded and accompanied World War II, the adoption of these two instruments is widely considered to be seminal in international law and relations. Four UN bodies—the General Assembly, the Economic and Social Council (ECOSOC), the Commission on Human Rights (Commission), and the Drafting Committee—collaborated to create the UDHR. Since its adoption, the UDHR has been translated into over 500 languages and has formed the foundation for nine core international human rights treaties.¹ The groundwork established by the Declaration has inspired developments such that international human rights norms, institutions, and discourse have evolved to better represent the world in the twenty-first century.

The great advance that the UDHR represents in international law must not, however, overshadow what it left out. One cannot applaud the UDHR and its legacy without acknowledging an important fact: it drew

.....
One cannot applaud the UDHR and its legacy without acknowledging an important fact: it drew its immediate inspiration from tragedy, mostly based on the experience of white Europeans.

its immediate inspiration from tragedy, mostly based on the experience of white Europeans. The promotion of the UDHR after a unique atrocity in the history of human rights abuses—the Holocaust—ignores the gravity of other human rights abuses, such as slavery and colonization, as well as historical genocides that preceded the Holocaust, such as those affecting the First Nations peoples of the Americas, the Hereros and Namaquas of Namibia, or the Armenians.² Its failure to reckon

with equally egregious and long-standing violations preceding those around World War II raises provocative questions about the underlying claims of the UDHR to universality.

Can the UDHR, as the pathbreaking articulation of international human rights that it is, be reconciled with its failure to acknowledge the abuses of the past? Or does this failure seventy-five years ago pose an impossible hurdle to its effectiveness in a time when the idea is seen as increasingly beleaguered? With the UDHR notably lacking reference to

certain rights, namely collective rights, or any specific guarantee of protection against future persecution of an identity or social group, the UN has made progress in articulating certain violations as crimes against humanity. However, much more remains to be done if the international human rights community is to truly lance the grave omissions that stand in the path of its claims to being truly *universal*.

NEGOTIATION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

The end of World War II inspired a search for a new global settlement. There was the realization that advances in industry and technology had altered the calculus of scale in atrocities. Together, world leaders adopted the UN Charter in 1945.³ Within the preamble of this founding document, the UN set out to “reaffirm faith in fundamental human rights,”⁴ and established committees to expand upon this commitment.

The first session of the General Assembly in 1946 reviewed a draft Declaration on Fundamental Human Rights and Freedoms and requested the ECOSOC to continue the development and refinement of the document.⁵ Tasked with proposing terms for the Commission on Human Rights, the Nuclear Commission (or Preparatory Committee) submitted a report that outlined the responsibility and structure for the development of an international bill of human rights.⁶ The ECOSOC accepted the Nuclear Commission’s proposal and created the Commission on Human Rights on June 21, 1946. They explicitly stated the Commission’s mission as one to realize “the implementation of human rights and of an international bill of rights.”⁷

The Commission held its first session at the beginning of 1947, where it unanimously elected Eleanor Roosevelt from the United States as chairperson, Peng-Chun Chang from China as vice-chair, and Charles Habib Malik from Lebanon as rapporteur.⁸ During their meetings, the members continuously debated whether to make the Declaration a legal instrument with enforcement mechanisms or an aspirational international bill of rights.⁹ Chairperson Roosevelt petitioned ECOSOC to create a Drafting Committee to include Commission members from Australia, Chile, China, France, Lebanon, the Soviet Union, the United Kingdom, and the United States, which would prepare a preliminary draft of the International Bill of Human Rights.¹⁰ Notably, this proposal did not include any countries from Africa or South Asia. ECOSOC approved this drafting committee composition and constructed a timeline for developing the draft.¹¹

In June 1947, the Drafting Committee met for the first time and

reviewed the preliminary draft outline of the International Bill of Rights. This first draft articulated forty-eight individual human rights.¹² Due to the tension between creating an enforceable convention versus an aspirational declaration, the first session of the Drafting Committee culminated in a submission to the broader Commission, which included drafts for an international declaration on human rights both as soft law and as a Convention.¹³

After receipt of the submission, the Commission on Human Rights met for its second session in December 1947 and further reflected on a three-part concept of an international bill of rights comprising a declaration, a convention, and measures for implementation.¹⁴ After dedicated working groups submitted reports on each component, the Commission compiled these recommendations into its report and requested responses from governments that it could review before its third session.¹⁵

The Committee drafted both the International Declaration of Human Rights and the International Covenant on Human Rights, and sent it to the Commission.¹⁶ On June 19, 1948, the Commission adopted the redrafted Declaration with twelve votes in favor and four abstentions.¹⁷ ECOSOC members reviewed the Declaration and voted to send the draft to the General Assembly,¹⁸ but “expressed regret” on not having a draft covenant or measures for implementation.¹⁹ The Third Committee of the General Assembly spent eighty-four meetings debating the draft,²⁰ ultimately culminating in its adoption with twenty-nine votes in favor and seven abstentions.²¹ Thereafter, though not without some opposition, the General Assembly Plenary adopted the UDHR on December 10, 1948, as Resolution 217(III),²² with forty-eight votes in favor and eight abstentions, cementing the Declaration at the apex of international human rights.²³

The final text comprises thirty articles that underscore that all humans are born free and equal and includes, among others, the right to be free from slavery (article 4) and torture (article 5); and the right to freedom of

..... expression (article 19), adequate standard of living (article 25), and education (article 26).²⁴

The impact of the UDHR continues to reverberate in international law seventy-five years later.

..... In less than two years, the UDHR went from a discussion to an instrument that set the standard for human rights worldwide.²⁵ The Declaration is a defining landmark of contemporary international human rights law. Its legacy has inspired more than seventy human rights treaties globally, including the core nine,²⁶ which have implementation requirements.²⁷ Given that every country has ratified at least one

of the core international human rights treaties, states have obligations to fulfill human rights that stem from the Declaration.²⁸ The impact of the UDHR continues to reverberate in international law seventy-five years later.

AN IMPERFECT DECLARATION

While many rightfully applaud the UDHR for what it has done to promote human rights globally, it has also come under criticism. Three main critiques are notable: (a) human rights abuses did not begin in World War II, (b) its claims to “universality” are contested, and (c) the UDHR deals exclusively with individual rights and omits group or collective rights.

Human Rights Abuses Did Not Originate during World War II

The mass atrocities committed by the Nazis during the Holocaust rightfully shocked the world, contributing to the creation of the UN and the UDHR. However, the tendency to date the birth of human rights to the end of World War II minimizes equally shocking atrocities that predate it, including slavery, colonialism, and earlier genocides. Often working in tandem, slavery and colonialism stripped people of their basic humanity and rights, rendering them more amenable to mass liquidation.

The earliest known form of slavery dates to 6000–2000 BCE with the Mesopotamian and Sumerian civilizations; however, a universal right to be free from slavery did not exist as such until the UDHR.²⁹ Importantly, the League of Nations adopted the Slavery Convention of 1926, an agreement for member states to eliminate slavery and the slave trade in their territories.³⁰ However, article 9 of the Slavery Convention allowed states to exempt some of their territories from all or parts of the convention.³¹ The UN inherited the Slavery Convention in 1946.³² An acknowledgment therefore existed before the UDHR of the immorality of slavery; however, the exemptions in the Slavery Convention demonstrated that the desire for slaves outweighed their humanity. Therefore, the UDHR represented the first acknowledgment of an inherent human right to be free from slavery.

Article 2 of the UDHR hints at the repercussions of colonialism but addresses it even less directly than it does with slavery. This aligns historically, as many of the countries leading the UDHR’s preparation had colonies until the 1960s,³³ perpetrating human rights violations of their own in the colonies despite the enactment of the UDHR.³⁴ This early ambivalence of international human rights toward colonialism and its violations continues even today. Not only do postcolonial states continue to suffer the

repercussions of these violations, such as the struggle to escape poverty,³⁵ but issues of modern colonization are debated as such.³⁶

A Universal Declaration of Human Rights?

The question of universality has both quantitative and discursive prongs: (1) the difference in the number of states at the adoption of the UDHR has implications as to its claims to universality, and (2) the UDHR also has discourse implications seen in the debate regarding cultural relativism.

First, the fifty-eight states that adopted the Declaration in 1948 are significantly fewer than the 193 who comprise UN member states in 2023.³⁷ Not only has the number more than tripled in seventy-five years, but the states that have joined since then are largely former colonies and

First, the fifty-eight states that adopted the Declaration in 1948 are significantly fewer than the 193 who comprise UN member states in 2023.

smaller states. Additionally, within the fifty-eight states that could vote on the adoption of the UDHR in 1948, eight abstained and two did not participate.³⁸

Second, the exclusion of states under colonial domination in 1948, from participation in the negotiation of the UDHR, left mostly Western states and Latin American states (where decolonization was largely completed

in the early part of the nineteenth century) to participate in the process, leading to the impression that the Declaration is Western in its origins and content. One legacy of this is that human rights discourse more broadly contends with the issue of cultural relativism. Two main strands exist within the conversation: a more radical approach that finds the inherent concept of rights flawed and a moderate approach that proposes more culturally adapted rights. Within the latter category, one can draw another distinction between a descriptive claim that “people in different cultures hold different moral beliefs” and a metaethical claim that the “validity of moral judgments...depends on the cultural framework within which the judgment is made.”³⁹ The former schools argue for natural law as the primary source of these rights.⁴⁰ Per this viewpoint, human rights transformed from a religious idea (mainly from Judeo-Christian theology) to a secular one, with European (mainly French) influences.⁴¹ Others draw upon assumptions of the Western origins of the UDHR to argue that Western countries had a disproportionate impact on its drafting and the language used.⁴²

The countries that abstained from the UDHR vote cited that some of the articles did not align with their national values.⁴³ These views underlie the tensions as to the *universality* claims asserted in the name of the UDHR.

Individual Rights Supersede Group Rights

As seen in the *travaux préparatoires* of the UDHR and emphasized in the preamble—“disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind”—the drafters responded directly to the affronts of the Holocaust.⁴⁴ The term “genocide” emerged in response to the Nazis’ systematic murder of Jewish people during the Holocaust.⁴⁵ Coming from the Greek prefix *genos*, meaning race or tribe, and the Latin suffix *cide*, meaning killing, genocide, as defined in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, means a series of acts “committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.”⁴⁶ Similarly, the atrocities that preceded the adoption of the UDHR were also committed against a collective. The Declaration, however, does not include collective rights nor does it include any specific guarantee of protection against future persecution of an identity or social group.⁴⁷

.....
The Declaration, however, does not include collective rights nor does it include any specific guarantee of protection against future persecution of an identity or social group.

Not only does this dichotomy prove confusing, but it has resulted in a prolonged struggle for group rights. A group right, as opposed to an individual right, recognizes the social group as capable of being a right-holder.⁴⁸ Members of such groups or nations face unique challenges that individual rights do not fully encompass.⁴⁹ Some debate the very notion of group rights as they believe groups cannot bear independent rights and/or group rights would undermine individual rights.⁵⁰ The establishment of the UDHR as somewhat of a shrine to individual rights arguably contributed to this contentious debate. Despite the existence of the Declaration, people, and communities continue to suffer violations because of their identities. This clearly arose during the genocides in Rwanda and Bosnia, where thousands were killed largely for their identification with a minority cultural group.⁵¹

TOWARD THE FUTURE OF THE UDHR

The UDHR is widely seen as both an international collaboration—to describe a set of universal rights inherent to every human and as a Western colonial document articulating rights unachievable for many around the world. These somewhat uncharitable characterizations arguably describe the ambivalence at the heart of the UDHR. The international human rights community can both commemorate the Declaration and be mindful of its limitations. In fact, the field *must* do both at the landmark of the UDHR’s seventy-five years.

When the question of whether the international human rights community can overcome the flaws of the UDHR—namely its widely perceived Western colonial birth—arises, the discourse should focus on ongoing work in the field to remedy these failures. The UDHR was part of the foundation of an international system that allowed individuals

When the question of whether the international human rights community can overcome the flaws of the UDHR—namely its widely perceived Western colonial birth—arises, the discourse should focus on ongoing work in the field to remedy these failures.

and groups to demand the realization of their rights. These demands have resulted in monumental changes that owe, in large part, to the legacy of the international human rights regime.

An evaluation of the future of the Declaration must include an understanding of its successes and challenges in advancing human rights in the past. One such example relates to international responses to racism. Despite its generic prohibitions against discrimination, the UDHR does not address the multidimensional violations inherent in racism or the intergenerational resilience of the damage that it causes. More than twenty years after the adoption of the Declaration, the International Convention on the Elimination of All Forms of Racial Discrimination entered into force.⁵² Shortly thereafter, the UN explicitly attempted to rectify one of the legacies of slavery with its “Decade for Action to Combat Racism and Racial Discrimination.”⁵³ In the years since, the international community has continued this work in conferences and articulated goals.

This demonstrates a clear effort by the UN to call attention to the historical atrocities of slavery and racism, but a succession of international convenings on these issues does not fix the problem nor do they signify

the attainment of equality. Elevating these conversations to the multilateral stage could encourage dialogue internationally but does not guarantee meaningful action to address them or even encourage effective international cooperation toward redress. While it is impossible not to acknowledge that the UDHR has inspired this cascade of convenings and advocacy within the UN, the inadequacy of this response remains unmistakable. Therefore, the fundamentals established by the UDHR laid the groundwork for the international community to build on, but the onus remains on the actors to push the boundaries established and fight for the realization of human rights for all, irrespective of skin pigment. Relying on article 1 of the Declaration, which states “[a]ll human beings are born free and equal in dignity and rights,”⁵⁴ human rights activists have expanded the realization of rights past the 1948 conceptions in various areas, from LGBTIA+ rights⁵⁵ to women’s rights⁵⁶ and the rights of Indigenous peoples.

In looking toward the future, the community must continue such work that scrutinizes the UDHR and pushes it to new boundaries. Hurst Hannum argues that such a call risks attenuating the promise of human rights in the UDHR beyond its essential and achievable core.⁵⁷ However, the alternative would risk consigning the Declaration to the life of a normative museum piece. Given the relatively limited participation involved in its adoption, the continuing appeal of the Declaration must lie in its capacity to legitimize well-founded historical claims and struggles that were excluded by the circumstances of its adoption.

.....
Therefore, the fundamentals established by the UDHR laid the groundwork for the international community to build on, but the onus remains on the actors to push the boundaries established and fight for the realization of human rights for all, irrespective of skin pigment.

CONCLUSION

Seventy-five years ago, in shock and disgust at the atrocities of the Holocaust, fifty-eight countries met and created a document that sought to enumerate, for the first time, a set of rights inherent to human beings everywhere. With an imperfect document in an imperfect world, flaws permeated the system that emerged. An organization dominated by white colonial states engaged in the atrocities of colonialism, slavery, and racism convened the adoption and signing of the UDHR. Despite the flaws

inherent in its historical moment, the UDHR has proved to be, in keeping with its preamble, a “common standard of achievement for all peoples and all nations.”

Seven decades after its adoption, some fear the world looks more like it did in the decade leading up to the adoption of the UDHR, with the rise of far-right movements.⁵⁸ This somewhat cyclical narrative shows that in addition to being a source of hope and inspiration, the UDHR also remains bedeviled with challenges. In these times, the international human rights field must celebrate the UDHR for what it has brought, acknowledge its failures, and commit to remedying them, together. The work that the UN and other international actors have undertaken to address slavery and racism inspires hope that progressive change can be achieved, if everyone works under the values of promoting human rights together.

To live up to its name—the *Universal* Declaration of Human Rights—the field must continue its work toward acknowledging its past and rectifying its mistakes until every individual has realized basic human rights. As the world marks seventy-five years of the UDHR, work must begin in earnest to envision how to overcome the constraints of its past to realize its promise more fully.

The trajectory of the evolution of human rights since the inception of the Declaration demonstrates that important work has been done to advance the realization of rights across the globe. However, the UDHR is not a straitjacket. Its foundations are capacious enough for the international community to build upon. In looking to the future, the field of international human rights must hold close to the purpose of the UDHR, while addressing its shortcomings, and weaknesses, such that at the inflection point of one century since its adoption—in 2048—there will be a greater realization of human rights for all. *f*

ENDNOTES

- 1 “UN Treaty Bodies Database,” accessed December 5, 2023, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Home.aspx.
- 2 Adam Taylor, “It wasn’t just the Armenians: The other 20th century massacres we ignore,” *Washington Post*, April 24, 2015, <https://www.washingtonpost.com/news/worldviews/wp/2015/04/24/it-wasnt-just-the-armenians-the-other-20th-century-massacres-we-ignore/>.
- 3 United Nations Charter, June 26, 1945, <https://www.un.org/en/about-us/un-charter/full-text>.
- 4 *Ibid.*
- 5 “History of the Declaration,” United Nations, accessed November 20, 2023, <https://www.un.org/en/about-us/udhr/history-of-the-declaration>.
- 6 “Universal Declaration of Human Rights (1948), Drafting History,” United Nations, last modified November 28, 2023, <https://research.un.org/en/undhr>.

- 7 United Nations Economic and Social Council resolution 9(II), *Commission on Human Rights*, E/RES/9(II) (June 21, 1946), [undocs.org/E/RES/9\(II\)](https://undocs.org/E/RES/9(II)).
- 8 United Nations Commission on Human Rights, *Summary Record of the First Meeting*, E/CN.4/SR.1 (January 28, 1947), undocs.org/E/CN.4/SR.1.
- 9 “Universal Declaration of Human Rights (1948), Drafting History.”
- 10 United Nations Economic and Social Council, *Report of the Commission on Human Rights: [Letter Dated 24 March 1947 from the Chairman of the Commission on Human Rights to the President of the Economic and Social Council]*, E/383 (March 24, 1947), undocs.org/E/383; and United Nations Economic and Social Council, *Social Committee: Draft Resolutions on Human Rights and on International Conference on the Freedom of the Press*, E/AC.7/12 (March 12, 1947), undocs.org/E/AC.7/12.
- 11 Economic and Social Council, *Social Committee: Draft Resolutions on Human Rights and on International Conference on the Freedom of the Press*.
- 12 United Nations Commission on Human Rights, *Draft Outline of International Bill of Rights*, E/CN.4/AC.1/3 (June 4, 1947), undocs.org/E/CN.4/AC.1/3.
- 13 Drafting Committee, *Drafting Committee on an International Bill of Human Rights*.
- 14 “Universal Declaration of Human Rights (1948), Drafting History.”
- 15 United Nations Commission on Human Rights, *Report of the Commission on Human Rights, Second Session*, E/600 (December 17, 1947), undocs.org/E/600.
- 16 United Nations Commission on Human Rights Drafting Committee, *Report of the Drafting Committee to the Commission on Human Rights*, E/CN.4/95 (May 21, 1948), undocs.org/E/CN.4/95.
- 17 United Nations Commission on Human Rights, *Summary Record of the Eighty-First Meeting*, E/CN.4/SR.81 (July 1, 1948), undocs.org/E/CN.4/SR.81.
- 18 United Nations Economic and Social Council, *Report on the Third Session of the Commission on Human Rights*, E/RES/151(VII) (August 16, 1948), [undocs.org/E/RES/151\(VII\)](https://undocs.org/E/RES/151(VII)).
- 19 “Universal Declaration of Human Rights (1948), Drafting History.”
- 20 United Nations General Assembly Third Committee, *Draft International Declaration of Human Rights*, A/777 (December 7, 1948), undocs.org/A/777.
- 21 United Nations General Assembly, *179th Meeting*, A/C.3/SR.179 (December 7, 1948), undocs.org/A/C.3/SR.179.
- 22 United Nations General Assembly, *International Bill of Human Rights*, A/RES/217(III) (December 10, 1948), [undocs.org/217\(III\)](https://undocs.org/217(III)).
- 23 United Nations General Assembly, *183rd Plenary Meeting*, A/PV.183 (December 10, 1948), undocs.org/A/PV.183.
- 24 *Universal Declaration of Human Rights*, December 10, 1948, <https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf>.
- 25 Hurst Hannum, “The Status of the Universal Declaration of Human Rights in National and International Law,” *Georgia Journal of International and Comparative Law* 25, no. 1 (1996): 287–397.
- 26 The core nine human rights treaties include: International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, International Convention for the Protection of All Persons from Enforced Disappearance, Convention on the Rights of Persons with Disabilities;

- “The Core International Human Rights Instruments and their monitoring bodies,” United Nations, accessed November 26, 2023, <https://www.ohchr.org/en/core-international-human-rights-instruments-and-their-monitoring-bodies>.
- 27 “Universal Declaration of Human Rights,” United Nations, accessed November 26, 2023, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
- 28 “The Foundation of International Human Rights Law,” United Nations, accessed November 26, 2023, <https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law>.
- 29 “Slavery in History,” The History Press: The destination for history, accessed November 26, 2023, <https://www.thehistorypress.co.uk/articles/slavery-in-history/>.
- 30 League of Nations, *Slavery Convention*, September 25, 1926, https://tile.loc.gov/storage-services/service/gdc/gdcwdl/wd/l_11/57/3/wdl_11573/wdl_11573.pdf.
- 31 Ibid.
- 32 “Slavery Convention,” Library of Congress, accessed November 26, 2023, <https://www.loc.gov/item/2021667888/>.
- 33 “Decolonization: 1945-1968,” University of Pennsylvania, accessed November 26, 2023, <https://www.sas.upenn.edu/~mercerb/chdecol.html>.
- 34 See Jacob Dolinger, “The Failure of the Universal Declaration of Human Rights,” *University of Miami Inter-American Law Review* 47, no. 2 (Summer 2016): 167-168; E. Tendayi Achiume et al., “Anti-Racism at the United Nations,” *AJIL Unbound* 117, (2023): 82, <https://doi.org/10.1017/aju.2023.11>.
- 35 See Patrick Trent Grainer, “How colonialism’s legacy makes it harder for countries to escape poverty and fossil fuels today,” *The Conversation*, June 28, 2021, <https://theconversation.com/how-colonialisms-legacy-makes-it-harder-for-countries-to-escape-poverty-and-fossil-fuels-today-159807>.
- 36 See “Dismantling Israel’s illegal occupation is a sine qua non for Palestinian right to self-determination: UN expert,” United Nations, October 27, 2022, <https://www.ohchr.org/en/press-releases/2022/10/dismantling-israels-illegal-occupation-sine-qua-non-palestinian-right-self>.
- 37 “Growth in United Nations Membership,” United Nations, accessed November 26, 2023, <https://www.un.org/en/about-us/growth-in-un-membership>.
- 38 Mustafa Burak Şener, “A Review of the Meaning and Importance of the Universal Declaration of Human Rights,” *International Journal of Political Studies* 7, no. 3 (December 28, 2021): 22, <https://doi.org/10.25272/icps.962292>.
- 39 Louis Henkin et al., *Human Rights*, 2nd ed., 168 (Foundation Press, 2009).
- 40 Ibid, 47.
- 41 See Henkin et al., *Human Rights*, 47-53; Sarah Voulaz, “The Universal Declaration of Human Rights at 70 and Global Power,” UNA-UK, October 23, 2018, <https://una.org.uk/magazine/2018-1/universal-declaration-human-rights-70-and-global-power>; and see also Dolinger, “The Failure of the Universal Declaration of Human Rights,” 179.
- 42 Modern research questions this assumption providing evidence that human rights is not solely a Western idea but instead dialogue emerged in Latin America. See Kathryn Sikkink, *Evidence for Hope: Making Human Rights Work in the 21st Century* (Princeton University Press, 2017), 328; and Janne Mende, “Are Human Rights Western—And Why Does It Matter? A Perspective from International Political Theory,” *Journal of International Political Theory* 17, no. 1 (February 2021): 2–116, <https://doi.org/10.1177/1755088219832992>.
- 43 Şener, “A Review of the Meaning and Importance of the Universal Declaration of Human Rights,” 22.

- 44 *Universal Declaration of Human Rights*.
- 45 “Genocide,” United Nations Office on Genocide Prevention and the Responsibility to Protect, accessed November 27, 2023, <https://www.un.org/en/genocideprevention/genocide.shtml>.
- 46 Ibid.
- 47 See *Universal Declaration of Human Rights*; and Dolinger, “The Failure of the Universal Declaration of Human Rights,” 176.
- 48 Peter Jones, “Group Rights,” in Edward N. Zalta and Uri Nodelman, eds., *The Stanford Encyclopedia of Philosophy* (Metaphysics Research Lab, Stanford University, 2022), <https://plato.stanford.edu/archives/fall2022/entries/rights-group/>.
- 49 “Universal Declaration of Human Rights: Why Does It Matter?,” UBNOW, December 17, 2015, https://www.buffalo.edu/ubnow/stories/2015/12/qa_welch_udhr.html.
- 50 Peter Jones, “Group Rights.”
- 51 See History.com Editors, “Rwandan Genocide,” History.com, May 19, 2023, <https://www.history.com/topics/africa/rwandan-genocide>; History.com Editors, “Bosnia Genocide,” History.com, October 30, 2019, <https://www.history.com/topics/1990s/bosnian-genocide>.
- 52 United Nations General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, U.N.T.S. 660 (entered into force January 4, 1969), 195.
- 53 United Nations General Assembly, *Decade for Action to Combat Racism and Racial Discrimination*, A/RES/2919(XXVII) (November 15, 1972), [undocs.org/A/RES/2919\(XXVII\)](https://undocs.org/A/RES/2919(XXVII)).
- 54 *Universal Declaration of Human Rights*, art. 1.
- 55 Office of the United Nations High Commissioner for Human Rights, “BORN FREE AND EQUAL: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law (Second Edition)” (United Nations, 2019), https://www.ohchr.org/sites/default/files/Documents/Publications/Born_Free_and_Equal_WEB.pdf.
- 56 Office of the United Nations High Commissioner for Human Rights, “Women’s Rights Are Human Rights” (United Nations, 2014), <https://www.ohchr.org/sites/default/files/Documents/Events/WHRD/WomenRightsAreHR.pdf>.
- 57 Hurst Hannum, *Rescuing Human Rights: A Radically Moderate Approach* (2019).
- 58 See “History of Right-Wing Extremism | Gale,” Gale, accessed January 8, 2024, <https://www.gale.com/primary-sources/political-extremism-and-radicalism/collections/history-of-right-wing-extremism>.