

Annotated Bibliography: Select Writings of John Peters Humphrey

“United Nations and Human Rights”. John P. Humphrey. In *Howard Law Journal* (1965).

This is the text of a speech delivered by Humphrey at a symposium on international human rights law. Humphrey explores possibilities of actualizing human rights implementation outside and beyond the purview of the UN’s human rights conventions. To that end, he emphasizes promoting respect for human rights through persuasion and education. Toward the end of the speech, Humphrey makes a case that the UN General Assembly should create an office of a High Commissioner for Human Rights.

“Revolution in the International Law of Human Rights”. John P. Humphrey. In *Human Rights* (1971).

This is the text of a speech to the American Bar Association. Humphrey states that while the adoption of the *Universal Declaration of Human Rights* is the greatest achievement of the UN, it is only one element in the development of an international human rights system. Humphrey maintains that the most important factor to promote respect for human rights internationally is the force of public opinion.

“A United Nations High Commissioner for Human Rights: The Birth of an Initiative”. John P. Humphrey. In *Canadian Yearbook of International Law* (1973).

Humphrey proposes the establishment of a UN High Commissioner for Human Rights. He underscores the importance of the Commissioner’s role, which would function as an independent officer of the General Assembly. The Assembly would report to the Commissioner on developments in human rights, including the implementation of relevant declarations and instruments adopted by the UN and its specialized agencies, and would assess the progress and problems related to human rights promotion and implementation.

“International Bill of Rights: Scope and Implementation”. John P. Humphrey. In *William and Mary Law Review* (1976).

Humphrey contends that while the *UDHR* is not a “perfect document”, it nevertheless provides the framework for the recognition and implementation of human rights and fundamental freedoms at the global level. The *UDHR* fills a space that was left undefined by the UN *Charter*. In the concluding sections, Humphrey emphasizes the need for an effective system of international implementation.

“The Implementation of International Human Rights Law”. John P. Humphrey. In *New York Law School Law Review* (1978-1979).

Humphrey argues that although international human rights law has made remarkable progress in a normative sense since the adoption of the UN *Charter*, its implementation mechanisms have not kept pace with this progress. The reason for this gap is a lack of agreement on implementation

methods within the international community. This is the reason, according to Humphrey, why effective mechanisms for international implementation of human rights have not evolved.

***The Practice of Freedom: Canadian Essays on Human Rights and Fundamental Freedoms.* John P. Humphrey and R. St. J. Macdonald (1979).**

According to the authors, the central issue in the practice and actualization of human rights is the conflict between individual and collective rights. It must be determined which of these two rights is to be given priority and why. The essays in this book do not attempt to answer this question with finality, but rather serve to generate a robust discussion on the fundamental human rights values being debated globally in the late twentieth century.

***Human Rights and The United Nations: A Great Adventure.* John P. Humphrey (1984).**

Humphrey's memoir of his UN years. He served as the first Director of the UN's Division of Human Rights, from 1946 to 1966. The memoir, based on a meticulously kept diary, presents a range of fascinating insights into the critical period during which the *UDHR* and the first two international human rights *Covenants* were drafted and adopted by the UN.

“The Canadian Charter of Rights and Freedoms and International Law”. John P. Humphrey. *Saskatchewan Law Review* (1985-1986).

Humphrey's critique of Canada's *Charter of Rights and Freedoms*. He posits that the Canadian *Charter* does not protect all the rights set forth in the *UDHR* and the UN's first two international *Covenants*. The *Charter*'s language is also not consonant with the language of the UN's international instruments. Humphrey argues that the best way to protect the rights and freedoms of Canadians and ensure respect for international obligations is to infuse the entire corpus of international human rights into Canadian law.

“Preventing Discrimination and Positive Protection for Minorities: Aspects of International Law”. John P. Humphrey. *Cahiers de Droit* (1986).

According to Humphrey, mistreatment of minority groups can affect the peace of nation states. Protection of minority rights must be ensured by preventing discrimination and developing pre-emptive policy and legal measures to promote inclusion, equality, and respect for these groups. The article elaborates on the impact of these measures.

“The Dean Who Never Was”. John P. Humphrey. *McGill Law Journal* (1989).

This is the text of the inaugural lecture of the John P. Humphrey Lectureship on Human Rights at McGill University, delivered by Humphrey himself in November 1988. Humphrey talks about his appointment as the first Director of the Division of Human Rights at the UN, the adoption of the *UDHR*, and the moral, political, and juridical importance of that seminal UN document. Humphrey stresses that respect for human rights and peace in the world are integrally correlated. He concludes the address with a call to action: “The generation to which I belong has successfully enunciated

international legal standards in the matter of human rights. But that is not enough. The challenge of the future [...] is how to set up efficient mechanisms for the enforcement and implementation of these standards. This will not be an easy thing to do, but it is something that has to be done if this planet is to have any future.”

No Distant Millennium: The International Law of Human Rights. John P. Humphrey (1989).

This book is a reflection on the current state of the international law of human rights. The book’s ideas draw on Humphrey’s work at the UN Secretariat as the first Director of the UN’s Division of Human Rights. Humphrey examines the origins and salient characteristics of international human rights law and offers definitions of human rights terminology. The book also surveys human rights in their historical context. It explains the UN’s role in the international human rights framework, and it explores the important function specialized UN agencies play in the UN human rights system to advance respect and promotion of human rights. Humphrey also deconstructs the *UDHR* and *UN Covenants*, and reviews other international conventions, declarations, and institutions of customary human rights law.

“Rule of Law in a State of Emergency”. John P. Humphrey. *Dalhousie Law Journal* (1990).

In a response to Subrata Roy Chowdhury’s *Rule of Law in a State of Emergency*, Humphrey argues that the norms related to recognizing human rights in states of emergency must be accompanied by guarantees that human rights will not be abused. For instance, an emergency must be officially proclaimed by the state and the measures taken during the emergency must not be inconsistent with the state’s obligations under international law. These measures must not result in discrimination (e.g., on the grounds of race, colour, sex, language, religion, social origin, etc.). Furthermore, certain human rights (e.g., the right to be free from torture) must never be violated even in periods of emergency. Lastly, states must immediately inform the UN Secretary-General of any provisions of the *UN Covenants* it has derogated during an emergency, and it must furnish plausible reasons for doing the same.

“Human Rights: The Necessary Conditions of Peace”. John P. Humphrey. *International Relations* (1990).

This article examines the relationship between respect for human rights and international peace. It also features an annex of major human rights instruments.

“Peace on Earth and Goodwill to Men”. John P. Humphrey. *Human Rights Quarterly* (1992).

In this article, Humphrey presents world government as a potential solution to current global crises, examining the concept from a theoretical perspective.