

Discrimination Despite Laws: The Indian Experience*

December 10 is Human Rights Day but few of us really know what makes us celebrate the event. The official reason, of course, is known – it was on the tenth day of December (1948) that the UDHR (the Universal Declaration of Human Rights) was passed by acclamation by the entire General Assembly of the United Nations.

There is, however, another reason, not known to all: it was related to me by Mr. John Humphrey, the first Director in the UN Division of Human Rights and the person whose draft made it to the General Assembly. John Humphrey became a colleague of mine on the International Commission of Jurists, Geneva, and he told me why Human Rights Day is celebrated world wide.

When the work of the Human Rights Committee ended, it was felt that it would be fitting to have a small celebration. The Chairman of the Committee, the indefatigable Mrs. Eleanor Roosevelt, produced a bottle of wine that had been presented to her many, many years ago by her great-uncle Theodore Roosevelt, president of the United States. The French member of the commission, René Cassin (himself a great human rights activist), was given the honour of opening the bottle, which he did with great aplomb!

The contents of the bottle were poured into glasses and Cassin proposed a toast. All the members of the committee lifted their glasses and took a sip. But, alas, the wine, which had been preserved for so long, had turned to vinegar! Mrs. Roosevelt never sensed what was wrong, for

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