

## EDITORIAL

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**T**he Universal Declaration of Human Rights is sixty years old. But many rights are still denied. The celebration of sixty years existence of the Universal Declaration of Human Rights has occurred in an atmosphere that is less joyous, certainly more worrisome, than that at the time of similar celebrations in earlier years. Because on the one hand, there is a crisis that is suffocating Western economies and their relatively high-quality of life which earlier seemed assured – thanks also to rights guaranteed by social welfare – and on the other, there are growing international disorders stemming from crises that are destabilizing many areas of the planet.

Terrorism constitutes a threat ever more able to attack both affluent and poor countries. In dealing with this threat, Western societies have reacted in a self-absorbed way, closed a blind eye, worried above all to protect their particular sphere of threatened “social peace” principally from terrorism, but also from internal ethnic groups’ often violent calls for respect of rights. We are living in an era experiencing the decline of human rights.

The history of achievements in human rights is a story of great conquests. Is there a risk that this story is close to reaching its definitive conclusion? First there was the battle against slavery condemned by the American and French Declaration of Rights, then in the 19<sup>th</sup> century the birth of constitutions, and the Fundamental Charter of Rights destined to influence the life of people worldwide; and then followed the end of colonialism and the declared consecration of peoples’ rights to self-determination with the recognition of national states’ rights to independence.

Finally, the creation of a new “international order” based on the repudiation of war, interpreted “war” no longer as a “right” but rather as a “crime” in the context of the Charter of the United Nations, whose aim was to negotiate the peaceful resolution of controversies between states while “punishing” those states that had

abusively imposed an arbitrary “justice” on their own. This process of recognizing inherent rights and forbidding the use of force has gained an enormous importance, transforming the concept itself of “procedural legality” in relations between nations.

It has also been recognized – through the Charter of the United Nations – that the rule of law is not restricted to national borders, but rather involves relations on an international scale.

Thanks to the United Nations, this concept has aided in codifying human rights even if it hasn’t succeeded in guaranteeing their implementation. The modern state was created to protect citizens’ rights, but in many cases these same states have also been violators of these rights. It suffices to think of the Holocaust to confirm this point.

Following the end of the Cold War, the United Nations seemed prepared to offer a recognized capacity to administer its responsibilities in the world. For many decades, the United Nations had been cut-off from involvement in international negotiations, limiting itself to passively recognizing the will of the Super Powers to autonomously negotiate or break treaties while they fought for supremacy amongst themselves. War and peace depended on bilateral treaties between the USA and the USSR whose outcome not even the UN could institutionally impose. At the end of the Cold War the UN was finally able to recuperate the powers recognized by its statute. Those were the years of “great hopes” immediately following to the end of the Communist ideology and finally the implosion of the USSR itself.

Finally it seemed a new idea of “peace” was attainable. Peace was no longer conceived of as a simple cessation of hostilities between super-powers but rather as a “natural condition” maintained in international relations. Peace was to be carefully “watched over” by all states, which were both “producers” and “consumers” of security. But things did not turn out this way. Disappointment took the place of hopes.

The United States declared that with the end of Communism, a new world would be created on the basis of a unique ideology – liberal democratic – interpreted unilaterally by the Americans and guaranteed through force of arms, even without UN authorization. Reactions to this “interpretation” of peace and this New Order have been quite violent. The world is more agitated than ever.

The ideal of peace built on the basis of a universal and unique

ideology is being contradicted by claims for autonomy and recognition by ethnic minorities that are provoking conflicts in both small and large areas of the planet; for the first time a dangerous fracture is being created between the USA and some of its allies on one hand, and on the other – the rest of the world. The world seems less united than ever. There are diverse explanations being given for this. Some have spoken of a “clash of civilizations”. Others of “planetary conflicts” involving powerful economic interests that threaten states’ independence. There are also those who speak about an alliance between criminal interests and immense economic cartels allied to terrorist groups to conquer the world. Still others refer to “privatizing” wars. One thing is certain- the last twenty years have witnessed some of the cruelest denials of human rights in the history of humanity.

The latest wars have been more violent than earlier ones. The violence perpetrated on civil populations has expanded, and violence has reached an un-heard of level of cruelty. All this has happened in spite of the existence of the Charters of Rights requested by many countries.

So what future awaits Human Rights proposals? What errors have been committed and should be avoided? What has provoked so much violence?

There is no doubt that there are many causes. But above all, the under-development of large areas of the world and of an entire continent (Africa) has caused rage and vindictive feelings towards the West, which – in turn- has produced political instability and an overall sensation of insecurity in the wealthier societies.

It makes no sense to write a new Charter of Rights if one is not able to distribute wealth while trying to realize social justice. It makes no sense to initiate dialogues between cultures if you can’t assure a country’s citizens of economic development they they have never experienced before.

It makes no sense to speak about democracy and the Rule of Law in areas in which fundamental rights to adequate nutrition, work, health, are negated. It is necessary to establish a new “pact” between those worlds of economic affluence and the under-developed nations to guarantee the poorest countries the possibility of access to their wealth, and the possibility of transferring necessary technologies essential for economic growth.

Sixty years after the drafting of the Universal Declaration, it is

now essential that all governments implement the Charters of Human Rights that already exist instead of more juristic creativity. The West will be able to initiate a dialogue with the poorest countries in the world if it not only limits discussions about human rights, but also satisfies primary needs for resources. The real revolution of the third millenium is that which consents the transformation of "needs" into "rights", even if all "needs" cannot enter as part of the Charters of Human Rights protected as "rights". For the first time the world can be transformed without recourse to war if it will be able to elevate the call for human rights from empty proclamations to the level of substantive, practical applications.