



The Rule of Law:
Foundation for
Communities of
Opportunity and
Equity

Law Day
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Landmark Documents
of the Rule of Law
Series

Part 1
Magna Carta (1215)

Part 2
English Bill of Rights (1689)

Part 3
**Constitutional Amendments
(1791–)**

Part 4
**Universal Declaration of
Human Rights (1948)**



For more information about Law Day 2008, including a downloadable Dialogue on the Rule of Law and Planning Guide, go to www.lawday.org.



Universal Declaration of Human Rights (1948)

Drafting the Universal Declaration

On December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. The Declaration was the first comprehensive, international statement of fundamental human rights for everyone, everywhere across the globe—and a landmark of the rule of law.

While many people contributed to this document, one person deserves special recognition for bringing it to fruition. Her name was Eleanor Roosevelt. The wife of President Franklin Delano Roosevelt, Eleanor Roosevelt served as First Lady from 1933–1945. After her husband's death, President Harry Truman appointed her as the U.S. Delegate to the U.N. General Assembly, newly created after World War II ended in 1945. She then served as the first chairperson of the U.N. Human Rights Commission, which took on the task of drafting the Universal Declaration.

This arduous task took three years to complete. Eleanor Roosevelt hoped the Declaration would become the “international Magna Carta.” Powerfully motivating the drafters of the Universal Declaration was the fresh and painful memory of the global horrors of World War II, which resulted in the death of more than 50 million people worldwide. The Universal Declaration clearly links the atrocities of the war—referencing “barbarous acts which have outraged the conscience of mankind”—to “disregard and contempt for human rights.”

The Document and Its Legacy

The Universal Declaration is a succinct and eloquent document. It draws from different legal traditions and national human rights documents, including the U.S. Bill of Rights and the French Declaration of the Rights of Man and of the Citizen. The Preamble emphasizes that “It is essential ... that human rights should be protected by the rule of law.” Following the Preamble, the Declaration contains just 30 short articles, including Articles 6 and 7, which assert the right of all individuals to be recognized as persons before the law and to the equal protection of the law.

The Declaration is not itself a legally binding international agreement. It is aspirational and inspirational. However, its provisions have found their way into many national constitutions and human rights treaties, including two principal international covenants, one on Civil and Political Rights and the other on Economic, Social, and Cultural Rights. The U.N. General Assembly approved both covenants in 1976. They have since been ratified by many of the world's countries. The United States ratified the covenant on civil and political rights in 1992, but with “reservations,” and has not ratified the other covenant.

This year is a milestone for the Universal Declaration, as the United Nations commemorates the 60th anniversary of its adoption. We can best honor the efforts of its founders—including Eleanor Roosevelt—by encouraging young people today to understand its historical origins, provisions, and enduring legacy for affirming human rights and the rule of law.



Student Activities and Focus Questions

1. Ask students to read the Universal Declaration. Working individually or in groups, ask them to compare it to other landmark human rights documents, such as the English Bill of Rights, the U.S. Constitution, and the French Declaration of the Rights of Man. How are they similar? Different?
2. Direct students to learn more about Eleanor Roosevelt. Why did she come to play such a prominent role in the adoption of the Universal Declaration and as an advocate for human rights?
3. Why do you think the United States has not fully ratified the international human rights covenants? Should we do so?