

Some Rights Are More Equal than Others: The Third World and the Transformation of Economic and Social Rights

On December 10, 1948, the Universal Declaration of Human Rights was adopted in a momentous night session of the United Nations General Assembly. For the first time, a “common standard of achievement” for human rights had been proclaimed and approved by an overwhelming majority of delegations. Unlike the great eighteenth-century declarations of 1776 and 1789, the Universal Declaration contained extensive provisions for economic and social rights, which were accorded parity with the more established civil and political rights.¹ The Western democracies, then steadily expanding their welfare states, had relatively few reservations about these newer additions.² Nor was there opposition from the small but growing collection of Asian and Arab countries, which embraced social rights as central to the postcolonial project. While eight states abstained on the final text, none of their objections targeted this striking innovation. The two representatives that came closest to wholesale philosophical rejection were those from South Africa, Mr. Eric Luow and Mr. C. T. Te Water.³ Yet even their critique of the document drew little distinction between the two categories. Defending *apartheid* necessitated the repudiation of both political and social rights, and thus neither aspect of the document was acceptable. In the late 1940s, there was some form of normative consensus on economic and social rights, albeit one that was very weak, predicated on an evasive generality. On the other hand, questions like the right to self-determination, and appropriate rights implementation procedures, were the source of sharper and often more bitter divisions between the West, the Soviet Bloc, and the then nascent Third World.

Two decades later, the situation had been transformed, with the status of economic and social rights a principal fault line between the Western democracies and a much larger, and more assertive, Third World. At the First International Conference on Human Rights, held in April 1968 in Teheran, a rising chorus of Asian, African, and Arab voices urged greater emphasis on economic and social rights, challenging the indivisibility and interdependence that lay at the heart of the 1948 Universal Declaration.⁴ Ato Solomon Tekle, from Haile Selassie’s Ethiopia, encapsulated the new formulation. Economic and social rights, claimed Tekle, “formed the basis for all other human rights.”⁵ He was hardly alone, with similar assertions of this hierarchy evident not only in the long political speeches but in the Teheran Proclamation itself. From traditional absolutists like Selassie, to more humane African socialists like Tanzania’s Julius Nyerere, the Third World dramatically and radically revised the importance of

social rights. By the 1970s, the special challenge posed by social rights was a nearly permanent fixture on the agenda of the General Assembly and its Commission on Human Rights.

This essay will examine the impact of the Third World on the development and subsequent reprioritization of economic and social rights. Between the 1940s and the late 1970s, these rights became an established feature of the international human rights order. While the Cold War division on human rights politics was often conceptualized as a struggle over the status of social rights in relation to traditional civil and political freedoms, there was significant support for economic and social rights from the Western democracies.⁶ Conventional Cold War politics was ultimately a secondary influence on the evolution of economic and social rights at the UN. Much of the debate formed instead along the other major axis in the halls of the General Assembly, that between North and South. Engaging the politics of international development, modernization, and the balance of the global economic order, the battles on social rights were vastly more complicated, and more persistent, than liberal democrat versus Soviet autocrat. They would outlive the Cold War, finding expression at the fractious 1993 Vienna Conference on Human Rights and in the “Asian values” debates of the 1990s.

This essay argues for the transformative role of the Third World in the debate on social rights. For Asian, Arab, and African states faced with seemingly insoluble underdevelopment and poverty, economic and social rights held an immediacy that was often missing from Western, and indeed communist, rhetoric. Yet the challenge of delivering these rights in the context of immense and intractable resource constraints soon led to significant departures from the 1948 formulation of the two sets of rights being equal and interdependent. As early as the mid-1960s there were provocative claims of a hierarchy emerging from the Third World, which elevated the status of the economic and social above the civil and political, with the latter subordinated to the realization of those more pressing material needs. As the decade wore on, the logic of this argument evolved still further, with the pursuit of social rights becoming an alibi for top-down modernization. The rhetoric of development and modernization would eventually compromise the essential character of the rights themselves, taking them from freedoms focused on the individual to more collective and state-centric measures.⁷ Development trumped civil and political rights, but it also irrevocably altered and damaged the very social rights it claimed to protect. No longer freedoms wielded by the individual, they were collective privileges bestowed upon peoples by paternalistic modernizers. The bearers of social rights became states, not their citizens—rhetorical weapons in a crusade against the wealthy North.

The Third World Approach to Social Rights in the Early UN: An Uneasy Equilibrium

As the Universal Declaration took shape in Lake Success and Geneva, the handful of Asian and Arab participants in the Commission on Human Rights pursued social rights with a measured enthusiasm. Typically, the Latin American and communist states pressed the newer rights with the greatest vigor and found allies among their Asian and Arab colleagues.⁸ Key social rights contained in Article 25, such as the right to food, clothing, medical care, and shelter, were strongly supported by the Asian and

Arab delegations.⁹ Recognition of the right to clothing was granted on the direct initiative of the Philippines and China. The Egyptian delegates Omar Loutfi and Osman Obeid, as well as the Syrian Abdul Kayaly, made constructive contributions to the text as it passed through the commission and the General Assembly, but with a distinct lack of radicalism.¹⁰ Kayaly proposed the inclusion of “social justice,” as embodied in the Islamic welfare system of *Zakat*, in the draft text. The measure failed, but it indicated his support for redistributive social security—and his attempt to find a meaningful cross-cultural equivalent for European and American mechanisms.¹¹ Syria would spend the following decade wracked by efforts to find politically acceptable mechanisms for social reformation, notably with the formation of Akram Hawrani’s Arab Socialist Party in 1950, and later its merger with the embryonic Baathist movement in 1953. The centerpiece of the new party’s platform was an extensive plan for social justice, welfare, and economic reconstruction.

Yet these early efforts at social rights advocacy were not evidence of any obvious attempt at generating a hierarchy. There were no strong assertions of priority, and the most explicit statement of emphasis from Philippine representative Salvador Lopez remained mild. Social rights, he observed, were of “particular importance” to the Philippines, but he went no further than this.¹² Nor was there any real suggestion of an order evident among Lopez’s colleagues. Charles Malik, the celebrated Thomist philosopher from Lebanon, was insistent that the material dimension of human rights was a mechanism to attain those more transcendent human aspirations. He cautioned the commission not to “fall into the error of over-simplification” and place undue weight on equality and full employment. Malik warned that “he would not be satisfied with mere social security and lack of discrimination except as means to a higher end, namely, the freedom of spirit.”¹³ Hansa Mehta, a leader of India’s women’s movement and an MP in the first independent Constituent Assembly, was primarily concerned with the matter of implementation. Civil, political, economic, and social rights were all equally vital; the problem was how to make them real.

Only the Iranian delegate, Ghassame Ghani, openly advocated any prioritization of social development ahead of civil and political rights. In one of the first meetings of the commission, on February 4, 1947, he argued that education, sponsored by the UN, was a prerequisite for freedoms of opinion and expression, as

freedom of expression and of opinion were possible only in countries where the standard of education was high enough to allow the masses to form a sound opinion, and so he wished the United Nations to take steps first of all to eliminate illiteracy and promote education, by such means as granting financial assistance to backward countries.¹⁴

While superficially resembling the authoritarian developmentalism that would become characteristic of Shah Mohammed Reza Pahlavi’s regime in the 1960s, the Iranian argument on literacy was never advanced with any force in the commission of the 1940s. Ghassame Ghani notwithstanding, the seeds of the later conflict over priority were barely discernible across 1946–48 simply because there was no characteristic Third World position beyond a generally strong support for both sets of rights.¹⁵ The aspirational quality to the declaration further softened the challenge of incorporating

these newer freedoms; its form allowed a generality that would be impossible in a more conventional international treaty. As the human rights project moved to preparing legally binding obligations, in the draft covenants on human rights, the place of social rights would become considerably more problematic.¹⁶

Different Rights, Different Covenants? The Third World and the International Human Rights Covenants

The debate over the covenants, which would span over five years, provoked a much more serious and sustained conflict over the character of social and economic rights.¹⁷ This was most readily apparent in the very existence of two covenants: one on civil and political rights, and the second on economic, social, and cultural rights. When drafting commenced in the late 1940s, a single covenant was envisaged, but the dispute over how to incorporate social rights into the document eventually resulted in a decision to separate the two sets of rights. What was possible to accommodate within a single declaration was seemingly beyond resolution in the more precise realm of a covenant. The split itself would be seized upon by a body of human rights historiography that mapped the division onto Cold War politics, producing an elegant correspondence to the notional ideologies of East and West.¹⁸ Closer examination of the covenants' evolution reveals a complicated process, one in which the Cold War played a crucial role, but alongside a rising constellation of Third World voices in both the Third Committee of the General Assembly and the Commission on Human Rights.¹⁹

From 1950 onward, debate on the covenants revealed fundamental divisions on the nature of social rights, not only between the Western states and the Soviet Bloc but also between the West and the Third World. Indeed, they revealed obvious cleavages within the groups themselves. When articles on social rights were introduced into the draft covenant at the May 1950 session of the commission, the problems of transforming the lofty phrases of the declaration's articles 22, 23, and 25 into legal entitlements precipitated an elaborate multiyear controversy. In the first significant consideration at Lake Success on May 9–10, the small Third World contingent was initially reluctant to support their inclusion in the draft text—though they strongly endorsed the principle of social rights. Ramadan (Egypt) thought they might be best in “a new covenant.”²⁰ Mehta, who was focused on the practical question of implementation, expressed concern about the inevitable delays social provisions would cause. Perhaps the most single-minded proponent of intrusive implementation measures, she argued that trying to find mechanisms for the newer generation of rights would cause “great difficulties.”²¹ Malik shared many of Mehta's reservations. Little progress was made in the session, leaving the more substantive debates for resumption in April 1951, when a special working group of the commission was established to investigate the place of social rights.

When the Working Group on Economic, Social and Cultural Rights met for its deliberations in Geneva in April 1951, it opened with a clash between Eleanor Roosevelt and the Egyptian delegate Mahmud Azmi on the relative importance of social rights. A lawyer by profession, Azmi had written extensively for Egyptian newspapers and journals. During his time in the human rights program, he was a tireless

proponent of an individual right to petition, and he had served as de facto leader of the moderates within the embryonic Arab-Asian group in the early 1950s. On the explosive question of the right to self-determination, it was Azmi who had pursued compromise. The U.S. Department of State identified him as one of the program's "outstanding personalities," being a "keen, shrewd, and good-humored" representative, and "a champion of the underdeveloped countries."²² Yet for all of the praise the U.S. delegation lent him, Azmi was not allied to the West. The 1952 State Department summary singled him out as "one of our most vocal and skillful opponents."²³

From the very first session of the working group, Azmi prosecuted the case against a U.S. proposal for vague and platitudinous phrases on economic progress, which it suggested as the basis for including social rights in the covenant text.²⁴ On the morning of April 26, 1951, Azmi lambasted Roosevelt's draft as utterly contrary to the needs of the covenant. His critique, which amplified an earlier attack from the Chilean delegate, Hernan Santa Cruz, was emphatic that the social provisions of the draft had to be much more than general promises:

The very word "right" was lacking from the United States proposal. How was that conceivable when the Commission had met in order to define certain rights? The proposal referred instead to "undertakings" by States parties to the Covenant, which would simply agree to promote conditions of economic, social and cultural progress and development. That was very different from defining rights and imposing guarantees. All governments endeavoured of their own free will to promote progress in so far as their means and possibilities allowed. If no more than that were asked of them, the Covenant would simply be a recognition of the status quo, the consecration as it were of the slow rate of progress in various countries.²⁵

Azmi frankly advised that it would be "wholly impossible" to work with Roosevelt's text. Economic and social rights were distinct from general social progress and development, and the commission needed to innovate, to "break new ground and state certain principles in precise language."²⁶ It was a wholesale rejection of the U.S. approach, albeit phrased with Azmi's distinctive politeness.

For her part, Roosevelt was adamant that hard provisions on social rights were out of the question in the legally binding covenant, and she launched a fierce counter-attack in the afternoon session. Doubtlessly aware of the vocal domestic critique of the "socialistic" tendency in UN rights work—which would culminate in the near-triumph of Senator John Bricker's campaign and U.S. withdrawal from the covenants process entirely in April 1953—Roosevelt urged "the greatest possible caution."²⁷ Taking aim firmly at Azmi, Roosevelt highlighted the potential problems that social rights might present to the developing world, not least to Egypt:

At the previous meeting the Egyptian representative had made an impassioned appeal that the various principles concerned should be termed "rights." She was most anxious to know precisely what he had intended by that appeal. When he spoke of a right, did he mean something which could be put to the test of liti-

gation? Would an Egyptian be able to go to his national courts on the grounds that he was not receiving some of the social security to which he was entitled? Would in fact each Egyptian worker enjoy every right proclaimed in the draft Covenant?²⁸

It was a powerful argument, consistent with Roosevelt's position in the Universal Declaration, where she had once warned against "passing laws to punish countries for failing to supply what they did not have and could not get."²⁹ When it came to the covenant, rights should be confined to those that could be realized in the very near term, with the requisite resources plausibly available. Azmi was undeterred and spoke proudly of the social security laws that had been recently passed by King Farouk's government, then experiencing a brief efflorescence before its terminal decline. The social security reforms themselves were among the first to benefit from an assistance program, Point Four, which had been launched by Truman in 1949.³⁰ A gracious and diplomatically astute Roosevelt later apologized.

At the most fundamental level, the working group was engaged in an effort to determine the meaning of social rights. As the sessions continued, and with little tangible progress, Roosevelt elaborated a new position on what the newer generation of rights entailed. Previously, she had viewed the term as "a legal right which each State would confer at once upon all its subjects."³¹ That was now superseded by a more nuanced definition informed by the preceding deliberations:

She now understood . . . that the Commission was taking the word "right" . . . as meaning that the economic, social and cultural provisions were to be implemented progressively by the promotion of conditions favouring their achievement. That was a different use of the word . . . If, however, in the provisions dealing with economic, social and cultural rights the Commission was using the word "right" in a limited sense, and that was understood, she would have no objection.³²

The British representative, Marguerite Bowie, echoed Roosevelt's interpretation, observing that "'right' was being used with two different meanings."³³ Whether these twin meanings could co-exist in the same covenant was not yet clear—Britain had failed to reconcile them in the European Convention, concluded the previous year, yet was simultaneously erecting the edifice of a full-blown welfare state at home.³⁴ As Bowie spoke, one of the architects of Britain's new national health system, Aneurin Bevan, was at the apex of his political power, poised to challenge for the Labour leadership. Social rights were far from marginal domestically, but they seemingly became so in international fora.

Despite the efforts of the working group to facilitate progress, the political and philosophical challenge of social rights consumed much of the April–May 1951 session in Geneva. The architects of the early human rights program, including René Cassin (France), Roosevelt, Malik, Mehta, and Santa Cruz (Chile), tried to find a formula that would adequately reflect the special quality of social rights, which were almost universally acknowledged as being of a different nature when it came to implementation. Directed by the General Assembly to prepare a single covenant, the session would close with a commission divided on whether there was any feasible prospect of

doing so in the immediate future. The plight of the underdeveloped world would become a central issue in the course of the meetings.

From the earliest stages of the session, on April 16, a split on social rights was manifest. Platon Morozov (USSR) issued standard Soviet boilerplate on workers, a position that was coupled with the staunch and predictable Soviet refusal to countenance any meaningful implementation procedures.³⁵ Bowie (UK) unhelpfully questioned whether the General Assembly vote for a single covenant was sufficiently overwhelming to be taken as settled.³⁶ An unusually blunt Cassin explained that “one could not hope by a single waft of the magic wand” to realize social rights, which would require “years of effort.”³⁷ The commission, he warned, “should not be content to put up a sort of advertisement hoarding, making promises which governments would be unable to keep.”³⁸ Azmi tended to agree with Cassin, but with some important reservations.³⁹ Roosevelt hoped for a “middle course,” with a general statement on economic and social rights.⁴⁰ Various compromises on the progressive realization of these rights were advanced to that effect. The United States proposed that the rights might be enacted by a state “within the framework of its organization and compatible with its resources.” France suggested a similar phrase, “in accordance with their organization and resources.”⁴¹ Neither formulation met with much acclaim. It was not the most auspicious start, and the core obstacle of resource constraints remained. Privately, the chief of the UN Division of Human Rights, John Humphrey, despaired at the session’s proceedings. In his diary entry for May 14, 1951, Humphrey registered “the blackest pessimism” about the prospects of “anything worthwhile” emerging from the commission’s work. It was among the bleakest moments in his five volumes of reflections.⁴²

As the most extreme example of the problems of realizing economic and social rights in the face of austere material conditions, the Third World was a focal point of debate, and Third World delegates were energetic in their participation. Azmi and Mehta highlighted the importance of international assistance and cooperation, which would be channelled through the UN’s specialized agencies. For his part, Azmi sought a modest extension of the language that would enable resources from outside the state to be marshalled by the developing countries. In a realistic appraisal of the situation, he asserted that “it was unlikely that the available resources of the small countries, even if utilized to the maximum, would be sufficient.”⁴³ Given the reality of meager capital and limited specialist expertise, “those countries would have to fall back on international cooperation” to achieve the more resource-intensive of the social rights. It was a mild amendment, substituting the broader “whatever the resources available” in place of the state-based “to the maximum of their available resources,” but Azmi’s suggestion met with immediate scepticism from Denmark and Britain. The Danish representative, the eminent jurist Max Sorensen, observed that such language “might be equivalent to an engagement to use the resources of other States,” which was presumably out of the question.⁴⁴ A seemingly chastened Azmi was as careful to rule out any such implication in his response. Although it had been ruled out as unthinkable in 1951, vastly more insistent demands for precisely such redistribution would return with a vengeance in the latter part of the 1970s in a much more militant postcolonial UN.

Azmi also tried to narrow the concept of progressive realization, which had been applied without much distinction as to the different gradations within the category of social rights.⁴⁵ Instead of the simple dichotomous conception of all economic, social, and cultural rights being gradually and progressively implemented, he argued that some could take effect much more rapidly, much like the civil and political rights. To remedy this, he argued that the phrase “if necessary” should be inserted after the term “progressively,” thereby limiting the scope of that term to those rights that truly required time.⁴⁶ Sorensen was equally unsympathetic to this change, and few of the other representatives pursued it. It does not appear in the language of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which adopts a blanket provision for progressive realization.⁴⁷

As the session wore on, the problems of incorporating social rights into the covenant pushed some members of the commission to request permission to split the document, in contravention of their instructions from the General Assembly. While support for the split was predominantly Western, it was Mehta who most directly advanced the case for two covenants on May 18, 1951. As one of the representatives who took the UN’s rights work seriously, she rejected the idea of a single covenant that many states, India almost certainly included, would be unable to sign in good faith.⁴⁸ Reflecting a British tradition, with its priority on effective remedy and the courts, Mehta proposed a resolution that would allow the split.⁴⁹ Her defense of separating social from political was insistent on the logical distinction between the two categories of rights:

Economic, social and cultural rights differed from civil, civic and political rights inasmuch as the former were not justiciable, moreover, the Commission had itself proposed that separate systems of implementation should be adopted for the two categories of rights. Such being the case, she saw no reason to include both categories in one and the same Covenant. Moreover, civil, civic and political rights had to be drafted in precise legal terms whereas economic, social, and cultural rights could, by their very nature, be drafted only in general terms. A Covenant containing both sets would therefore lack equilibrium.⁵⁰

The Indian initiative won support from the United States, the UK, Greece, and Denmark but simultaneously provoked condemnation from the Latin American and communist delegations, as well as the rest of the small Third World group, namely, Egypt, Pakistan, China (Taiwan), and Lebanon. Sweden and France also voted against her resolution, and it failed to win adoption.⁵¹

Although Mehta enjoyed friendly social relations with the Pakistani and Soviet representatives outside the commission’s chamber, they were implacably opposed to her rationale for removing social rights from the covenant. Dr. Abdul Waheed (Pakistan) launched a lengthy and impassioned plea for keeping all of the rights together. Waheed asserted that “a Covenant which contained no reference to economic, social and cultural rights would be meaningless.” He expressed Pakistan’s belief in “the Islamic ideal of the brotherhood of man and of the equal distribution of wealth and property” and was dismissive of the arguments over implementation:

The difficulty of implementing forthwith the provisions concerning economic, social and cultural rights was not sufficient reason for excluding those rights from the Covenant, and their inclusion in a separate Covenant would be tantamount to relegating them to a position of secondary importance, and to condemning the more backward countries to remain in their impoverished condition; thus the lofty ideals of the United Nations would be betrayed. His delegation refused to be party to that betrayal, and would therefore vote against the Indian proposal.⁵²

Waheed's speech exemplified a markedly different strand of rhetoric that was becoming increasingly evident in the commission. Unlike Morozov's denunciation of the Indian proposal, which focused on the United States and the evils of liberal capitalism rather than Mehta's draft text, Pakistan was asserting the claims of the underdeveloped world.

As the session approached its close, Charles Malik, in his capacity as chair, identified the new trend and the new balance of forces that was emerging in the debate over economic and social rights. The question posed by the Indian resolution, he declared, "cut across all existing ideological alignments" and "would be encountered at every turn in the work of the United Nations." The voice of the Third World was finding expression, and its urgent claim on economic and social rights required a serious response:

It was quite obvious that something would have to be done about it. During the past 150 years, certain peoples, who had not been in as privileged a position as others, had made their claims with regard to their economic, social and cultural position felt with growing insistence. It was essential to recognize that such rights were of equal importance with others, but they had to be considered in their proper place and in their proper order of importance. The significance of the sustained, persistent albeit quiet protest of certain under-developed countries against the conditions under which they were labouring, as much as against those existing in the rest of the world, must be given due weight.⁵³

Malik's warning was prescient, with the early antagonism on economic and social rights escalating in the coming decades. While the move to split the covenant would ultimately succeed in February 1952, it did little to end the debate about the relative position of economic and social rights and how they might be realized in the developing world.⁵⁴

The Postcolonial UN: Which Rights Come First?

As decolonization accelerated, the UN itself was transformed, and with it the question of social rights. If the protest of the underdeveloped countries was quiet when Malik spoke in 1951, its volume was rising unmistakably. At the April 1955 Asian-African Conference in Bandung, a distinctive Third World voice had coalesced, with more insistent calls for development, anticolonialism, and racial equality.⁵⁵ That same year, the extraparliamentary opposition in South Africa launched the Freedom Charter, which contained extensive provisions for social and economic rights as an integral part of the liberation struggle. At the UN a right to "economic self-determination" was

demanded, to the horror and astonishment of the Western countries, which had only barely and resentfully acquiesced to the conventional political dimension of anticolonialism.⁵⁶ They had little choice. By the late 1950s, the voices of protest were well on the way to determining the trajectory of all human rights questions at the UN. By 1966, when the two covenants were finally promulgated, Third World domination of the General Assembly was a reality. In this new environment, the fragile balance between social rights and political rights was progressively disrupted. No single event trumpeted the shift, but the tendency was clear enough by the second half of the 1960s.

At the first dedicated seminar on human rights in the developing world, held in Kabul in May 1964, the assembled delegations focused on the imperatives of development and the social rights it would presumably enable. The setting itself was revealing, with Afghan king Mohammed Zahir Shah then embarking on a campaign of modernization and political reform, a “New Democracy” to deliver civil liberties and material well-being.⁵⁷ Zahir Shah’s opening address, on May 12, cited the problems faced by the Third World, where poverty, poor literacy, and general underdevelopment had “created important obstacles which hinder progress towards the attainment of these rights.”⁵⁸ While the monarch was careful to avoid the suggestion of priority, the seminar was not entirely convinced. A number of the participants, drawn predominantly from across Asia, asserted that “the primary duty of the State was to promote the economic growth of the country and raise the standard of living of the population.” These development activities might “at times lead to restrictions upon the exercise of certain human rights.”⁵⁹

Two years later, when the seminar met in Dakar in February 1966, the mood had shifted further toward a “trade” between political rights and economic and social rights. While Senegal had been one of the few African states to preserve a measure of its democracy, and some respect for human rights, the signs among the assembled participants were ominous. After lengthy assertions of African particularity, as well as an extensive critique of the 1948 Universal Declaration, the seminar turned its attention to the relationship between social rights, development, and human rights in the general case. When political rights were discussed on February 15–16, they were relegated to a secondary and subordinate position. The session was led by Musonda Justin Chimba, the Zambian minister for labor, who had overseen a reform measure that gave him control of the country’s trade union movement.⁶⁰ Political participation, some argued, was essentially an instrument to further economic and social progress. As one speaker claimed, “the individual was inseparable from society,” and accordingly his “fundamental right to take part in political activities should be regarded as his right to participate in the efforts to society to achieve development.”⁶¹ Others went further still, contesting the very notion that African peoples had a concept of political rights that could be decoupled from social and material advancement. According to one participant, “in the African mind . . . the idea of freedom of association, for instance, was practically meaningless to the citizen, unless the specific purpose of such association was to obtain better living conditions.”⁶² It was a far cry from the model of interdependence articulated in 1948.

For Humphrey, who had arranged the seminar personally, it was a watershed

moment. The events at Dakar revealed the deep chasm between the demands of the increasingly authoritarian postcolonial modernizers and the concept of individual human rights:

I do not remember any discussion of human rights in a U.N. body which was as frank, animated, or so revealing. The big issue of course was the conflict between individual human rights and the “necessities” of development in an underdeveloped continent—collective rights.⁶³

With authoritarian regimes proliferating across Africa and Asia, and the discourse of modernization and development gaining ever more prominence, it was perhaps self-evident which of these two forces was more likely to triumph in the coming years.⁶⁴

When the First International Conference on Human Rights met in Teheran in April and May 1968, the upward revision in the status of social rights was officially consecrated. From the opening moments of the conference, the new mood was striking. Shah Mohammed Reza Pahlavi, who launched the conference on April 22, strongly emphasized the importance of economic development and social modernization. Feigning deference to the principles of the Universal Declaration, the shah asserted that it was “necessary to adjust them to the requirements of our time.” This adjustment involved a reordering of priorities:

The conditions of man’s political and material life have been changing throughout these two decades, and the very notion of human rights should consequently be regarded in a new light. As I have said repeatedly in the last few years, human rights until not very long ago meant first and foremost the political and juridical equality of individuals. In our day, however, political rights without social rights, justice under law without social justice, and political democracy without economic democracy no longer have any true meaning. Viewed in this light, the real progress of our time consists in breaking daily some more of the chains which privileged minorities have for centuries imposed on the less fortunate masses.⁶⁵

With its emphasis on the social and economic sphere, the speech reflected the shah’s own program of authoritarian modernization and top-down social development, the so-called White Revolution.⁶⁶ By focusing on modernization, even a hereditary monarch could plausibly lay claim to being a “white” revolutionary pursuing those more important human rights for his collective “people.”

Vocal support for the new balance of rights followed, led by the conference president, the shah’s twin sister, Princess Ashraf Pahlavi. Ashraf had already proved an able and effective diplomat, chairing the 1965 session of the Commission on the Status of Women.⁶⁷ A self-proclaimed champion of the Third World, the princess asserted that it was time to question the path set out in the Universal Declaration, which “had come into being at a specific date in the development of the United Nations,” prior to decolonization.⁶⁸ Consequently, it “corresponded to a certain moment in the evolution of ideas about human rights,” a moment which, it seemed, had now been superseded.⁶⁹ From the Philippines, then on the eve of the “New Society” of Ferdinand Marcos, to Pakistan, under General Ayub Khan’s “Basic Democracy,” to the scientific socialism of Mauritania’s Parti de Peuple Mauritanienne, the blueprint

of authoritarian modernization was all too familiar.⁷⁰ All were, in some sense, “white revolutionaries,” concentrating power in the hands of the state in the name of material progress.

Ayub Khan’s government was a prime example of the new mindset, which collapsed social rights into broader development goals, which would be led and managed by the state. Shortly before the opening of the conference, Pakistan’s authoritarian modernization was reviewed, unsurprisingly with some favor, at the Third Economic Development Seminar, held in Karachi between March 30 and April 2, 1968.⁷¹ Ayub Khan had justified his turn toward “Basic Democracy,” a euphemism for a vast diminution of popular participation on the basis of national unity and accelerated development:

It is too much to expect a man, sick and illiterate, and worried about his next meal, to think in terms of national policies . . . My own analysis had led me to the conclusion that Pakistan needed a strong government capable of taking decisions which might not be popular but which were necessary for the safety, integrity and, in particular, development of the country . . . I was quite clear in my mind that until our educational and economic standards and the level of political responsibility improved considerably, the only course for us was to adopt indirect elections.⁷²

Enjoyment of rights by the sick and illiterate would follow development, though Khan’s own model readily embraced massive transitional inequality, securely insulated from the whims of his irresponsible citizens.⁷³

While less full-throated than the calls of the shah, or the autocratic musings of Ayub Khan, the official position of the conference indicated a significant shift in the balance of rights. The final proclamation stated that “the full realization of civil and political rights without the enjoyment of economic, social and cultural rights is impossible.”⁷⁴ An explicit statement regarding the enjoyment of economic, social, and cultural rights being dependent on civil and political rights was absent. It was an avowedly unidirectional model of interdependence. Respect for human rights was “dependent upon sound and effective . . . economic and social development.”⁷⁵ This was a reasonable assertion in and of itself, but it was unleavened by any serious statement on the relationship with political rights. According to the despondent post-conference report from the International Commission of Jurists, the proclamation “may even be said to limit the pronouncements of the Universal Declaration.”⁷⁶ Given the setting of its adoption, the quiescent parliament building of the archetypal authoritarian modernizer, it was an appropriate outcome.

Authoritarian Modernization: Destroying Rights in Order to Save Them

Calls for the priority of development, ostensibly to further economic and social rights, continued to mount in the late 1960s and early 1970s. The International Human Rights Year (1968) closed with the chair of the Commission on Human Rights, Senegal’s Ibrahima Boye, emphasizing the economic needs of the Third World. On the twentieth anniversary of the Universal Declaration, Boye urged renewed focus on development, in the name of human rights:

How can a poor people, physically, morally and intellectually unhealthy, enjoy civil and political rights. He has neither the material, nor the intellectual, nor the physical capacity. It is for this reason that I attach as much importance to the economic aspect of my statement as to its political aspect.⁷⁷

Boye, who would become a pivotal figure in Senegal's shift back to a multiparty system in the 1970s, was doubtlessly sincere. Yet the unrelenting focus on social rights would compromise their quality as individual freedoms and instead serve to legitimize the heavy hand of growingly repressive Third World governments.

Increasingly, social rights were detached from the human rights milieu, with its focus on individuals, and repartitioned into broader exhortations to development and progress. This new frame bore more resemblance to the kind of vague promises Roosevelt had originally proposed, and Azmi rejected, in the early 1950s. The centerpiece was the December 1969 Declaration on Social Progress and Development, a largely inoffensive omnibus of demands for international economic justice, social rights, and progress. Among the otherwise unexceptional collection of platitudes, the declaration explicitly extended the notion of individual rights to state rights and national social progress to interstate equality: "The creation of conditions for rapid and sustained social and economic development, particularly in the developing countries . . . in which equality of opportunity should be as much a prerogative of nations as of individuals within a nation."⁷⁸ The logic of the postcolonial arguments for sovereignty and self-determination was stretched onto the social and economic plane. States were themselves the bearers of some kind of social rights, which the international community was urged to protect.

At the dawn of the 1970s, the campaign for economic and social rights was fused with the Third World justifications for the concentration of state power. From Zambia, where Dr. Kenneth Kaunda was preparing the outline of his one-party developmental state, to Tanzania, where Julius Nyerere was embarking on a disastrous and coercive program of collective villages, the individual character of social rights was being discarded.⁷⁹ The 1973 Dar es Salaam conference on rights and the problems of Africa encapsulated the new mentality. Among the predominantly African states represented it was a "widely shared" view "that the exigencies of economic growth may at times justify the temporary subordination of the interests and rights of the individual to those of the state."⁸⁰ Diminution of civil and political rights was regarded as more or less unremarkable by some. It was, they argued, "only natural that most governments had concentrated more on economic, social and cultural rights than on political and civil rights. In many cases, the move had been towards a concentration of power."⁸¹ Individual freedom had to be "put aside temporarily until the majority of the African people had been educated and their conditions of living improved."⁸² Deep paternalism and the collective modernization of the state were the hallmarks of the post-Teheran approach to human rights.

Buoyed by its oil wealth, and the apparent success of its modernization effort, Iran was the most vigorous exponent of trading away individual liberties for collective development goals. The charismatic Princess Ashraf led the charge, chief evangelist of state development. In her speech to the General Assembly on November 9, 1977, two

weeks after the shah's visit to Carter's White House, Ashraf abandoned any pretense of balancing the two sets of rights, or, indeed, of deference to the individual:

Certain countries which had a tendency to lecture on civil and political rights had apparently forgotten the realities of a universe which did not belong to them . . . While the Western countries stressed the rights of the individual, the developing countries were thinking of the rights of entire peoples. The former spoke of the immediate implementation of civil and political rights, while the latter strove to establish economic ones.⁸³

"Peoples," as opposed to individuals, were now the bearers of economic and social rights. Social rights were collective rights.

In a parallel process that reached its zenith in the 1974 New International Economic Order (NIEO), the postcolonial state itself became the bearer of the "right" to claim resources from the global community—with precious little assurance that its citizens would be granted anything at the individual level.⁸⁴ The major pillar of the NIEO, the 1974 Charter of the Economic Rights and Duties of States, was unashamedly focused on the distribution of wealth among countries and essentially silent on the enjoyment of social rights by the population. Rhetoric inflected with the ideas of this NIEO became a staple of Third World campaigns of the 1970s, demanding global equality of states on the economic level, rather than merely in terms of political sovereignty.

Even for one of the more humanistic of the Third World leaders, the NIEO campaign was unconcerned about the treatment of individuals within states. Julius Nyerere, in his 1979 reflections on the new crusade, was adamant that human rights violations within the southern alliance had to be put aside in the name of solidarity:

Tanzania has liberated itself politically from the North. But it is possible that a country may liberate itself externally and still remain internally under a fascist government . . . For international purposes we should act together even though internal liberation may not have been achieved by all of us to the same level. We may criticise tyrannical, brutal or unjust governments and regimes in the Third World, but we must not do this in the context of the North-South debate, and we must not exclude such countries from the Group of 77 or any other group which is involved in the North-South negotiations or confrontation. Unity among the Third World is essential at this stage . . . without it we shall risk heavy defeat in the struggle for economic liberation.⁸⁵

It was one of the baldest statements of the purpose of the NIEO, which sought "external" liberation only and was wholly indifferent to its "internal" sibling.

Some Third World human rights advocates did try to prepare a synthesis of the state-dominated NIEO with individual rights. Keba M'Baye, the Senegalese jurist who famously proposed a "right to development," exemplified this line of argument, which placed the realization of human rights back with the international community. In 1974, the year of the NIEO, M'Baye declared to the commission that a fairer global balance of wealth would ensure a true universality of rights, which remained illusory under the existing neocolonial order: "It was the responsibility of the international

community to transform the system so that each country could benefit, according to its efforts, from the general prosperity.”⁸⁶ From this, M’Baye concluded that “the responsibility for ensuring everyone enjoyed human rights fell largely upon the rich countries.” M’Baye’s new right attempted to sidestep around the centrality of the state and reconnect the individual bearer of the right with the global community which would deliver it. While his proposed reorganization would be at the level of states, individuals were at least dimly recognizable as the ultimate ends. Such ideas would gain considerable momentum, culminating in the 1986 Declaration on the Right to Development.⁸⁷ To its critics, the Right to Development was mere window dressing for the global redistributionist agenda of the original NIEO—an objection made abundantly apparent in the U.S. dissent to the final text.

Conclusions: The Perils of Sovereignty

The depressing trajectory of economic and social rights in much of the Third World reflected the limits of decolonization. When in power, colonial administrators delivered few civil and political rights, and decidedly limited social rights. In the moment of decolonization, they could, begrudgingly, deliver statehood and independence to their colonies. They could bequeath constitutions and institutions that formally respected civil and political rights.⁸⁸ But they could not deliver the majority of the more substantial social rights: health, shelter, and education. Forestalling those expensive demands had proved an incentive to actually grant independence in the first place.⁸⁹ Postcolonial governments were unable to do much better in many cases. Just like the imperial administrations, they lacked the means, ability, and will to respect social rights in the near term. Yet unlike the authoritarianism of the colonial modernizers, political independence had attenuated their claim on the resources of the metropolitan territory. For a number of Third World populations, the result was in some ways the worst of all possible worlds: a repressive developmental state with inadequate means for development and no recourse to share in the riches of the empire.

In many ways, the emphasis on sovereignty and the state was intrinsically part of the problem, and the durable sovereignty of the 1960s, 1970s, and 1980s was principally authored by the Third World. From the 1960 Declaration on Colonialism, which insisted on the nation-state as the default condition for the world’s territory, to the 1965 Declaration on Non-Intervention, which hardened its boundaries, to the 1970 Declaration on Friendly Relations, which fortified them further, sovereignty was the premier organizing concept in international relations. Nationalist leaders were rightly adamant in their demands for self-determination. They were understandably jealous of their sovereignty. They were depressingly emphatic about the urgency of strengthening their fledgling states. Yet by the 1970s, when decolonization was essentially complete, and formal sovereign equality recognized, they were left with frankly unsaleable arguments about achieving material equality between countries, a coerced solidarity of states, not humanity.

With the fate of the individual often marginal in the rhetoric of Third World governments, social rights were eclipsed by collective concepts of development and global distributive justice. Responsibility for delivering social rights devolved to the

developed world, which typically treated such assistance not as fulfilment of an obligation but as discretionary charity to a supplicant government. Much as the proponents of the NIEO and the Right to Development argued otherwise, development was never transformed into a matter of right in the halls of Washington or the chancelleries of Europe, one as real as their pension and health expenditures. The great national transformation of charity and contingent privilege into right, a shift that accelerated and consolidated across the Western world in the postwar era, was essentially run backward internationally. Social rights were obscured in a phalanx of development rights and revolutionary economic claims. Citizens and individuals were aggregated into mendicant states. Whatever limited solidarity had once bound the rich to the poor was ruptured, leaving only the “horizontal” solidarity of the Third World against the equally “horizontal” solidarity of the wealthy First. The genuine global solidarity that social rights required was never realized, and worse still, it seemed to recede ever further the more insistently it was demanded.

NOTES

1. See Roger Normand and Sarah Zaidi, *Human Rights at the UN: The Political History of Universal Justice* (Bloomington: University of Indiana Press, 2008), 187–91.
2. For the recent, and resurgent, historiographical debate on the Western position on economic and social rights in this period, both in the UN and more generally, see Daniel J. Whelan and Jack Donnelly, “The West, Economic and Social Rights, and the Global Human Rights Regime: Setting the Record Straight,” *Human Rights Quarterly* 29, no. 4 (2007): 908–49; Alex Kirkup and Tony Evans, “The Myth of Western Opposition to Economic, Social, and Cultural Rights? A Reply to Whelan and Donnelly,” *Human Rights Quarterly* 31, no. 1 (2009): 221–37; Whelan and Donnelly, “Yes, a Myth: A Reply to Kirkup and Evans,” *Human Rights Quarterly* 31, no. 1 (2009): 239–55; Susan L. Kang, “The Unsettled Relationship of Economic and Social Rights and the West: A Response to Whelan and Donnelly,” *Human Rights Quarterly* 31, no. 4 (2009): 1006–29; Whelan and Donnelly, “The Reality of Western Support for Economic and Social Rights: A Reply to Susan L. Kang,” *Human Rights Quarterly* 31, no. 4 (2009): 1030–54.
3. Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent* (Philadelphia: University of Pennsylvania Press, 1999), 26–28, incl. n. 52. See also Morsink, *Inherent Human Rights: Philosophical Roots of the Universal Declaration* (Philadelphia: University of Pennsylvania Press, 2009), 72–77.
4. Roland Burke, “From Individual Rights to National Development: The First UN International Conference on Human Rights, Teheran, 1968,” *Journal of World History* 19, no. 3 (2008): 275–96.
5. Official records of the International Human Rights Conference, Teheran, 5th plenary meeting, April 24, 1968, UN document A/CONF.32/SR.5, Ethiopia.
6. A reasonably convincing case for Western support for economic and social rights has been argued by Whelan and Donnelly, “Setting the Record Straight.” Cf. Tony Evans, *The Politics of Human Rights: A Global Perspective* (London: Pluto Press, 2001), 23–26.
7. The eminent academic specialist on human rights Louis Henkin argues that the Third World had little interest in any recognizable human rights, despite its metronomic profession to be actively pursuing economic and social rights. Instead, the focus was always on the state, in

achieving sovereignty and national development. See, for instance, Henkin, *The Rights of Man Today* (Boulder, Co.: Westview Press, 1979), 111–12.

8. Morsink, *Universal Declaration*, 157–238. See also Mary Ann Glendon, “The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea,” *Harvard Human Rights Journal* 16 (spring 2003): 35–37. Hernán Santa Cruz, the Chilean representative, was the most consistent and outspoken proponent of the economic and social rights, unwavering in his demands for their inclusion. See, for example, Commission on Human Rights, Summary Record of the 50th meeting, May 27, 1948, E/CN.4/SR.50, 6.

9. Susan Waltz, “Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights,” *Third World Quarterly* 23, no. 3 (2002): 444.

10. See also Susan Waltz, “Universal Human Rights: The Contribution of Muslim States,” *Human Rights Quarterly* 26, no. 4 (2004): 825–27.

11. Morsink, *Universal Declaration*, 204–7. See also Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 157.

12. Commission on Human Rights, Summary Record of the 64th meeting, June 8, 1948, E/CN.4/SR.64, 15.

13. Commission on Human Rights, Summary Record of the 50th meeting, May 27, 1948, E/CN.4/SR.50, 5. Malik went on to discuss the task of resolving “a hierarchy of values,” which would be a central task of the commission.

14. Commission on Human Rights, Summary Record of the 14th meeting, February 4, 1947, E/CN.4/SR.14, 4.

15. Antonio Cassese tends to view the positive engagement of the non-Western states as a more straightforward expression of pro-Western orientation. See Cassese, *Human Rights in a Changing World* (Cambridge: Polity, 1990), 33.

16. For a detailed account of the problems of moving from declaration to covenant, and the evolution of economic and social rights more generally, see Daniel J. Whelan, *Indivisible Human Rights* (Philadelphia: University of Pennsylvania Press, 2010).

17. Although not passed by the General Assembly until 1966, the content of both covenants was essentially complete by 1955.

18. See, for example, the otherwise compelling works from Costas Douzinas, *Human Rights and Empire: The Political Philosophy of Cosmopolitanism* (London: Routledge, 2007), 29–30; Tony Evans, *Human Rights Fifty Years On: A Reappraisal* (Manchester: Manchester University Press, 1998), 10–11; and Matthew Craven, *The International Covenant on Economic, Social, and Cultural Rights: A Perspective on Its Development* (Oxford: Clarendon, 1995), 9.

19. For a brief précis, see Normand and Zaidi, *Human Rights at the UN*, 200–210.

20. Commission on Human Rights, Summary Record of the 185th meeting, May 10, 1950, E/CN.4/SR.185, para. 28.

21. *Ibid.*, para. 5.

22. U.S. Department of State, Report on the Third Committee of the General Assembly: October 14–December 22, 1952, April 1953, 16, 320.13/14–753, Decimal File 1950–1954; General Records of the Department of State, Record Group 59, NACP; Report on the Third Committee: September 15–December 9, 1953, March 1954, 22, 320.13/3–1754, RG 59, NACP.

23. Department of State, 1952 Report, 16. Azmi’s skill here is with reference to the freedom of information agenda item.

24. Compilation of the proposals relating to economic, social, and cultural rights, ca. April 1951, E/CN.4/AC.14/2.
25. Working Group on Economic, Social and Cultural Rights, April 26, 1951, E/CN.4/AC.14/SR.1, 22.
26. Ibid.
27. Working Group on Economic, Social and Cultural Rights, April 26, 1951, E/CN.4/AC.14/SR.2. Economic and social rights were among the foremost targets for Senator Bricker. In an address in Cincinnati on November 14, 1951, he denounced this dimension of the Covenant in harsh and hyperbolic terms. Provisions on the right to shelter, he claimed, reflected “the fundamental principles of Marxian socialism.” In sum, the Covenant, said Bricker, “would make it obligatory for the Government to try to satisfy the unlimited economic and social wants of all its citizens.” See Jesse Solomon, “Human Rights Covenant,” *Washington Post*, November 20, 1951. For further discussion of the Bricker amendment and its context, see Richard Davies, *Defender of the Old Guard: John Bricker and American Politics* (Columbus: Ohio State University Press, 1993); Duane Tananbaum, *The Bricker Amendment Controversy: A Test of Eisenhower’s Political Leadership* (Ithaca, N.Y.: Cornell University Press, 1988). See also Carol Anderson, *Eyes Off the Prize: The United Nations and the African-American Struggle for Human Rights, 1944–1955* (Cambridge: Cambridge University Press, 2003), 228–30.
28. Working Group on Economic, Social and Cultural Rights, April 26, 1951, E/CN.4/AC.14/SR.2, 6.
29. Commission on Human Rights, Summary Record of the 76th meeting, June 16, 1948, E/CN.4/SR.78, 12.
30. See generally Amy Johnson, *Reconstructing Rural Egypt: Ahmed Hussein and the History of Egyptian Development* (Syracuse, N.Y.: Syracuse University Press, 2004), 119–62.
31. Working Group on Economic, Social and Cultural Rights, April 27, 1951, E/CN.4/AC.14/SR.3, 5.
32. Ibid. Shortly after the session in Geneva, Roosevelt would reflect on this different usage of “right,” and the Third World enthusiasm for social rights, in a letter to President Truman. She was mindful of the domestic complications it might hold: “The reason they go all out on economic and social rights in the Human Rights Commission is because those are the rights that mean something tangible to them in their every day lives. They do not expect them to be achieved overnight, but they use the word ‘right’ in a different sense than we do legally. How we are going to explain all this to the American Bar Association and Congress I do not know.” Eleanor Roosevelt to Harry Truman, May 27, 1951, reproduced in Eleanor Roosevelt, *Eleanor and Harry: The Correspondence of Eleanor Roosevelt and Harry S. Truman*, ed. Steve Neal (New York: Scribner, 2002), 203.
33. Working Group on Economic, Social and Cultural Rights, April 27, 1951, E/CN.4/AC.14/SR.3, 12.
34. Although Britain was building its welfare state, many in both the Labour and Conservative parties remained hesitant about conceptualizing such measures as universal rights. This cautious position was apparent in the preparation of the 1950 European Convention on Human Rights. See A. W. Brian Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (Oxford: Oxford University Press, 2001).
35. Commission on Human Rights, Summary Record of the 203rd meeting, April 16, 1951, E/CN.4/SR. 203, 4–5.

36. The relevant resolution was fairly decisive, with thirty-eight in favor of adopting the text. See Verbatim Records of the General Assembly, 317th Plenary Meeting, December 4, 1950, A/PV. 317; Draft International Covenant on Human Rights and Measures of Implementation: future work of the Commission on Human Rights, December 4, 1950, General Assembly Res. 421 (V). Whelan gives an excellent analysis of the debate and its implications in *Indivisible Human Rights*, 77–90.

37. Commission on Human Rights, Summary Record of the 203rd meeting, April 16, 1951, E/CN.4/SR. 203, 11.

38. *Ibid.*

39. *Ibid.*, 13.

40. *Ibid.*, 15.

41. Commission on Human Rights, Summary Record of the 232nd meeting, May 8, 1951, E/CN.4/SR. 232, 12.

42. John P. Humphrey, *On the Edge of Greatness: The Diaries of John Humphrey, First Director of the United Nations Division of Human Rights*, ed. A. J. Hobbins, 4 vols. (Montreal: McGill University Libraries, 1994), 2: 213.

43. Commission on Human Rights, Summary Record of the 236th meeting, May 10, 1951, E/CN.4/SR. 236, 18.

44. *Ibid.*, 20, 24.

45. The notion that all economic and social rights are “positive,” and all civil and political rights “negative,” has been a persistent and influential argument. It also an oversimplification of the measures required for the effective enjoyment of both sets of rights. Maurice Cranston’s popular work is the best example of this logic. See Cranston, *What Are Human Rights?* (London: Bodley Head, 1973), 65–71.

46. Commission on Human Rights, Summary Record of the 236th meeting, May 10, 1951, E/CN.4/SR. 236, 18.

47. International Covenant on Economic, Social, and Cultural Rights (ICESCR), December 16, 1966, Res. 2200A (XXI), part II, article 2, para. 1.

48. The 1950 Indian constitution made the very distinction that Mehta elaborated, placing social rights in a separate category. In Part III, the constitution provides for civil and political rights, which are enforceable through the courts. Part IV lists a set of “Directive Principles” that must guide state policy. It is in this latter section that the economic and social rights are cataloged, principally in Article 39, though there are no mechanisms for individual recourse against the government. There is one social right in Part III, Article 23, a prohibition on economic exploitation. For further discussion, see K. R. Venugopal, “A Social Charter for India,” in *A Social Charter for India: Citizens’ Perspective of Basic Rights*, ed. Dubey Muchkund (Delhi: Pearson/Longman, 2009), 47–49.

49. Draft Resolution, May 1951, E/CN.4/619/Rev.1.

50. Commission on Human Rights, Summary Record of the 248th meeting, May 18, 1951, E/CN.4/SR. 248, 6.

51. *Ibid.*, 26.

52. *Ibid.*, 12.

53. *Ibid.*, 26.

54. For the decision to split the covenant, see Draft Covenant on Human Rights and Draft Measures of Implementation, February 4, 1952, General Assembly Res. 543 (VI).

55. See generally George Kahin, *The Asian-African Conference, Bandung, Indonesia, April 1955* (Ithaca, N.Y.: Cornell University Press, 1956); Jason Parker, "Cold War II: The Eisenhower Administration, the Bandung Conference, and the Re-Periodization of the Postwar Era," *Diplomatic History* 30, no. 5 (2006): 867–92; Roland Burke, "The Compelling Dialogue of Freedom: Human Rights at the Bandung Conference," *Human Rights Quarterly* 28, no. 4 (2006): 947–65.
56. For the question of "economic self-determination," see the Declaration on Permanent Sovereignty over Natural Resources, December 14, 1962, General Assembly Res. 1803 (XVII); the preceding Res. 523 (VI), January 12, 1952; and Res. 626 (VII), December 21, 1952. See also Nico Shrivjer, *Sovereignty over Natural Resources: Balancing Rights and Duties* (Cambridge: Cambridge University Press, 1997), 33–84.
57. Angelo Rasanayagam, *Afghanistan: A Modern History. Monarchy, Despotism or Democracy? The Problems of Governance in the Muslim Tradition* (London: Tauris, 2005), 38–49.
58. Message from King Mohammed Zahir Shah in Report of the Seminar on Human Rights in Developing Countries, Kabul, Afghanistan, May 12–25, 1964, ST/TAO/HR/21, 44.
59. Report of the Seminar, ST/TAO/HR/21, paras. 20–21. At least some of these restrictions would affect economic and social rights as well, as some of the speakers defended forced labor as necessary for national mobilization and modernization. *Ibid.*, para. 164.
60. William Tordoff and R. V. Moltano, *Politics in Zambia* (Manchester: Manchester University Press, 1974), 298–99.
61. Report of the Seminar on Human Rights in Developing Countries, Dakar, Senegal, February 8–22, 1966, ST/TAO/HR/25, para. 153. See generally Maxime Tardu, "L'Individu et l'état en Afrique tropicale," *McGill Law Journal* 13 (1967): 277–302.
62. Report of the seminar, ST/TAO/HR/25, para. 154.
63. Entry for Sunday, February 20, 1966, Humphrey, *On the Edge of Greatness*, 4: 188. See also John Humphrey to C. V. Narasimhan, Memorandum on Dakar, February 16, 1966. S-0198–003–09, UN Archives.
64. For the emergence and influence of modernization theory, particularly the work of Lucian Pye, Edward Shils, and Walt Rostow, see Nils Gilman, *Mandarins of the Future: Modernization Theory in the Cold War* (Baltimore: Johns Hopkins University Press, 2003); Bradley Simpson, *Economists with Guns: Authoritarian Development and U.S.–Indonesian Relations, 1960–1968* (Stanford, Calif.: Stanford University Press, 2008).
65. *Verbatim Text of Address by His Imperial Majesty the Shahinsha Aryamehr, International Conference on Human Rights*, 3. S-0883–018–008, UN Archives.
66. This philosophy is articulated in Mohammed Reza Pahlavi, *The White Revolution* (Teheran: Kayhan Press, 1961), 21, 170–71.
67. The 1965 Commission on the Status of Women was held in Teheran and facilitated by the shah's government. Its setting, the Hilton hotel, was rather more comfortable than the New Majlis building used for the 1968 conference.
68. Official records of the International Human Rights Conference, Teheran, 1st plenary meeting, April 22, 1968, A/CONF. 32/SR. 1, Conference President Ashraf. Ashraf's aspirations for Third World leadership are openly expressed in her autobiography. See Ashraf Pahlavi, *Faces in a Mirror: Memoirs from Exile* (Englewood Cliffs, N.J.: Prentice Hall, 1980), xii, 174.
69. A/CONF. 32/SR. 1, Conference President Ashraf.
70. Official records of the International Human Rights Conference, Teheran 4th Plenary Meeting, April 24, 1968, A/CONF. 32/SR. 4, Philippines; 14th Plenary Meeting, April 30, 1968,

A/CONF. 32/SR. 14, Pakistan, Mauritania. For the political program of General Ayub Khan, which drew heavily on development as a justification for the limitation of democracy, see Mohammed Ayub Kahn, *Friends not Masters: A Political Autobiography* (Oxford: Oxford University Press, 1967). For the case of the Philippines and its “New Society” and “Revolution from the Centre,” see Ferdinand Marcos, *Notes on the New Society of the Philippines* (Manila: Marcos Foundation, 1976).

71. *Pakistan in the Development Decade: Problems and Performance. Proceedings of the Third Economic Development Seminar, Karachi, 30 March–2 April, 1968* (Karachi, 1968).

72. Ayub Kahn, *Friends not Masters*, 208, 213, 215.

73. Christopher Candland, *Labor, Democratization and Development in India and Pakistan* (London: Routledge, 2011), 77–83.

74. Article 13, United Nations Conference on Human Rights, Proclamation of Teheran, May 13, 1968, A/CONF. 32/41. Reproduced in “United Nations Conference on Human Rights, Teheran, 22 April to 13 May, 1968: Proclamation of Teheran,” *American Journal of International Law* 63 (1969): 674–77.

75. *Ibid.*

76. International Commission of Jurists, United Nations Conference on Human Rights: report by Miss Muireann McHugh, approved by Mr. Sean McBride, Secretary-General, S.2021, 21–22. Excerpts are reproduced in Moses Moskowitz, *International Concern with Human Rights* (Dobbs Ferry, N.Y.: Oceana, 1974), 179–80.

77. *Statement by Chairman of Commission on Human Rights, Ibrahima Boye, on 20th Anniversary of Declaration of Human Rights*, December 9, 1968, UN Document GA/3845/HRD/50, 4.

78. Declaration on Social Progress and Development, December 11, 1969, General Assembly Res. 2542 (XXIV), available at <http://www2.ohchr.org/english/law/progress.htm> (accessed January 30, 2012).

79. For the Kaunda program for a one-party state, see Jan Pettman, “Zambia’s Second Republic: The Establishment of a One-Party State,” *Journal of Modern African Studies* 12, no. 2 (1974): 231–44. Nyerere’s modernization ideology and its consequences are assessed in Kjell J. Havnevik, *Tanzania: The Limits to Development from Above* (Uppsala: Nordiska Afrikainstitutet, 1993), 179–262. The essence of Nyerere’s African, “humanist” socialism and his view of development are elaborated in his written works, notably *The Arusha Declaration and TANU’s Policy on Socialism and Self-Reliance* (Dar es Salaam: TANU Publicity Section, 1967); *Man and Development* (Oxford: Oxford University Press, 1974); and *Freedom and Development* (Oxford: Oxford University Press, 1973).

80. Seminar on the Study of New Ways and Means for Promoting Human Rights with Special Attention to the Problems and Needs of Africa, Dar es Salaam, United Republic of Tanzania, October 23–November 5, 1973, ST/TAO/HR/48, para. 29.

81. *Ibid.*, para. 52.

82. *Ibid.*

83. Iran pushed its vision for human rights energetically from 1977 onward, likely in response to Carter’s emerging human rights agenda. Another of the shah’s UN representatives, Fereydoun Hoveyda, developed many of the same arguments in a May 1977 opinion piece: “What, for instance, is the meaning of freedom of speech in a society where everything is sadly lacking, with no hope in sight for betterment, or freedom of speech where everybody is illiterate? The United Nations has produced two covenants on human rights—one concerning economic and social

rights, the other, political and civil rights. From the viewpoint of developing countries, the most urgent is the first one because without carrying out the basic needs of human beings, all other rights are mere illusion. In short, it is not reasonable to expect a complete realization of all the rights immediately and everywhere.” See Hoveyda, “Not All Clocks for Human Rights Are the Same,” *New York Times*, May 18, 1977. By contrast, the voluminous UN report on the realization of economic and social rights, prepared by the special rapporteur from Iran, Manouchehr Ganji, was highly sophisticated in its treatment of the relationship between civil and political rights, social rights, development, modernization, and global economic factors. See Ganji, *The Realization of Economic, Social and Cultural Rights: Problems, Policies, Progress* (United Nations, 1975).

84. The key ideas of the NIEO are set out in its flagship declarations, the Charter of Economic Rights and Duties of States, December 12, 1974, General Assembly Res. 3281 (XXIX); and the Declaration on the Establishment of a New International Economic Order, May 1, 1974, General Assembly Res. 3201.

85. Julius Nyerere, “Third World Negotiating Strategy,” *Third World Quarterly* 1, no. 2 (1979): 20–23.

86. Commission on Human Rights, Summary Record of the 1269th meeting, February 22, 1974, E/CN.4/SR.1269, 28–31.

87. Declaration on the Right to Development, December 4, 1986, General Assembly Res. 41/128, available at <http://www.un.org/documents/ga/res/41/a41r128.htm> (accessed February 3, 2012).

88. For a broad survey of this process in the British empire, see Charles O. H. Parkinson, *Bills of Rights and Decolonization* (Oxford: Oxford University Press, 2007).

89. In his work on French West Africa, Frederick Cooper demonstrates that the pursuit of genuine “equivalence” constituted a potent alternative to the standard repertoire of anticolonial nationalism. Cooper also argues persuasively that the French government “could not face the burden of an empire of citizens” with equality of social rights and living standards. See *Colonialism in Question: Theory, Knowledge, History* (Berkeley: University of California Press, 2005), 156, 177, 216, 233.