

**TURNING A SOCIAL PROFIT:
HUMAN RIGHTS IN THE AGE
OF GLOBALIZATION**

Speaking Notes for
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The Empire Club
December 11, 1997

Introduction

Good afternoon, ladies and gentlemen. It's an honour for me to speak in such a distinguished forum -- one which has entertained business, political, and community leaders from around the world.

The Empire Club's invitation on this first day of the 50th anniversary year of the Universal Declaration of Human Rights is timely. It will become increasingly clear to you, as I lay out my thoughts, *that I believe you and your peers in the Canadian business community have an important role to play in preserving this country's position as a leader and standard-setter in the field of human rights.*

One observation, in particular, lends support to that belief: business leaders are often in a unique position to advance human rights causes. Unlike political leaders, your sphere of influence is not limited by provincial and national boundaries -- nor by the same political pressures often brought to bear on elected officials.

I *do* want to explore that point. I believe it's an important one. This is the era of NAFTA, the Multi-lateral Agreement on Investment, and expanding trade with traditional outsider nations -- most notably the countries of the former Soviet Union and, of course, China.

The boundaries on trade opportunity are disappearing over the horizon. Business interests now have the potential to reach into virtually every corner of the world. This places business in a powerful position to shape social climates and standards of living, the world over.

But before I get carried away with the human rights implications of a global economy, I want to spend a couple of minutes challenging a few common misconceptions that often stand in the way of a clear discussion of human rights issues.

Clearing the Air

The first misconception I want to focus on is the one that often forms around very term “human rights”. The words have taken a beating in some quarters over the last few years, accumulating layers of negativity, largely because of a lot of misplaced anger and frustration.

For the purposes of this discussion, I want to draw your attention to what I believe are three important, well-defined aspects of the human character. First, we have an unerring attraction to order and ritual. Second, we have a limitless appetite for defining the limits of right and wrong -- for branding behaviours acceptable and unacceptable. And third, I believe that it is the very essence of civilized humanity to seek out, grasp, and affirm human dignity.

We clearly demonstrate these traits when, as civilized people, we are faced with unbridled brutality and compelled to deal with a fundamental question: ***if we assume, subjectively, that we have certain basic rights, how can we assume that others do not?***

History presents us with innumerable examples of civilizations first recoiling in horror at extreme attacks on human dignity and then, in a moment of sudden self-awareness and empathy, reacting to them with righteous condemnation.

This century's most explicit example -- World War II, and the Holocaust perpetrated in the course of that conflict -- led to the landmark Nuremberg trials of Nazi war criminals, and, ultimately, the Universal Declaration of Human Rights, signed on December 10, 1948. The declaration was conceived as an expression of civilization's belief in the primacy of human dignity.

I'm not saying that the international team -- which I should note included Canadian John Humphrey -- I'm not saying that the team "invented" human rights. As the declaration, itself, states: *human rights are inherent*. Human rights are universal -- a condition of humanity.

Numerous civilizations have grown and waned over the course of human existence, many of them sharing, and enshrining to various degrees, basic principles of human dignity. Some obvious examples spring to mind: England's Magna Carta; France's Declaration of the Rights of Man and of the Citizen; the American Bill of Rights.

The UN team sought to further protect those fundamental principles by setting them down in a document that would not be limited by national jurisdictions. As the name and the preamble to the declaration clearly state, they wanted these principles to be accepted universally.

The declaration begins with these words: "Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

While I believe it is extremely important to hold on to the idealism captured in those words, we must also recognize that the pursuit of well-defined human rights is a journey without end. The capacity of language -- or lack of it -- will always limit our efforts and lead to debate. For that reason, setting down a code of human rights represents only one part of the effort that is necessary to ensure the recognition of human dignity.

If we aspire, as the declaration states, to "*a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want,*" -- we, as persons living in a civilized society, have a responsibility to improve our understanding of how best to protect, promote and preserve those fundamental human rights. That responsibility is shared by governments, corporations, and individuals alike.

Governments have been working at this for some time. Here in Ontario, the effort to codify individual rights and responsibilities has a two hundred year tradition. Back in 1793, John Graves Simcoe, the Lieutenant-Governor of Upper Canada at the time, passed an anti-slavery decree. It was called "An Act to Prevent the Further Introduction of Slaves and to Limit the Term of Contracts for Servitude within the Province." It was the first of its kind in the British Empire and predated by 70 years the Emancipation Proclamation in the United States.

The effect was immediate. Ontario became a refuge for American slaves seeking freedom. I think this event is important because it gives one a sense of the depth of this country's reputation as a welcoming destination for people facing repression at home. A reputation, I hasten to add, blighted by Canada's response to Jewish refugees from Germany prior to World War II.

The Ontario Human Rights Commission is simply one of the more recent expressions of government's efforts to safeguard human dignity. Modern rights codes and agencies are intended to assist society. They are legal and practical expressions of our desire to safeguard the individual's right to basic dignity, respect and equality of treatment.

That, generally speaking, is not the current image of the modern rights agency. Too often -- and this is certainly true of the Ontario Commission -- they are perceived as guardians of special interests. I hear that a lot. The rights enforcement system is perceived as a means for victims to retaliate against their victimizers. The spread of this, the second on my list of misconceptions, can have unfortunate consequences.

Clearing the Air, Part Two -- the Frustration Factor

I believe this misconception arises from the often adversarial nature of the process. Frustration with the process can lead to discontentment with the whole system. Ultimately, annoyance with the mechanisms of human rights enforcement can translate into an undermining of confidence in the basic principles at the system's core. The challenge is to ensure that the mechanisms operate in as effective a manner as possible without jeopardizing confidence and the fundamental need to protect individual rights.

There is one last misconception I want to deal with. This one relates to the widely acknowledged and remarkable diversity of our society. Recent surveys indicate that Toronto is now home to people from over a hundred different ethno-cultural traditions, speaking an equally wide variety of languages. Probably no other place on this planet can claim that degree of diversity.

Clearing the Air, Part Three -- Diversity Stress

Given the experience in other parts of the world, we have been amazingly successful in getting along with one another. I happen to believe -- and I realize that I am not even remotely alone in this -- that our diversity is one of our greatest strengths. I'll say more about this later. But for the moment, I want to point out that the very fact of our diversity has the potential to lead us into conflict with one another.

Despite our relative success in embracing diversity, there are deep differences present among the cultures of this province. And when the stress of managing those differences begins to overtake our capacity to cope, it is important that we have a forum to which we can turn.

One of the most important jobs of the Human Rights Commission is to help sort through the conflicts that can result from what might be referred to as “diversity stress” -- and bring those clashes to a satisfactory conclusion. This is not the most widely publicized aspect of the Commission’s work. But I cannot stress enough that mediation of conflicts **before** they reach the Board of Inquiry stage is one of our most important roles.

The danger that diversity stress poses to the protection of human rights lies in the anger and frustration that often accompanies these disputes. The stress can lead people to misguidedly reject diversity, reject the process and, as a consequence, neglect the important task of safeguarding human dignity.

Fortunately, we live in a country where we have been largely sheltered from the extremes that inspire the writing of documents like the Universal Declaration of Human Rights. We rightfully pride ourselves in our reputation as a progressive, diverse, and tolerant nation. We have worked hard to achieve our status as a regular number one on the UN’s list of the best countries in which to live.

As with all leadership positions, however, there are times when the title can seem a little onerous. Leaders are placed under intense scrutiny. The bragging rights that come with being first also come with a responsibility to uphold the standard.

One of my primary goals here today, is to chip away at that sense of burden. I think it's important that we redirect our attention to the inherent advantages of being in the lead. We must not be smug, or take it for granted. But our position does present us with opportunities -- we do have a healthy surplus in our credibility account.

The Diversity Advantage

The idea of the global economy pervades our thinking, these days. Everyone talks of international competition and the importance of remaining competitive. Canada has a distinct advantage in this area. The same diversity and record of tolerance that often wins the day for us in the UN surveys is, arguably, one of our strongest calling cards in the marketplace.

The very fact of placing first regularly on the UN survey is an attention-getter. Eyes around the world turn to look at this northern neighbour of the United States. You can't buy better advertising. But this only touches the surface. To truly understand the advantage we have to look deeper.

A recent paper by Dr. Geoffrey Gandz, of the Richard Ivy School of Business at the University of Western Ontario, lays out the fundamental arguments in favour of diversity as a competitive advantage.

Our diverse population base yields a startling array of talent and skill. But I should point out that one area where we have been particularly remiss is in working with the aboriginal populations of this country.

Just last week, a letter to the editor in the Toronto Star addressed this very point. It was written by Charlie Coffey, a Vice-president with the Royal Bank of Canada. Mr Coffey suggests that “while maintaining a discreet silence may seem easier than addressing the complex socio-economic issues that have marginalized aboriginal people, Canadian society cannot afford the cost of doing nothing.”

Mr. Coffey goes on to outline the “ticking time bomb” -- as he calls it -- of growth in the aboriginal population combined with inaction on the part of governments and the business community to address these socio-economic issues. He wraps up his letter with a challenge - he challenges “every business in Canada to ask itself whether it is doing its part to remove the barriers and provide the opportunities that will enable aboriginal people to become full participants in our society and our economy.”

As Mr. Coffey’s letter suggests very clearly, remaining on top of the UN ladder will require us to turn our collective efforts to remedying this situation. In short, if we are going to use our diversity to maximum advantage in the world marketplace, we will have to continue the hard work of creating a coherent strategy that allows that diversity of skills to shine through.

Dr. Gandz's arguments in favour of a diverse workforce are quite straightforward. They are largely contained in a paper called "A Business Case for Diversity." (If you're interested, the paper can be found on a Web site called the Gateway to Diversity. It's an award-winning public/private initiative that stems from the provincial government's Equal Opportunity project.)

Dr. Gandz makes a very clear argument for diversity as a business advantage. He writes:

"To be able to plan and develop products and services which appeal to an increasingly diverse marketplace and taxpaying public, to compete in the new global economy, requires diversity in the workplace ... To solve problems creatively, obtain and profit from new strategic viewpoints and approaches requires diversity. To be perceived as a good corporate citizen, to attract needed investment, and to attain excellent bottom-line results requires diversity."

Many of the points Dr. Gandz makes are rapidly becoming the accepted wisdom of global competitors. They are all relevant, but I want to focus particular attention on the last of the points I just listed because it bears most directly on the point I am trying to drive home.

The Social Profit Imperative

Gandz talks of being perceived as a good corporate citizen. (Here we are, back at our ingrained and inherent attraction to fairness.) There are innumerable examples of companies whose business practices have been found wanting in the court of public opinion. Just look at what happened to Nike when it was accused of using child labour to produce its highly profitable line of sports wear.

Take Shell Oil as another example. Shell, despite objections from various governments, NGO's, activists, and the families of the victims, chose to continue doing business in Nigeria after that state had executed dissident writer Ken Saro Wiwa.

The rebuke was immediate. Shell came under fire from the public for ignoring this basic violation of one person's rights. Needless to say, that kind of publicity is not good for business. Shell recognized its error. It came to understand that the public outrage was based, once again, in the fundamental desire to speak out in protection of basic human dignity.

The happy ending to this story is that Shell did not simply retreat, beaten back by righteous indignation. Shell recognized the opportunity it had and has moved to assert its commitment to protecting human rights.

Only three months ago, on September 5, Shell Canada became one of the founding signatories to a new International Code of Ethics for Canadian Business. The initiative, led by Canadian Occidental Petroleum Limited and signed by 12 other Canadian corporations, indicates a clear recognition on the part of these forward-thinking companies that they have growing influence in the area of human development. As powerful participants in the lives of countries all over the world, they recognize the influence -- and responsibility -- they now have in shaping the moral fabric of those countries. They have recognized that economic development and respect for human rights go hand in hand.

This should not necessarily come as a surprise to anyone. Progressive private sector employers and unions have frequently taken the initiative in social reform -- notably in the areas of same-sex benefits, health care benefits, and daycare.

The private sector's growing influence is not only present in foreign markets. Here at home, as government moves quickly to limit, as much as possible, its impact on the free flow of the market economy, corporations are coming under greater pressure to provide for and protect the people who work for them -- partly because it's good to have a committed workforce and partly because, as Gandz says, it's important to be perceived a good corporate citizen.

You can see signs of this pressure everywhere. The banks routinely come under fire for their sizable profits. However, they also share the praise for their numerous community programs, in the arts, recreation, and health care. More and more, corporations are being judged not only by their ability to turn a monetary profit, but also their ability to turn a social profit. And -- equally important -- business is recognizing that turning a social profit is good for the bottom line

I believe this still-evolving dynamic is all to the good because, in the end, our effort to seek out dignity and the decisions that help or hinder that search are an individual responsibility. While we can all help one another, through institutions like a corporate environmental foundation, or a community-based social aid agency, or the Ontario Human Rights Commission, the task of protecting and preserving human dignity is, ultimately, our responsibility as individual members of civic and corporate society.

Universal Rights, Individual Responsibility

I come from the school of thought that believes rights and responsibilities are a matching set. You can't have one without the other. **That leads me to the conclusion that the best way to protect our own rights is to take on the responsibility of asserting the rights of others.**

I don't think anyone has captured this point more succinctly or eloquently than Martin Niemoeller. Niemoeller was a protestant preacher in Germany during the Second World War, and, like many citizens of that country at that time, he was arrested and imprisoned for displaying allegedly anti-social behaviour. While in detention he captured his own sense of failure and responsibility in these words:

"In Germany they came first for the communists, and I didn't speak up because I wasn't a communist. Then they came for the Jews, and I didn't speak up because I wasn't a Jew. Then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist. Then they came for the Catholics and I didn't speak up because I was a Protestant. Then they came for me and by that time no one was left to speak up."

That sense of individual responsibility is also powerfully captured in one of my favourite films -- a 1961 blockbuster called "Judgement at Nuremberg." Some of you may remember it. It stars Spencer Tracy, in one of his last films, as an old District Court Judge from Maine.

Tracy's character, Judge Haywood, is dispatched to Nuremberg in 1948 to participate in the final stages of the war crimes trials. He is charged with the task of hearing the case of four members of the judiciary, all of whom are charged with aiding in the slaughter of thousands by adhering to the dictates of Nazi law.

Tracy's dilemma is to decide whether these individuals should be found culpable simply for doing their jobs. As one of the accused states as he awaits judgement: "I have served my country throughout my life, and in whatever position I was assigned to. I followed the concept that I believe to be the highest in my profession, the concept that says, "To sacrifice one's own sense of justice to the authoritative legal order, to ask only what the law is and not to ask whether it is also justice. As a judge I could do no other."

His words seem to have the ring of truth, even for those who are not involved in the business of law. We often hear, "I'm just doing my job," or, "I don't make the rules." We regularly defer to authority. Judge Haywood, Tracy's character, understands this. But he also recognizes a higher authority, the same authority that inspired the creators of the Universal Declaration of Human Rights.

"A decision must be made in the life of every nation," Haywood explains, "At the very moment when the grasp of the enemy is at its throat -- then it seems that the only way to survive is to use the means of the enemy, to rest survival on what is expedient -- to look the other way."

Those words have clear relevance today. How often do we hear people speak of the "demands of the global economy" and the rough and tumble nature of international competition. When we find ourselves turning to these axioms as defence against questionable behaviour or as an excuse for ignoring some of the atrocities committed in the world today, we would do well to heed Judge Haywood's final words.

"A country," he says -- but one might just as easily read *corporation* or *individual* -- "A country is what it stands for when it's the most difficult. This is what we stand for: justice, truth, and the value of a single human being."

Conclusion -- the Legacy

This is the legacy of the Universal Declaration of Human Rights. In times of rapid change, the Declaration serves as an important touchstone. When the fog of political and economic rivalries rolls across the world's landscape, the Declaration serves as a reminder of our fundamental responsibilities as civilized people.

It's easy to get carried away with the idealism that lies at the heart of documents like the Declaration -- I know, I regularly succumb to it myself. But, at its heart, the Declaration and the codes and commissions that have followed from it, are an expression of our basic desire and need to foster and protect human dignity. I believe that is the most noble effort to which we can aspire.

Thank you for the opportunity to speak here today -- and thank you for your kind attention.

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