**Democracy and Universal Rights in a Time of Rising Populism**

Keynote Address at the International Conference on the Occasion of the 70th Anniversary of the Universal Declaration of Human Rights

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I am very pleased to be giving the keynote address at the prestigious Valencia University at a conference marking the 70th anniversary of the Universal Declaration of Human Rights. My presentation will underscore the crucial importance of this Declaration and I will discuss the risks to human rights posed by the current rise of populism in liberal democracies. My remarks about populism will primarily relate to Europe, a continent in which my current responsibilities as Ambassador of Canada to Germany and Prime Minister Trudeau’s Special Envoy to the European Union and Europe are focused.

After highlighting the importance of this Declaration and the significant advancements it has promoted in the area of human rights, I will discuss the reasons behind the rise of populism in Europe, its consequences and how to address its negative effects.

1. **Humanity’s Magna Carta**

Eleanor Roosevelt, who chaired the UN commission that drafted the Universal Declaration of Human Rights, aptly described this document as humanity’s Magna Carta. As its preamble indicates, the Declaration gives humanity “a common standard of achievement.” Its 30 articles specify the universal rights related to the dignity of each human being: the right to life, liberty, equality, fraternity, freedom of opinion, freedom of expression, freedom of religion, freedom of movement, the presumption of innocence, political freedoms, and economic and social rights. For the first time, the rule of law—the principle whereby nobody is above the law, especially not the lawmakers—found its place in international law. This humanist manifesto has been translated into more than 500 languages and has inspired the writers of many international conventions and national constitutions. It continues to be relevant today even after 70 years.

I would like to stress at the outset the truly universal nature of these rights; no human being should be deprived of them in the name of some cultural relativism. This declaration is not solely for those in the West; it is universal. Although these rights were drafted in a specific region of the world, that does not mean they apply only to that region. Otherwise, democracy would apply only to the Greeks!

When the Declaration was proclaimed in Paris on December 10, 1948, the UN had 58 members. No member voted against, 48 voted in favour, 2 did not participate in the vote and 8 abstained, including 6 countries that were under a Communist regime at the time, as well as South Africa (which was under the apartheid system) and Saudi Arabia (which evoked an incompatibility with sharia law). However, 7 Muslim countries voted in favour of the Declaration. Countries from every continent, including Asia and Africa (India, China, Thailand, Ethiopia and others), gave their support. The United States, the United Kingdom and Canada also gave their support, but not without reluctance, as they were concerned that their colonial or discriminatory practices of the time would be questioned.

As a Canadian, I am proud that a fellow countryman, John Humphrey, who was then Director of the UN’s Human Rights Division, was the one who drafted the first version of this fundamental document. But I am especially proud that he was able to express the rights of all human beings, regardless of their nationality, religion, or cultural or ethnic characteristics.

It would be a mistake to belittle the importance of this document on the grounds that the declaration is not legally binding or because human rights continue to be violated far too often. The truth is that the Universal Declaration, and the many conventions and constitutions it has inspired, has without a doubt contributed to the tremendous advancement in human rights since 1948.

The worldwould likely never have behaved as well as it has had the Universal Declaration of Human Rights not been adopted, or any of the following conventions: the International Convention on the Elimination of All Forms of Racial Discrimination in 1963; the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in 1966**;** the Convention on the Elimination of All forms of Discrimination Against Women in 1979; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1984; the UN Convention on the Rights of the Child in 1989; and other conventions with a similar humanist purpose. The fact that the UN and all the countries that have since become members have solemnly committed to ensuring respect for these rights and to fighting against discrimination explains in part the progress that has been accomplished since then.

In a bestseller that was published in 2018, *Enlightenment Now*, Steven Pinker gave a powerful outline of the progress that has been accomplished.[[1]](#footnote-1) For example, in 1950, 50% of countries had laws that discriminated against racial or ethnic minorities, but there were only five such countries in 2003. In 1900, women could vote in only one country: New Zealand. Today, women can vote in all countries where men also have this right, with the exception of Vatican City. The right to an adequate standard of living, set out in Article 25 of the Declaration, has also made good progress. Whereas half of the world’s population was undernourished in 1947, this was true for 13% of the world’s population in 2015. The percentage of human beings living under extreme poverty (with less than $1.90 a day) decreased from 41% in 1986 to 10% in 2015.

The right to education, which was established in Article 26 of the Declaration, has also seen significant progress,which will particularly please those of us who are teachers**.** In 1950, only a third of the world’s population was literate. Today, that number is 83%. The average years of schooling for the adult population have strongly increased.[[2]](#footnote-2)Compared to the past,school performance and access to higher education are less dependent on the social status of parents.[[3]](#footnote-3)

The Declaration does not say anything about discrimination due to sexual orientation, but we can assume, by extension, that it has promulgated a philosophy of rights that has contributed to the fight against this type of discrimination. Only 20 countries had decriminalized homosexuality in 1970, compared with 121 today.

Of course, the Declaration itself does not explain these results. However, it would have been much more difficult to obtain these results if the international community had not explicitly articulated its basic aspirations by giving itself “a common standard of achievement.” We still have much work in terms of respecting human rights and it is by drawing inspiration from the Declaration that we will continue to move forward. To this end, we must continue to make collective commitments to promote such rights, and that is why the Government of Canada supports the Global Compact for Safe, Orderly and Regular Migration, under discussion at this very moment, in Marrakech.

The same observation can be made regarding the positive role that international law has played in ensuring a significant decrease in the number of armed conflicts. There are no more wars between states and the number of civil wars has decreased over time. The number of human beings whose lives have been cut short by armed conflict is 18 times lower today than it was in 1950. As Yuval Noah Harari wrote in *Sapiens: A Brief History of Humankind*, we are not necessarily aware of this improvement, as there continues to be conflicts that draw our attention.[[4]](#footnote-4) The decline in armed conflicts can be explained by advancements in democracy and trade (what is the point of conquering the resources of a country if we can access them by trading with that country?) and the deterrent effect of nuclear weapons. However, we should not underestimate the positive effect of international law outlawing wars of aggression. Since the UN was created, war has been illegal except in cases of legitimate defence and with approval from the UN Security Council.

Advancements in human rights are not unrelated to democracy. Today, according to the Polity Project, there are 103 democratic states in the world, covering half of the world’s population. Of course, the degree to which these democracies are perfect varies greatly, but they have grown dramatically in number over time, given that there were only 31 democratic states in 1971. The growth of democracy tends to promote human rights because, to paraphrase Churchill’s famous words, democracy is the worst system, except for all the others, particularly when it relates to protecting human beings from violence arising from tyranny and anarchy.

1. **Will the populist wave undermine the advancement of universal rights and democracy?**

Since the adoption of the Declaration of Human Rights in 1948, humanity has made great leaps toward a more just world. But there is still a lot of work to do and nothing should be taken for granted. A step backwards is always possible. For a few years now, internationally recognized references in the area of human rights and democracy, such as Freedom House, *The Economist*’s Democracy Index 2017 and the World Justice Project Rule of Law Index 2017-2018, have noted a deterioration of political rights and civil liberties.[[5]](#footnote-5)

This setback has dampened the inflated optimism that followed the fall of the Berlin Wall in 1989 and the collapse of various Communist systems. Francis Fukuyama’s famous prediction that liberal democracy will prevail as a universal form of government may come true one day, but in the meantime, liberal democracy will have to seriously compete with other political systems.[[6]](#footnote-6) Consider in particular the Chinese model of authoritarian capitalism, the persistence of theocratic governments, particularly in certain Muslim countries, and dictators who continue to hold on to power by suppressing human rights. In some countries, including some of the former Communist bloc countries, democratic advances that were made at the end of the Cold War were more apparent than substantial, emerging in the wake of a momentary disarray of authoritarian regimes. Since then, state authoritarianism has regained strength.[[7]](#footnote-7)

Over the past few years, we have discussed a lot about the rise of populism within democratic states. The populist ideology features a strong party or leader who presents himself as the rescuer of the people who are threatened by corrupt, self‑serving and out‑of‑touch elites. This ideology may be espoused by the far left (radical socialism or anti‑capitalism) or the far right (defence of, or nostalgia for, a homogenous nation). In Europe, populist parties have come to power in several countries in Central and Eastern Europe and in the Balkans, as well as recently in Italy. Elsewhere, they are often a junior partner within a coalition government or the main opposition party. Populism influences programs and the discourse of traditional political parties.[[8]](#footnote-8)

Not everything is bleak in these populist movements, which claim to speak on behalf of the people against the elites. In some circumstances, such opposition to the “establishment” can lead to a much‑needed reflection on the status‑quo and a political class that may be too self‑satisfied, socially distant and unable to be critical of itself.

However, in my view, populism carries three risks. First, the rejection of “elites” may also spread to the rejection of science and empirical fact, to instead generate enthusiasm for conspiracy theories or simplistic, short‑sighted solutions. This does not create a climate that is conducive to tolerance, mutual respect and the advancement of human rights. Moreover, certain populist parties devalue environmental stresses and the fight against climate change as but the whims of the elite who are disconnected from the real concerns of actual people.

Second, an inclination toward authoritarianism is a step back for liberal democracy and the rule of law when a populist leader, in the name of protecting people from the elites, centralizes power in his hands and weakens or politicizes liberal institutions serving as a barrier to this concentration of power: an independent judiciary, freedom of the press, Parliament, the integrity of electoral monitoring institutions, local and regional authorities, academic freedom, etc.

The danger in this step back for democracy is particularly strong in countries where liberal democratic institutions are new, weakened by corruption and not solidly entrenched in the political culture. However, even in well‑established democracies, populists can score points by denouncing how slowly institutions act or their lack of transparency and by inspiring people with ideas of a strongman whose resolve will overcome these challenges and make everything easier.

Third, by describing the “real people” as a homogenous entity, a nation set in stone, some expressions of populism are a direct threat to human rights and more particularly to the rights of minorities. Not all so-called populist parties engage in national identity politics that could lead to xenophobic tendencies. There are reasons to be uncomfortable with a concept that groups together parties that capitalize on xenophobia and those that condemn it. It seems to me that the differences between for example, La France Insoumise and Le Front National (now called Rassemblement national) in France, or Podemos and Vox in Spain, far outweigh their similarities. Populism is a concept that must be handled with precaution.[[9]](#footnote-9)

As a matter of fact, the main causes being given to explain the recent rise of populism vary depending on whether they are coming from the far left or the far right. The most likely explanations on the far left are related to economic insecurity that is encouraged by the globalization of markets, technological displacement, austerity policies, the great recession of 2008 and, in Europe, the Euro crisis at the start of the decade. In countries where the youth unemployment rate reached 50%, we may have anticipated the rise of parties like Syriza in Greece, Podemos in Spain, La France Insoumise in France and Movimento Cinque Stelle in Italy.

However, the most widespread form of populism is that on the far right and its main factor is ethno‑cultural insecurity related to the fear of immigration, racial diversity and religious pluralism, and, in particular, the fear of uncontrolled borders.[[10]](#footnote-10) These populist parties describe immigration (and Islam in particular) as an existential threat to their national culture and Western civilization. They get most of their support from white, Christian populations living in areas that are still ethnically homogenous, among aging populations, and where people are concerned about the future of their way of life. Campaigns to restrict immigration attract them by offering them hope that the world they know will be protected.[[11]](#footnote-11)

Insecurity about immigration and ethno‑cultural diversity is fuelled by three factors. When a fourth factor is added, the conditions are ripe for a push toward xenophobic populism. The first factor relates to concerns about competition: the feeling that newcomers steal jobs, bring down salaries, clog up public services and abuse social transfers. The second factor is cultural in nature: the feeling that newcomers and ethnic diversity in general will upset traditional values and identities. The third factor relates to security issues, ranging from delinquency to terrorism, and in particular, targets Muslims who are unjustly linked to violent extremism.[[12]](#footnote-12)

However, when added to the others, it is the fourth factor that creates the conditions for a rise in populism. It is the feeling of invasion and the belief that migration flow is out of control, like a tidal wave that may crash at any time. Borders are seen as a sieve for the queue jumpers and there is a general sense that authorities are overwhelmed by what is happening. It is difficult to encourage the population to remain welcoming when they no longer believe in the integrity of the immigration system or the security of borders.[[13]](#footnote-13)

Democratic countries must therefore take the necessary measures to reassure their populations about border controls and safeguard the rights of refugee claimants. Beyond this fundamental issue, we need to find a way to strengthen trust in inclusion as a country’s condition for success within the context of globalization. We must identify and share best practices for integrating immigrants. In this respect, Canada, a country of immigration, is willing to share its experiences so we can learn from each other. Together, we must also learn to give more effective assistance to countries affected by conflict, poverty and, more and more, climate change. Otherwise, migration flows will only get worse.

As Steven Levitsky and Daniel Ziblatt concluded in their bestseller, *How Democracies Die, “*Few societies in history have managed to be both multiracial and genuinely democratic. This is our challenge. It is also our opportunity.”[[14]](#footnote-14) In order to seize this opportunity, Canada, as a country of immigration and a multicultural liberal democracy, is willing to contribute by comparing best practices, learning from other countries and working together accordingly. Increasingly, cultural diversity will become a fact and inclusion must be the choice: the right choice.

As we get closer to this goal, we will become better at avoiding the most dangerous populist extremes and promoting universal human rights around the world. Thus, the Universal Declaration of Human Rights, which has continued to inspire us for 70 years, will be not only “a common standard of achievement” and humanity’s Magna Carta, but also the proclamation of a better future for generations to come.

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