

An Analysis of the 1948 Universal Declaration of Human Rights (UDHR) on Gender Inclusivity

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Abstract

The 1948 Universal Declaration of Human Rights (UDHR) is the mother of all human rights instruments internationally. Other subsequent documents such as the Convention on the Elimination of Discrimination against Women (CEDAW) (1976), Convention on the Rights of the Child (1989) and so on emerged as responses to the inadequacies and gaps within the parent document. While the document made significant achievements in human rights upholding during its own time, this study argues that the UDHR (1948) was never meant for everyone, but rather, it was a patriarchal document designed to further the interests of grown-up men to the detriment and exclusion of women and children. The thrust of the paper is to elaborate the importance of the semantics approach to human rights, and how inconsiderate language can cause irreparable damage to the rights of other groups in society. Presented in the paper are facts gathered through desk research which is also commonly known as document analysis. The study also employed interviews and focus group discussions. The study interviewed 5 key informants who are lecturers at a particular institution of higher learning. 30 students from the same institution participated in 3 focus group discussions of 10 people each, to make a total sample size of 35 participants. The study established that the UDHR (1948) contains 15 articles which used semantics referring to men “he, himself, and his” which clearly exclude women. The study further established that the UDHR (1948) rarely used gender neutral language specifying he or she, him/her, himself or herself, an action which grossly indicated gender discrimination from the semantics approach to human rights. Recommendations are made that policy formulators should always use gender inclusive language to include everyone.

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1.0 Introduction

Human rights were defined by the United Nations as rights inherent in human beings by virtue of being human regardless of age, sex, ethnicity, race religion or any other status (Nweke 2020). There are three approaches to human rights analysis and these include the normative approach, the pragmatic approach and the semantic approach. This study focuses on the semantic approach to human rights which focuses on meanings and nuances portrayed by words in any document, particularly those used in the 30 articles enshrined in the UDHR of 1948. It explores the views and opinions of human rights students and lecturers at an institution of higher learning. This is a document review, an analysis of important aspects of language and semantics used in international human rights instruments, focusing on the Declaration. The gist of the paper is to find out if the international human rights instrument used gender inclusive and gender-neutral language to speak to humanity as a whole. This study might therefore inform other stakeholders who draft such important human rights documents to be wary of inclusivity so that they do not exclude other groups of people in a document meant for everyone.

2.0 Background to The Study

Human rights can be divided into three parts, that is: divine and natural law, national law and international law (Gonzalez, 2018 and Nweke, 2020). Divine and natural law views human rights as closely related to morals and ethics, thus philosophers such as Locke (1660), Voltaire, (18th century) and Rousseau, (1754) always viewed them as natural law (Gronewaller 2019). Christian thinkers who include Augustine of Hippo (354-430) and Thomas Aquinas (1225-1274) viewed human rights as divine law (Nowakowski,2010 and Nutt, 2018 and Gronewaller, 2019). Nations, regarded as state parties in the human rights discourse have to pick up human rights laws from an international level and domesticate them into national laws for easy implementation and monitoring, thus human rights are meant for everyone internationally by virtue of being human. The UDHR (1948) despite being the first international instrument drafted

to represent the rights of everyone, on the 10th of December 1948, it had its own weaknesses and strengths. However, the drafting of this international instrument was largely influenced by the World War II atrocities, the Nazi holocaust against Jews and Gypsies, subsequent executions, deportations, and the proliferation of slave camps in Europe. The rationality was therefore to bring peace and sanity in the whole world by coming up with a document which promotes the value of human life, giving dignity and respect for each individual person (Ecketi 2001 and Kuwonu 2019). Although the document was only a declaration and not legally binding, it was a critical unique document at its own time which created a roadmap to show people ways of giving respect and dignity to humanity in all aspects of life (Kuwonu 2019). However, studies revealed that not all countries world-wide participated in the drafting and signing of this historic document (Bhosale 2015; Brown 2016). The countries present were mainly European, and the assumption was that they represented the whole world. During that time, there were only 56 member states in the United Nations (UN) compared to today's 193 members, thus the majority of the members were not involved directly. Forty-eight (48) of the present members voted for it, while 8 members states abstained including South Africa and Saudi Arabia (Ecketi 2001; Adjami and Hemington2008). Looking at the African continent for example, most nations were still under colonial rule. So, in 1948, only 4 African countries, 6%, that is, Egypt, Ethiopia, Liberia and South Africa attended. South Africa was one of the states which abstained from voting for the document despite its presence (Eckert, 2001 and Kuwonu, 2019). This is a clear indication that Africa was underrepresented or represented by questionable countries. If an analysis is to be done on the backgrounds and status of these countries by 1948, a call back to the drawing board may be necessary in this era when most states are now sovereign so that they contribute to what they want to see enshrined in such an essential document. While some states did not sign due to cultural differences, South Africa did not sign because of the Apartheid System within in at that time which continued until 1994 despite the existence of all the human rights declarations, instruments, and conventions (Kuwonu 2019). This paper is going to utilise the semantics approach to human rights in analysing language used in Articles 30 of the (1948) UDHR document.

Studies have established that language is heterogeneous across the globe, particular attention will be paid to the pronouns used to refer to the human race in different

articles, thus the gender equality and social inclusivity dimension is the main focus of this paper. It is the main argument in this paper that the proliferation of human rights instruments including the Convention on the Elimination of Discrimination Against Women (CEDAW 1976) and the Convention on the Rights of the Child (CRC 1989) just to mention a few, arose. This was due to the inadequacies in the parent human rights document including the use of wrong terms to refer to everyone, thus some sectors of the population felt left out and marginalised leading to the formation of numerous other instruments. Women for example are a special group who normally constitute more than 50% of the population globally, with spatial differences here and there. Such a significant percentage of population cannot be brushed aside when drafting important documents such as the Universal Declaration of Human Rights of 1948, by assuming that one term can cover all humanity when there are so many words which particularly refer to males and females in the different languages worldwide. This paper therefore, argues that the UDHR was deliberately crafted in a gender biased way which did not include women and children but the views, rights and expectations of fully grown-up men.

3. 0 Literature Review

Lyons (2010) posits that the UDHR (1948) was a result of the aftermath of the Second World War (1939-1945), because the crimes committed against humanity during that period were unbearable (Supti 2020). Although the term 'human rights' is younger than the concept itself, the world had realised the need to put an end to racial discrimination, abolishing of slavery, genocides and all other bad events of the 19th Century. The League of Nations had only managed to abolish slavery by 1920, only to find that many countries continued with slavery until much later. Supti (2020) established that the League of Nations had failed dismally to prevent totalitarian regimes and prevent another war, thus it existed on paper until 1946 but had ceased all activities by 1940, which was enough reasoning for the international community to craft a new international document to promote the human rights of all people irrespective of colour, sex, ethnicity, economic status and so on.

Although the UDHR (1948) had positive impacts and achieved some of its objectives, human rights violations continue now in the year 2023, almost 72 years after its inception. This shows gaps in the document. These include supervisory gaps

normative gaps and implementation gaps. Greater challenges are emanating from a changing world, presenting the effects of globalisation, urbanisation and modernisation which are raising awareness and sensitisation of the contents of the same original document, to be able to analyse and critique it for gender sensitive language and inclusivity (Brown, 2016 and Bhosale, 2015). Some nations are making a lot of effort to uphold human rights guided by this international document while some countries are extremists and they believe the contents of the UDHR should never be followed at all. Shannon (2008) posits that Saudi Arabia remains an extremist state because they did not sign the UDHR on the 10th of December 1948 citing differences in cultural beliefs. The country never abolished slavery until 1962 and they are practising “gender apartheid” (Shannon 2008 because women are still considered as inferior to men, and they do not have their own rights as autonomous human beings). Despite the fact that other countries in the Muslim community ratified CEDAW (1976) to improve the respect and dignity of women, the Saudis did not ratify it, a clear indication that achieving gender equality remains an elusive goal world-wide with so much gender inequality even in countries that ratified all the international documents on gender equality. According to Rahman (2006) every individual should get all rights not just civil and political, but also economic and developmental rights for everyone. The rights which were presented in the UDHR of 1948 are critical for every individual, male and female. The semantics used in some of the articles are biased towards men, thus it is not possible to assume that women were given priority during the drafting of the document. According to Adjei and Hemington (2008) Article 15 of the UDHR 1948 attributes to citizenship and that rights should abolish statelessness for everyone. This article is using gender insensitive language, leaving it questionable whether women are also supposed to be protected by this same article. In addition, Article 25 attributes to economic and survival rights, a critical right which was re-emphasised by the World Conference on Human Rights in 1993 and described as universal and inalienable (Rahman 2006). The same right in the UDHR of 1948 was crafted by Article 25 as ‘everyone is granted a good standard of living for himself and his family’, making a woman only a beneficiary of the proceeds granted to the men if she is part of a family, not an autonomous human being born free and equal just like part of article 1, article 2 and article 3 of the UDHR 1948 specify (UN 2015). Other excluded women include single women, widows and divorcees, increasing the list of excluded groups of people.

According to the UN (2018), the drafting and signing of the UDHR 1948 was done by people largely comprising of European community, only one country, the Dominican Republic sent a woman to sign. Then the other two female delegates were from India and Pakistan. This could possibly be one of the reasons why it was not easy for the few women to push for representative semantics in the historic human rights document. It is also worth noting that the phrase "equality of men and women" in the preamble of the document was pushed for by Minerva Bernadino of the Dominican Republic, a diplomat and leader in the feminist movement in Latin America and the Caribbean. Begum Shaista Ikramullah from Pakistan, pushed for the inclusion of article 16, which she thought was going to end child marriages and reduce unfair sharing of property during marriage dissolutions. Hansa Mehta from India, a champion of women's rights in her home country revised the phrase "all men are born free" to "all human beings are born free" to try and dilute the patriarchal dominance in article 1 of the document (Each Other 2018, UN 2018), otherwise most of article 1 was going to be largely male dominating in its semantics. These 3 female delegates in addition to Eleanor Roosevelt took part in the shaping of the human rights document which finally presented 30 articles, 15 of which used gender insensitive language and appeared to exclude women so much. It may be imperative for this paper to concur with Elkins, Ginsburg and Melton (2017), who argue that the UDHR, although it was a unique document of its own time, may not have been as influential as we think because 50% of the articles enshrined within it which use gender insensitive semantics.

A brief review of the Convention on the Elimination of Discrimination against Women (CEDAW 1979) shows that it arose due to the failure of the UDHR 1948 to comprehensively address the needs and rights of women. Adopted on December 18 1979 with a vote of 130 member states for it, none against it and 10 abstentions, with 64 member states signing it in 1980, the document came into force and legal effect in September 1981, once it had been ratified by twenty member states (UN, 2009 and Napikoski, 2019). The convention is ratified by more than 180 countries although other states such as Saudi Arabia USA did not sign for different reasons (Baldez, 2014 and Feeman, 2009). The reasons for crafting CEDAW (1979) included the pressure mounting from women activist groups, the growing awareness and realisation that women have always been exploited, religiously, culturally by traditionalist patriarchal societies despite the existence of the UDHR which claimed to stand for the rights of

women (Raday, 2012 and Zwingel, 2016). The general objectives were to give women the dignity, respect and empowerment they deserved on the same status with men. The Convention used the words “woman, her, herself, men and women” more than any other human rights document, thus it was quickly adopted as a gender inclusive document in its 30 articles divided into VI (6) parts. The Convention was adopted faster than any other human rights convention considering the period it was drafted to the time it was legally effected. All this arose from the inadequacies of the UDHR, which was initially crafted in a gender biased way as seen through the semantics analysis done by this paper.

Maybe the source of gender exclusive language could have originated from religious documents such as the Bible where some verses clearly state “without counting women and children” (Mathew 15:38; Mark 6:44). John 8:4 narrates the story of a woman caught in adultery and the law stated that such women should be stoned to death. Surprisingly, adultery is committed by two people but only one person-the woman was brought to Jesus and was expected to be stoned to death according to the law. This shows gross inequality and exclusion of women which dates back to the biblical times, making all efforts of eradicating gender inequality an illusion, a mirage, an elephantine task to achieve.

4.0 Methodology

The paper used a purely qualitative approach in data collection. Document review, interviews and Focus Group Discussions (FGDs) were the main data collection methods. The Universal Declaration of Human Rights (UDHR) of 1948 was examined and analysed for the semantics used if there was any portrayal of gender inclusivity. Related literature was also review for relevant theoretical frameworks and views of various scholars. In addition, the paper employed interviews with 5 key informants who are lecturers at the same institution of higher learning. 30 university students were chosen on the basis of them being human rights students with enough knowledge of the document under review, being enough justification for the study to seek the views and opinions of the students in terms of gender inclusivity of the document. The students participated in 3 focus group discussions of 10 people each. The students who participated in the study were all adults ranging from 20 years to 25 years, and they participated voluntarily, after being given enough information on the objectives of

the research and purpose of the gathered data. Anonymity was promised to the participants and the study never revealed any names or the years which the students were studying human rights at the institution under study. The data gathered was presented in citations and tabular presentations, giving themes and summaries of focus group discussions findings

5.0 Findings

5.1 Findings from Document Reviews

On analysing the UDHR (1948), the paper found that the document contains 15 articles which use gender insensitive language which are presented below:

- 1) **Article 1** of the UDHR talks of being born free and equal and encourages all to act in a spirit of “Brotherhood” towards one another. The word brotherhood here is used to refer to everyone, male and female and the assumption may be that using the word sisterhood would be a repetition and everyone should be satisfied by being referred to as brothers, which is not the case.
- 2) **Article 8** emphasises that everyone has a right to an effective tribunal granted him by the constitution or by the law. The use of the pronoun “him” here implies the right being referred to here is for every male member of the world. Assuming that it is referring to all human beings, male and female will be an overgeneralisation of the interpretation of the rights enshrines under this article. The introduction in the international instrument talks of ‘everyone’ ‘everybody’. Using him to mean everybody is a serious error and act of exclusion.
- 3) **Article 10** in the international instrument grants everyone a fair and public hearingof “his” rights and any criminal charge against “him”. The semantics here again clearly show that the male member of the society is being referred to. It appears the men are the ones being granted this right or they are the only ones believed to commit crimes. The language used is not all encompassing.
- 4) **Article 11** grants everyone the right to be innocent until proven guilty.....at which “he” has had all the guarantees necessary for “his”

defence. Assuming that the female members of the society is being included here is not acceptable because of the use of the words “his” and ‘he’ within the article.

- 5) **Article 12** gives people the right to privacy”.....his privacy....attacks upon his honour and reputation.” This is a very important right which every human being surely needs, but only that it is being granted to male members of the population by the looks of the semantics being used.
- 6) **Article 13** of the UDHR has two parts. While part one is neutral in semantics, part 2 goes on to grant the male person the right to leave any country, including ‘his’ own. Nowhere is it mentioned that she can also leave her own country at any time she deems necessary.
- 7) **Article 15** (part 2), states that no one shall be denied....’his nationality,” despite the fact that part one had neutrally said everyone has a right to a nationality. By enshrining citizenship in this document, the UN has placed a special relationship between individuals and states which must be enjoyed by everyone but the semantics used indicate that only the male members of humanity are being granted that right.
- 8) **Article 17** gives everyone the right to own property in part one, but part 2 says no one shall be arbitrarily deprived of ‘his’ property. This shows exclusion of the other sex, leading to a violation of the rights of women at the onset before the international instrument gets operational.
- 9) **Article 18** gives people the freedom of religion, but which people are being referred to remains the question, until we reach the phrase which says ”.....to change his religion.....to manifest his religion or beliefs.” That is the point we clearly realise that people mean ‘him,’ a statement which shows a lot of selfishness and inconsideration for gender equality.
- 10) **Article 21** has three parts, and 2 parts (most part of it) are giving the male members of the society the right to participate in the governance of their country”his country (2)....public service in his country”
- 11) **Article 22** emphasises the security of person.....” his dignity and free development of his personality”. Every individual could have been happy to enjoy this right but unfortunately the semantics here is referring to the patriarchy.

- 12) **Part 3 and 4 of Article 23** gives the male members the right to work..... just and favourable remuneration for himself and his family (part3). In addition, the right to join trade unions is given for pursuing his interests (part 4).
- 13) **In article 25**, the right to a good standard of living is granted” for himself and his family”.....and the right to security due to “circumstances beyond his control”. This again shows that the men become the subject of the formula. This article therefore does not take into consideration the existence of female headed households by widows, divorcees and orphaned girl children.
- 14) **Article 27** grants all people the right to participate in the cultural life of their community.....but the article assumes only men as authors....”in protection of any material which he is the author”
- 15) **Article 29** has three parts, of which 2 use gender insensitive language. While the article is talking about full development of the person and giving the person responsibility of the rights of others, the semantics imply that the communication is addressed to males only.....’his personality (part 1).....his rights and freedoms (part 2).”

5.2 Findings from Interviews

The participants to this study gave their opinions on the concept of inclusivity in the international human rights instrument of 10 December 1948.

Respondent 1 (R1 a male lecturer had this to say” The problem with the UDHR of 1948 is that it was crafted by men and sometimes it can be subconscious for someone to write he/him/himself when referring to everyone, which is very wrong and it excludes the other gender” This response brings out the view that men were the authors of most documents, so the semantics used in those documents can be a result of subconscious acts or deliberate acts in an effort to show male dominance”.

Another Respondent R2 had this to say” The UDHR of 1948 is very biased that’s why gender equality can never be achieved when we have people with such a mentality. How can someone say ’in the spirit of brotherhood? (article 1). What about sisterhood?

This document should be re-written to accommodate both genders” This response shows some emotions in it but it gives an opinion on the impacts of the semantics used in the UDHR of 1948.

R3, another female respondent had this to say

“Men have always been considered to be the superior sex and that has to change. Socialisation is the source of all this bias because men have been given the priority in all facets of life that is why they find women and the pronouns referring to them as not necessary when drafting such important document”

R4, male respondent had this to say

“It was an old-time error but nowadays things are changing, that is why both pronouns are being used every time. A lot of education, training, awareness and sensitisation is still needed for people to understand that semantics is important for humanity to achieve milestones towards gender equality”.

R5, a female respondent says

“semantics may not matter as long as I am given my space to breathe, get an education, lead or own an organisation without anyone blocking me. We still have a long way to go in terms of gender equality. What is reflected in that document is the mentality of all male leaders in terms of the role of women, the document is very insensitive and men think women do not matter”.

5.3 Findings from Focus Group Discussions

Table 1. FGD Responses and Themes

Group	Summary of Responses	Themes emerging
1	-Men think they own the world - It could have been subconscious but there is need for change -The semantics is not inclusive at all, its marginalising women and girls	-The UDHR of 1948 uses gender insensitive language, in 15 of the 30 articles and male pronouns are meant to

	<ul style="list-style-type: none"> -Women are not invited to such events -Gross exclusion of women and that's inconsideration 	<p>represent all humanity which is wrong</p>
2	<ul style="list-style-type: none"> -The document is an old one and new documents have to be crafted -Going back to the drawing board with 50/50 representation can help -There is need for new documents -Reviews could have been done before publishing or sharing, but men wanted it to their advantage 	<p>-There is need for a new document, or new documents on human rights should use gender-neutral language which give every individual a representation</p>
3	<ul style="list-style-type: none"> -It could have been an error -Its deliberate and men are always like that -It is not men's fault. They were the majority present -Women do not participate in such events -Some women usually do not speak when given a chance to represent others 	<p>The few women representing others on such important forums should speak out. Women should participate at a 50/50 ratio and they should VOICE out on any issues concerning them</p>

Source: Author 2023.

The responses from Table1 indicate that the respondents agree that the UDHR 1948 used male pronouns and disregarded the use of gender neutral language. Male pronouns cannot be used to represent all humanity, so the semantics used in the international human rights instruments does not promote gender equality at all. The second theme emerging is that the document is a very important document, but because of low representation of women and other countries when the instrument was crafted in 1948, there might be need to craft a new document which is all

encompassing. Lastly, women sometimes do not say anything when sent or chose to represent others. Very assertive women should be sent to such important events so that they raise out concerns for their constituency.

6.0 Discussion

This analysis is not about destroying the importance or meaning of any of these rights as stated by article 30 of the same instrument, but the intention is to highlight weaknesses in the document which may be contributing to the low adherence and upholding of these rights internationally. The paper takes a swipe at the way the original document was written with gender insensitive language, an indication that women never mattered in the human rights discourse as far as the UDHR was concerned. Using assumptions to believe that everyone is being addressed by the international document is overgeneralising issues, and those who are paying particular attention to detail may find the document exclusive, and giving so much patriarchal dominance to the detriment and exclusion of women through the use of the semantics. There is no shortage of pronouns so male should be specified as he/his/him while females are specifically referred to as her/she/hers/herself. The articles listed and analysed above constitute half (50%) of the document, and women constitute just over 50% of the population worldwide. Making the male members the subject of the formula or the centre of reference changes the way the document is viewed by more than half of the world population, thus such sectors of the population will tend to have a negative attitude towards the whole human rights discipline all because of the wrong choice of words. The Universal Declaration of Human Rights is grossly showing Gender Inequality and Social Exclusion (GISE) for women through the use of semantics meant for one sector of the population to address everyone. Only part of the preamble, the foreword, article 16 and article 25 (part 2) contains the word woman in the whole 30 article document. In the preamble, it was pushed for by a female delegate (Minerva Bernadino of the Dominican Republic), as well as article 16 which Shaista Ikramullah pushed for. This is an indication that the limited numbers of women were not effective enough to make meaningful impact on the whole document. However, it is clear that if women are included on any development forums, they do not come back home without making an impact. This may also be an encouragement to those who got an

opportunity to lead to make sure that they make an impact and give others role models to follow despite the low numbers as compared to men.

In the foreword, the Secretary General had no option because it was time to make a commitment and break humanity into man, woman and child (one of the few areas the word child was also mentioned in addition to article 26 on education, but it's the parents who were being given the right to choose the education for their children, not the children being given a say in their own education). On article 25 part 2, it is highly recommended that the UDHR specifically enshrines a part on motherhood and childhood because these are special members of the family. This article contributed in the promotion of maternity leave for working women as well as feeding time granted to nursing mothers. The same part also enabled nations to put in place child rights policies to protect all children born in and out of wedlock. Examples can be mentioned here of maintenance Acts enshrined in various constitutions across the world to promote the care of children from both parents in case of divorces and unwanted pregnancies by paternal parents. Some countries may have used the same style to write their own constitution and human rights documents, thus the women in such nations and communities are found excluded, oppressed and at the mercy of men to gain access to capital, property, leadership, privacy and above all equally which the document appears to be emphasising for all humanity. These 15 articles presented above neutralise the efforts by the United Nations to grant freedom, dignity and respect for all when some sections of the document selfishly refer to men only. For example, article 2 of the UDHR states that everyone is entitled to all rights irrespective of race, colour, sex and so on, only for article 8 to come in and emphasise that one should enjoy rights granted him by the constitution as if all human beings are referred to as "him". In addition, article 10 and 11 grants people the rights to a fair hearing and the right to be innocent until proven guilty. These articles are granting people a well-deserved dignity so that everyone can be fairly treated. However, the two articles are referring to the men again as nothing is said about women, and neither is gender neutral language used so that everyone can qualify in the benefits. Unless the assumption here was that women do not commit crimes, then these two articles are part of the articles denying women their equal share of human rights through the semantics used. The reasons for such oversights may be due to religious and cultural beliefs where the man is always taken to be the centre or port of call for everything,

but surely in this modern world each man and woman have to stand up for themselves since there are a lot of female-headed households and some matriarchal societies in the world as well who also practice polyandry (Celis et al 2013). There is need therefore to be cautious on how semantics is used in the human rights discipline because “he” cannot mean “she” and the other way round. It is always best to use gender sensitive language by using ‘they’, ‘he’ or ‘she’ separately, not a one pronoun for all style.

If these semantics analysis may be considered petty issues in human rights and development issues as some people may want to view it, why would the human race not be referred as she or herself to refer to everyone just for argument’s sake? This shows that equality of sexes is still far from being achieved and it is worsened by gender insensitive language like the semantics used in the UDHR, an international document granting equal rights to all men and women worldwide. Just to mention in passing because it is not the major aim of this paper, maybe the bible could be the source of reference for this kind of gender inequality where women have always been considered as an inferior race, with other verses clearly stating “without counting women and children”. For what reason women and children were not being counted, no one is sure except that it was according to the law. Some verses state that when two people are caught committing adultery, only the woman is stoned to death. One would wonder if the woman was caught committing adultery with a tree, because one would expect two people to be brought before the law. Efforts should therefore be made by preachers and leaders in churches to ensure equality and give equal rights to men and women. In a similar way, human rights documents written in the contemporary society should make an effort to correct the gender exclusiveness shown by the international human rights document, the UDHR of 10 December 1948. The Convention on the Elimination of Discrimination Against Women (CEDAW), appears to be a gender inclusive document which uses the terms men, women children, to specifically mean those groups of people.

For human rights to be adhered to by everyone, neutral semantics like they or them/they/theirs (to mean he or she) should be used so that no group of people feels left out or appear to be forcing themselves into laws, treaties and conventions which were never drafted with them in mind in the first place. Specific semantics for men and

women, (he, she, him, her and so on) should be used where special reference is being made for men and women without making blanket statements and assumptions that one term can mean everyone as if there is a shortage of time and words. Maybe the best thing to do for the international community is to come back to the drawing back after wide consultation with all groups of people and all nations so that a new document can be drawn using ideas and contributions from all stakeholders. This may promote adherence and upholding of human rights for a greater number of people in the world if each sector of the population is specifically referred in the wording and semantics. In addition, the drafting of the UDHR was male dominated and there was no way anything better was expected. The encouragement is for such international conventions to be on a 50/50 representation everywhere so that humanity can accept and practice the idea of gender equality in all facets of life. If it is made law and mandatory to have 50/50 representation in all critical forums, then there may be a possibility of adherence and the male members of humanity will get used to having the female members of humanity besides them all the way through. On the other hand, the female members of humanity have to continue to claim their share and be up and ready to take up the positions and perform on merit otherwise the cries would be useless and ineffective.

Most of the marginalisation originates from the way men and women are socialised. It is not always the fault of men to exclude women. Sometimes the women themselves allow such marginalisation and exclusion to take place without raising their concerns. Through the same socialisation processes in different sovereign countries, they were taught to be submissive to their husbands and never challenge anything. As a result, they may not be able to speak out at a public international gathering. A change in attitude, mentality and socialisation is a process not an event. There is need for deliberate efforts from household, community to national levels to promote gender equality through economic empowerment for all as well as the use of gender sensitive language.

7.0 Conclusion

This paper concludes that the UDHR of 1948 is a patriarchal document which does not represent everyone but a specific sector of the world's population to the exclusion of women and children as shown by the semantics used in 15 of its articles. Although

the UDHR remains the point of reference for the human rights discourse, it was crafted in a language which did not pay particular attention to the inclusion of women. The themes emerging from the FGDs indicate that the UDHR of 1948 shows gross exclusion of the other gender and there is need for deliberate use of gender inclusive and gender-neutral semantics which do not violate anyone's rights. The inclusion of 15 articles which used semantics referring specifically to men at the expense of women who constitute half of the world population is grossly a violation of the rights of women, promoting gender inequality, social economic and developmental rights exclusion. Conventions which came later than the UDHR for example CEDAW were responding and filling in the gaps left by the parent document and managed to achieve this by using gender sensitive language which is neutral as well as referring to each group specifically by the semantics which refer to them like men, women, and children. The word woman was used in CEDAW more than it was used in UDHR, portraying an oversight which is deeply rooted in traditional patriarchal structures favouring men in all facets of life to the detriment of women and children. Semantics does matter in human rights instruments and treaties; thus, gender inclusive language should always be used since there is no shortage of words. This paper therefore recommends that:

8.0 Recommendations

Based on the key findings of this study, it was recommended that:

- Human rights instruments, treaties and conventions should be documented in gender sensitive languages which refer to each individual with the correct specific word or pronoun to promote acceptance and effectiveness.
- Religious and cultural documents should always consider the semantics used to be gender inclusive so that all humanity is specifically referred to without excluding other sectors of the population.
- A multi-stakeholder approach should be encouraged in promoting human rights, where churches, traditional structures, national constitutions and many more all use gender inclusive language and give men and women equal opportunities in terms of all developmental facets. This should be evidenced by equal statistics in traditional leadership (more female chiefs should be seen), parliaments and other organisations.

- The UDHR (1948) was a historic instrument of its own moment. Contemporary instruments, documents and presentation in theory or practice should be inclusive of everyone since there is no shortage of pronouns.
- Writing such important documents in all languages at national level might help eliminated marginalisation and exclusion.
- Gender neutral pronouns like they/them/themselves/theirs can be useful to avoid unintended gender discrimination especially in international or national documents representing everyone.
- Gender equality policies and economic development policies should be developed and implemented on a 50/50 basis so that everyone understands the importance and need for gender neutral language when everyone is represented
- The women chose to represent others should not relax or swallow the bitter pill but take a swipe when gender inequality is being perpetuated in any facet of life.
- Socialisation must change and be inclusive of everyone so that males and females are taught to move together from a tender age. Gender stereotypes should end so that all children, boys and girls can do anything together as families. This will teach them to respect and value each other from a tender age.

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