

JOHN HUMPHREY'S Schooldays: THE INFLUENCE OF SCHOOL EXPERIENCE ON THE CANADIAN WHO DRAFTED THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

A.J. HOBBS *McGill University*

ABSTRACT. John Peters Humphrey prepared the first draft of the Universal Declaration of Human Rights and was, for decades, one of the world's premier human rights advocates and activists. One of the great strengths of the Declaration was the decision to include social/economic rights, in addition to the more traditional civil/political ones, a duality that Humphrey had created in the first draft. Humphrey's difficult early life had given him unusual insights into suffering, powerlessness and the nature of human dignity. After having one arm amputated when he was 6 and being orphaned when he was 11, he was faced with a new challenge when he was sent away to a boarding school in Rothesay, N.B., where he spent four unhappy years. This paper draws on a variety of sources, including letters and memoirs, to examine the influence of his school experience on his later life and work, especially as it affected his draft of the Declaration.

LES ANNÉES D'ÉCOLE DE JOHN HUMPHREY : L'INFLUENCE DE L'EXPÉRIENCE SCOLAIRE SUR LE CANADIEN QUI A RÉDIGÉ LA DÉCLARATION UNIVERSELLE DES DROITS DE L'HOMME

RÉSUMÉ. John Peters Humphrey a rédigé la première version de la Déclaration universelle des droits de l'homme et pendant des dizaines d'années a été l'un des plus grands défenseurs et activistes des droits de l'homme dans le monde. L'un des grands innovations de la Déclaration est la décision d'y incorporer les droits sociaux et économiques, en plus des droits civils et politiques plus traditionnels, dualité introduite par Humphrey dans cette première version. Les premières années difficiles de la vie de Humphrey lui ont donné une appréhension inhabituelle des souffrances, de l'impuissance et de la nature de la dignité humaine. Amputé d'un bras à l'âge de six ans, puis orphelin à l'âge de onze ans, Humphrey a dû faire face à un nouveau défi de taille lorsqu'on l'a envoyé en pensionnat à Rothesay (N.B.), où il a passé quatre années difficiles. Cet article s'inspire de diverses sources, notamment de lettres et mémoires, pour analyser l'impact de sa scolarité sur sa vie et sa profession ainsi que son influence sur la première version de la Déclaration.

John Peters Humphrey (1905-1995) is now recognized as one of the great human rights advocates and activists of the twentieth century. Yet Humphrey's achievements were little known until recently. The main purpose of this article is to focus closely on his early years and, in particular, to examine the influence school experience had on his later development. First, however, it is necessary to trace his adult career as an advocate for individual and collective human rights.

During the Great Depression, Humphrey, as a young Montreal lawyer, became a socialist and developed his theories of the government's responsibility to look after the economic and social well-being of its citizens. In the Second World War, as a law professor at McGill University, he broadcast over the national CBC network, putting forward his views that Canada could become united only with adequate social security programs and the adoption of official bilingualism and biculturalism. The evils of the war persuaded him that it was not enough to advocate social justice only in Canada, and he turned his attention to the international arena. In August 1946 he was appointed the first Director of the UN Division of Human Rights and, six months later at the request of Eleanor Roosevelt, he authored the first draft of what became the Universal Declaration of Human Rights (UDHR).¹ This instrument was the first attempt to recognize the individual in international law, which until then had only recognized nations. One of its great strengths was to include social/economic rights, in addition to the more traditional civil/political ones – a duality that Humphrey had included in the first draft.

Over the next twenty years at the UN, Humphrey worked on the two human rights covenants and various means of implementation. After retiring from the UN he remained active, teaching law at McGill once more, while co-founding Amnesty International (Canada) and the Canadian Human Rights Foundation. He served on numerous bodies such as the International Commission of Jurists, the Royal Commission on the Status of Women, and the International Commission of Inquiry into the 1932/33 Famine in the Ukraine. He advocated many individual causes including seeking compensation for groups such as the Canadian Hong Kong veterans and the Korean Comfort Women. His name became synonymous with human rights advocacy for the knowledgeable few, yet it was generally unrecognized outside those circles.

It is probable that Humphrey did not receive wide recognition for his work during his lifetime because human rights advocates, who constantly criticize governments, tend to become unpopular in official circles, and this unpopularity can affect public awareness. Humphrey was deeply shocked when Canada abstained in the voting on the UDHR in the Third Committee of the General Assembly on December 7 1948. Nor was he much mollified

when that vote was changed to an affirmative three days later in the Plenary Session of the General Assembly. From that point on he began to criticize Canada's human rights record. One can feel a certain sympathy for Canada, by no means the worst of nations, in that every little misstep it made over the decades in the area of human rights tended to draw a rumble of Humphrey's thunder from the left. For nearly fifty years he fired his salvos at Ottawa, almost always from the moral high ground of the Declaration. Policy makers probably grew very tired of this criticism and ultimately found it simplest to ignore him.² He began to gain wider recognition in the closing years of his life when papers proving his authorship of that first draft of the UDHR, long wrongly attributed to another, were discovered.³ Slowly the story of his enormous contributions emerged and acknowledgement came from many quarters except, like the prophet's honour, in his own country.

Inevitably this situation changed with Humphrey's death. In the years leading up to the fiftieth anniversary of the UDHR in 1998, he became something of a national icon. The city of Côte Saint-Luc in Quebec inaugurated its Human Rights Walkway with a Humphrey memorial. The International Centre for Human Rights and Democratic Development added his name to its annual Freedom Award, and several institutions now give Humphrey lectures. In his birthplace of Hampton, New Brunswick, music teacher Ann Scott of the Hampton Elementary School wrote a musical play, *Peace Cranes 2000*, partially based on his life, for 200 student performers (Ainsworth, 2000). In June 1998, as part of Festival Canada, the National Arts Centre prepared a major exhibit on his life and achievements called *Citizen of the World*. This exhibit has since toured the country. In September of that year, Nelson Mandela dedicated a special Humphrey plaque on the Human Rights Monument in Ottawa. The government also settled Humphrey's last case by agreeing to pay compensation to the Hong Kong veterans. Finally on October 7 1998 Canada Post unveiled the new 45-cent Humphrey stamp.

There was a separate launching of the Humphrey stamp at RCS Netherwood, a private school in Rothesay, N.B., about halfway between Hampton and St. John. Humphrey's rise from obscurity to prominence had been rapid, and hasty examinations of his early life revealed the information that he had attended Rothesay Collegiate School (RCS), the boys' boarding school that was a predecessor to the co-educational RCS Netherwood. It seems appropriate enough to have held the stamp launching there, although perhaps the school had but recently learned of its distinguished alumnus. A number of speakers extolled Humphrey's achievements with perhaps greater enthusiasm than accuracy – as if exaggeration could make up for decades of neglect. The keynote speaker called Humphrey a man of “incredible intelligence” whose determination moved the UDHR through the UN's extensive bu-

reaucracy towards becoming international law (Hawkins, 1998). Honesty more than modesty would have caused Humphrey himself to challenge the accuracy of such assessments. The school authorities may have wondered during these speeches how they could have spent so many decades blithely unaware that such a paragon was one of their Old Boys. Yet, if the school had forgotten Humphrey, he had never forgotten the school. His experiences there profoundly affected him in later years when he became engaged in drafting the UDHR. In the pages that follow, Humphrey's education at Rothesay Collegiate School (RCS) is explored, drawing on a variety of sources, including autobiographical texts and original letters which are not yet widely known.

RCS Netherwood was created in 1984 through the merger of RCS and Netherwood School for Girls, a separate institution founded in 1894.⁴ In 1891 James F. Robertson had purchased Thomson's School (established 1877) and renamed it RCS. In 1908 the Synod of the Diocese of Fredericton took over the running of the school and appointed the Reverend W.R. Hibbard as headmaster. Hibbard ran RCS as a boys' boarding school on the British public school model. The mission of the school, for those who wished to pursue higher education, was to prepare students to take the McGill Normal examinations, necessary for admission to most universities in Canada. Other groups took courses to prepare them to enter the Royal Military College, Kingston, or for management careers in business and industry. It was to this environment that Humphrey came in 1916, the newest of 81 pupils (*Blue and White*, 1916, Vol. 12, No. 1, p. 11).

Humphrey's childhood had been a painful one. He was the third child of Frank Monmouth Humphrey, a St. John shoe manufacturer, who resided in Hampton about thirty miles from St. John on the Kennebecasis River. Frank died of cancer when John was only thirteen months old. At age 6 John's left arm was amputated at the shoulder after an accident in which his clothes caught fire. Finally, when he was 11, his mother also died of cancer. His sister, Ruth, who went on to a distinguished academic career at the University of British Columbia, was just entering Mount Allison University at this juncture. His brother Douglas, then 17, immediately left school and went into business, eventually making his career with the investment company, A.E. Ames of Montreal. This left only the problem of John for his father's executor, J.M. Scovil. Scovil, a partner in Scovil Bros. of St. John, was in the clothing business. He considered that his duty as Frank's executor was to preserve the estate's capital and to get the heirs into the job market as quickly as possible. This would later bring him in to conflict with Humphrey over the latter's desire to continue at university (Hobbins, 1994-2000, Vol. 1, pp. 12-14).

While both Humphrey's parents came from large families, his aunts and uncles had families of their own and lacked the resources to look after another child. Fortunately Frank had taken the prudent step, unusual for the time, of taking out life insurance so there was some money to look after his children's educational or other needs. It was decided that the best thing to do would be to send the young John to RCS, and arrange for him to spend the vacations with one or other of his relatives. Humphrey himself welcomed the idea of going to RCS since he had gleaned some romantic notions of British public school life through his readings in *Chums* and *Boy's Own Paper*. He recalled the exciting prospect, writing:

... nothing seemed to me more desirable than the life of an English public school boy as described in these journals. Rothesay, I thought, would be like that. My sister, who was going that fall to Mount Allison University, supervised the purchase of the regulation school wardrobe which included such exotic items as an Oxford grey quasi military uniform – there was plenty of black braid and the tunic buttoned up to the neck – and the school cap. I wanted very much to wear these immediately, but they were packed away awaiting the day when I would be off for Rothesay. (Humphrey, c. 1990, p. 16)

Humphrey's RCS experiences are recounted in his weekly letters to his sister⁵ and his later reminiscences (Humphrey, c. 1990). They were to show how badly he had been misled by those boy's magazines. As he recalled later, he "hated nearly every minute of the four years" he spent at RCS (Humphrey, c. 1990, p.17). However, neither the scribbled letters of a lonely adolescent nor the memoirs of an octogenarian, coloured by the passage of time, can be considered wholly reliable historical sources. Hopefully through the examination of both sources a truer picture of private education in the early part of the twentieth century and its effect on the life of a distinguished Canadian will emerge. The RCS that influenced Humphrey so greatly was not necessarily the school that other students might have remembered but rather the one that he had known – the Rothesay of his experience and his memory.

Humphrey had been teased at his earlier school in Hampton because of his handicap. He had been nicknamed the "one-armed Doukhobor" – Doukhobor presumably being considered something of a deadly insult at the time. At RCS nicknames were part of a more formal and somewhat unpleasant procedure. In Humphrey's words:

Whatever good qualities I may have had, I presented a poor figure. I was too fat – or at least the way I wore my uniform must have made me appear so . . . In any event, at the christening of new boys when we were thrown into the college brook, I was christened "fatty" – an epithet which degenerated in the mouths of my enemies to "fat-ass," although the Hampton "one-armed Doukhobor" also continued to hound me. My friends called me "the Duke" – a name which I rather liked. (Humphrey, c. 1990, p. 17)

The name-calling that Humphrey had been subjected to at Hampton had given him an ungovernable temper, which he “made little effort to control and which was only too easily provoked” (Humphrey, c. 1990, p. 18). He would get into frequent fights that he inevitably lost. While Humphrey never explains the origin of his nickname “the Duke,” one wonders whether it might have been an ingenious schoolboy reference to the fact that in his frequent fights he could only put up one duke, or simply a more prosaic shortening of Doukhobor.

There were other aspects of life for the new boy that Humphrey intensely disliked:

The school had a time-honored institution of fagging; and all the new boys were collectively the fags of all the old boys. A refusal to do some humiliating thing or even the simple wish to was sanctioned by the obligation to point. This meant leaning over, touching one’s toes with one’s fingers, and receiving on a part of one’s body – which in my case was too fat and hence a certain protection – a sharp blow with some object which could even be a fencing foil. (Humphrey, c. 1990, p. 18)

On the question of corporal punishment in general, Humphrey noted:

The discipline at Rothesay was hard and vicious. One was vulnerable to it all day and even at night. Apart from the more normal possibilities of punishment, there was a particularly vicious institution known as the “slip” system, meant for incorrigible boys of whom in my final year I was to be considered one. If a boy was not doing well in his studies or if he was considered especially unruly, he was given a slip each day which had to be signed by every one of his masters. If he missed one signature in a week, he went on the system for another week; and every miss over that was followed by a thrashing which he received from the Head Master. It was not only the Head who thrashed us. The privilege was shared by all the other masters, some of whom were veritable martinets. (Humphrey, c. 1990, pp. 19-20)

The ‘slip’ system certainly seemed to be feared. In 1918 Humphrey reported: “Two boys here ran away the other day but they’re back locked up in the isolation room. They ran away because they [were] on the slip system. I’m on it now but I hope I’ll soon be off.”

It was standard practice in boarding schools to isolate returned runaways from the general population, usually pending withdrawal from the school. It would be rare to have an isolation room *per se* – runaways were simply said to be in isolation. There might, however, have been an isolation room for medical purposes that could serve double duty.

It did seem relatively easy to get into trouble, as he related later that year:

[June, 1918]

At Church parade this morning the Sergeant reported a lot of fellows to Beak. I was one of them for not having black boots on. I haven’t got any

now. And it's all up with me on Monday too being as Beak will call us up then. I didn't have a hard collar on either. Gee!! We have to pay out of our own money to get our collars clean.

The Sergeant was Drill and Physical Training instructor Richard Dooe, while "Beak" was the nickname of the headmaster, Hibbard. At this time shirts were not changed daily but worn for considerable periods of time. The cuffs and collars were detachable and could be washed and starched separately. Thus one would put on a clean collar rather than a clean shirt for special occasions, while at other times go about with no collar at all.

In his first few terms at Rothesay Humphrey did not fall foul of the teachers too much and did well academically. However, he did not get along with his fellow pupils. Sports were an important aspect of school life, especially from a social perspective, but he was not allowed to participate owing to his handicap. Sergeant Dooe considered the only suitable activity for him was to play the bugle in the cadet band, which led the Church Parade every Sunday. It was therefore initially difficult for him to become integrated into the day-to-day school life. In addition to teasing, he was bullied by classmates who were an average of two years older. He made up his mind to run away if he could not overcome the bullying problem. His difficulties were finally resolved in October 1918 when he changed rooms. He was put in with an older boy, Gordon MacPhail, much admired as an athlete, an arrangement that afforded no small amount of protection. MacPhail agreed to accept his new room mate at the request of his older sister Agnes, a close friend of Ruth's. Humphrey's Uncle Percy then persuaded the school authorities to make the change. Yet as Humphrey slowly experienced better relations with his peers, he began to have more difficulties with the masters.

Humphrey remembered some of the masters vividly. The headmaster:

. . . was a powerful preacher and certainly at his best in the pulpit. The boys held him in awe, and with good reason, because he was a martinet. He had a long curved nose, like the bill of a hawk, and this had earned him the nickname of the Beak. He had a violent temper and I imagine that the other masters were quite as afraid of him as we boys. I cannot imagine a man worse adapted to be the Head Master of a boys' school. He taught French – right out of the book. Most of our time was devoted to learning irregular verbs and reading passages out of that book. I doubt whether the Beak could speak French, but he certainly knew his irregular verbs. He also taught Divinity. He was as impatient as he was bad-tempered. I once saw him throw a piece of chalk at a boy who could not distinguish between *qui* and *que*. "Er, Great God, boy," he said, and threw the chalk.

I look back to some of the masters with a measure of respect. One such was Mr. Cooper, called the "Old Bird," who taught Latin; but, like the others, he was also a martinet and believed in the strap and the cane. Another ordained minister, the Reverend Mr. Scott, whom we called "Mokum" –

I do not know why – caned a dozen boys in the North House on his first night of duty. He wanted to establish a reputation and he did. There was an American master, called William Rogers, with who I had memorable encounters in my second year. He once asked the class to write an essay. When the marks were announced, the top place went to a boy named White, who was one of my tormentors. I was convinced I had done better than White and was fool enough to say so. There was an argument and, quick-tempered as I was, I said some things I should not have said. Instead of punishing me himself, Rogers sent me to the Beak, which was much worse. But the Beak, to my surprise, did not thrash me. Perhaps he had his own doubts about the master's marking and, being an intelligent man and seeing the state I was in, he could see that I had already had my punishment. It was the one time I can remember him showing any compassion. (Humphrey, c. 1990, pp. 21-22)

Humphrey recalls enjoying a good relationship with only one master, W.A. Haines. He had always had a certain aptitude for drawing and his desire at this time was to become a cartoonist. Humphrey's aunt, Edith Killam, was a well-known painter, while his cousin, Jack Weldon Humphrey, would become famous as a member of the Eastern Group of painters. Ruth arranged through Scovil that Humphrey receive drawing lessons from Haines for an extra fee. Nothing came of these lessons in terms of uncovering any of the family's artistic talent, but it did secure for Humphrey a friend in the establishment with whom he could talk over problems. In retrospect, Humphrey thought that might have been the end intended by his sister (Humphrey, c. 1990, p. 23).

Humphrey's letters show an almost fatalistic unhappiness with life. He was always short of money even to buy stamps, his clothes were ragged compared to his well-dressed peers', and the food was "punk." Daily life was tedious and unchanging, and the rooms were cold in winter, prompting frequent requests for bedsocks. One or other of these factors caused Humphrey to head some letters laconically "Rothesay Cold Storage," presumably a school-boy pun on RCS then in general use. Disasters struck Humphrey on a regular basis, his fountain pens disappeared with amazing regularity, and even religion seemed forced upon him. A brief sample is typical

Sunday [February 1919].

I had to borrow this stamp. Just by luck I got it too. Say, Ruth, next letter you send me you might drop in two stamps. I bust a window so I won't get any pocket money next week. Gee it's hard luck. I didn't have enough money for collection today.

. . . Well, Ruth, there's absolutely nothing to talk about this old school – the same thing happens every day except when you break a window – why in hang don't they make windows that don't break anyway? That's all I can say.

March 2 1919

Oh Hang! Oh Hang! Oh Hang! I bust another window. Oh Gee I was mad, but another fellow is going to pay half so it's not so bad.

. . . There's no news. Everything's rotten. Smashing windows. . . besides I got a licking from Mr. Cooper night before last.

March 16 1919

Oh here's something awful important that I nearly forgot. Mr. Hibbard wants me to be confirmed in the Church of England. I told [him] that we were Methodists but he told me I'd better go to the Confirmation classes. Say Ruth, I don't want to be confirmed in the Church of England, I want to be a Methodist. Please write and tell me what to say.

April 27 1919

. . . I needed some stamps so I asked Mr. Hibbard for 25¢ worth but he said he didn't have change for a dollar so I had to take thrift stamps in change. That makes me a regular pauper.

Rothesay did not attempt to provide a social education, especially concerning the opposite sex. Humphrey recalled:

We never saw a woman, except the Matron and servants in the dining hall, and, on Sundays at church, the girls from Netherwood, a feminine duplicate of R.C.S. We did take dancing lessons, but the boys danced with one another. Sex was a smutty thing at Rothesay. I learned a lot about it, but not in the right way. But in spite of the reputation of such places, there was no homosexuality that I ever heard of. Perhaps I was not an attractive enough object. (Humphrey, c. 1990, p. 20)

School life was not the picture of unrelenting gloom that Humphrey recalled late in life or that a quick perusal of his letters might suggest. Brighter moments showed up now and then with jazz band concerts, hare and hounds races, assorted high jinks with fellow students and a "corking" school play. This play, the *Private Secretary*, was performed on June 1, 1918 under the direction of W.A. Haines, and was somewhat controversial. According to Humphrey's program, the Senior Debating Society presented it for "patriotic purposes." Rothesay's yearbook reported "the committee acting for the Senior Debating Society, after considerable doubt and misgiving, finally consented to produce 'The Private Secretary,' an old but ever interesting play" (*Blue and White*, 1918, Vol. 13, no. 3, p. 35). The reason for the unusual misgivings and stressing of patriotic purposes was that the play was based on the German farce *Der Bibliothekar* by Gustav von Moser, adapted to English by Sir Charles Hawtrey in 1884. Clearly it was deemed possibly disloyal to do anything with a German connection during the war. The students were charged \$0.20 to see the play, fundraising for unspecified "patriotic purposes."

Despite his straitened circumstances Humphrey found ways of making money. He reported:

March 9 1918

I am dealing with 6 stamp companies now and I have quite a rushing business. I get 50% disc[ount] but I sell them at 20%. Quite a gain. The approval I have now is a Marks Stamp Co. one. Boys!! For stamps. Woh!!

[May 11, 1919] Sunday

Wednesday I went to town and saw Doug and a show at the Unique. I went down to Aunt Mab's for supper but she wasn't in so I had to buy my own. Gee Whiz!! It just about landed me on the rocks. I'm broke now but I'm working all this week for a fellow who is a new fellow and is on window duty. That is, every morning he has to get up and put down all the windows in the middle flat. I'm going to do it for him this week for .25.

"Aunt Mab" was Mabel Scovil Humphrey, daughter of Humphrey's guardian and wife of his paternal uncle, Guy Heston Humphrey. At this time Guy owned a coffee-roasting business in St. John, N.B. Since Humphrey needed a fountain pen to write examinations and his were always missing, he solved the difficulty by purchasing pens before the examination and selling them immediately afterwards.

There were also moments of high excitement at Rothesay when significant events happened or distinguished visitors came:

November 14th, 1918

Well we certainly celebrated [the armistice] here. First we built a big bonfire as big as a small house. We got a whole holiday, refreshments in the evening. Next day we went in town on trucks to take part in the parade. It was the biggest parade I ever saw.

. . . Most of the fellows went in on trucks [but] before I went out our truck broke down. So they rushed myself and two other fellows in on the Ford because one was an officer and me and another fellow belonged to the bugle band. Gee, Mr. Scott (one of the masters) drove fast. They've just fixed those roads. The other fellows got in town when the parade was finishing so they got off.

[May 11,1919] Sunday

. . . We had real boiled eggs for breakfast Friday. What do you think of that?

Nonetheless these bright spots did little to relieve the overall gloom, nor did they diminish Humphrey's resolve to leave Rothesay as soon as possible. Following another humiliation at the hands of the physical training instructor, he made a final plea to Ruth, writing:

[n.d.] 1919

. . . Then today at Church Parade I forgot my rubbers and asked the Sergeant (you'll hear more about him later) if I could go back for them, but his son⁶ and I had a sort of fight concerning the bugle band which ended in me getting kicked out: anyway he wouldn't let me go back for them so when we had marched for about half a mile he made me go back for them. . . . Ugh!! but it was awful.

. . . Look, Ruth, I'm not getting along good with the masters at all and this place is getting to be a place for little kids. There's a new rule every day and that's no exaggeration. Lights go out at half-past nine. Gee, but I long [for] the holidays and we can't go to the village if we have detention book. They're trying to make it into a sort of reform school. Why if you're even late for parade they will give you a licking. And the Sergeant treats me rotten. He's always playing rotten tricks on me. I could stand it here if it wasn't for him. Couldn't it be arranged so that I could go to [Hampton] High School next year? I could board somewhere and have a damn sight better time than I have here. I'm not doing half as good in my work. I try but I don't do half as good. I came 6th in the fourth [form] this half-term.

I want you to understand that this is not homesickness. Will I write Mr. Scovil?

P.S. Getting along okay with the fellows.

His pleas went unanswered since Ruth, herself reliant on Scovil for money, could do nothing. Scovil himself felt Humphrey should remain at RCS.

When Humphrey went to Hampton for Christmas 1919, he faced the prospect of another two and a half years at RCS before he could take the McGill Normal entrance papers. For a second time he formed the resolve to run away from school. He talked over his problem with a friend's older brother, Jack Angevine, who was in his final year of high school and planning to go to Mount Allison University. Admission to New Brunswick universities only required passing the provincial matriculation examinations in August. Angevine suggested that he and Humphrey take these examinations at the same time. This was problematical since the curricula and the texts were different and one subject, botany, was not even taught at RCS. Angevine helped Humphrey find the necessary texts and he returned to RCS to begin a double life of secret study. In Humphrey's words:

I then began to work like I have never worked since. It was absolutely necessary, of course, to keep up appearances at the school and I never whispered a word of my plot to anyone until, at the end of the school year, I shared my secret with my sister who gave me what help she could during the short period of the summer holidays before the matriculation examinations. I had a book with me everywhere I went, even to the toilet; and when in the supervised study periods I was supposed to be doing some-

thing else, I was actually studying for the provincial matrics. I did not care how I did in my Rothesay classes because my mind was firmly made up not to return to school whatever happened. I had never heard the term, drop out; but I was ready to become one if necessary. In the result I passed all the matriculation papers except geometry. And even here there was an extenuating circumstance which, if it did not justify, at least partly explained my failure. I had studied very little geometry at Rothesay, and my present efforts had obviously not been enough. I do not know whether my inaptitude for mathematics is the result of or the reason for this experience. There was perhaps still another reason for my failure. I had decided not to try the examination in botany, which I had never studied. I believed that I would, partly because of family connections, be admitted to Mount Allison – where I decided I would go – even if I had, as it was called, one condition.⁷ But three or four days before the examination I had decided – again on Jack Angevine’s advice – to try the examination. He showed me how to draw a cross section of a leaf and I learned by heart the answers to two or three questions. When I got into the examination room, I wrote down everything I knew and drew my picture; and I passed in the second division. Since then I have not had much confidence in examinations. But it had been a real effort and that is perhaps why I failed in the next examination, on geometry. The university admitted me notwithstanding, although it should have been obvious, that I was unprepared. I had had only eight years schooling against the normal eleven. There were great gaps in my knowledge and I was only 15 years old. (Humphrey, c. 1990, pp. 25-26)

Humphrey’s memory of this remarkable accomplishment is not entirely accurate. He may have conceived the plan in secret and kept that secret until some time before the Easter holidays in April. However, he had certainly confided in his sister by March 14th when he wrote: “I’m convinced now by the way the Beak’s acting that I want to be able to go to Sackville. He’s such an unreasonable lunatic.” By May, his family, his guardian and the school authorities were all aware of his intention. On May 2 he reported: “well, I guess I can go to Mount A. though I have to promise the old Beak that I’ll do my best in school work, etc. He didn’t want to let me go.” Later it seemed Humphrey was offered all reasonable assistance to help achieve his goal, and Scovil even arranged extra tuition as some extracts from the letters show:

[n.d. May, 1919]

I looked at that book again and I think I can pass my Latin as they want Caesar book II and I’ve done Caesar book III. Mr. Scott, our mathematics master, says I can pass my mathematics and I’m reading English Lit all my spare time. So I think I can pass 2nd div. I wrote to Mr. Scovil yesterday. I think he will understand. Mention it in your next letter, will you please?

May 30, 1920

Well, I got a letter from Mr. Scovil the other day. He agrees with me and I’m taking extra lessons in Geometry. Only the math master told me I

didn't need them so I'm taking a few extra Latin lessons too. I wrote Mr. Scovil to ask him if I could get out of the June exams as I could study in that time.

The mathematics master, "Mokum" Scott, evidently gave bad advice on extra geometry lessons since that was the course Humphrey failed. While his recollection of the method he used to study for Botany was surely correct, he may have been obliged to take the examination as part of the matriculation requirements.

Humphrey was critical of the decision to allow him to go to university so young, but his own determination was largely to blame. Ruth felt that he was not old enough and proposed that he transfer to another school for the fifth form if he was so unhappy at Rothesay. However, Humphrey reacted strongly to her suggestions, writing on June 5 1920:

I think you're mighty discouraging. I'm not too young to go to Mount A. Murray Angevine is going next year. It only means another year at Rothesay if I don't go and King's is exactly the same as Rothesay because the King's fellows were here about a week ago and I got a good idea from them the housing is not good and about twenty fellows sleep in the same room. The meals are worse than at Rothesay. A lot that Windsor girl knows about it. I'll bet a Netherwood girl would say that Rothesay is a fine place too. It's only a lot of money wasted if I come back here because I'm taking extra lessons in Geometry and Latin. If I can get along with the studies well why not go? I'm not too young to mix with the fellows up there. I'll bet I can take care of myself as good if not better than Murray Angevine. Though if you think I hadn't better I'm willing to work for a year and then go to Mount A. or go to St. Andrews or Upper Canada. But Ruth, you know you think of some of the craziest things. You were perfectly willing that I should go if I passed the matrics. I'll try the matrics anyway and if we decide in the summer that I take another year in Prep School, well and good.

Anyway, Ruth, it doesn't matter how old you are but if you can take care of yourself. And I guess 4 years at Rothesay will help there.

So please put me wise how to put in an application and the application to the exams besides the one for Mount A. Also put me wise about Physics.

Faced with the strength of her brother's feelings, Ruth withdrew her opposition and evidently did an excellent job of putting Humphrey "wise" to things like physics. By passing the Provincial examinations Humphrey had pulled off his coup and never returned to RCS.

His two years at Mount Allison were a failure from most points of view, although Humphrey felt this was not the fault of the university.

[The fault] was with me and with Rothesay Collegiate School. I came to Mount Allison too young ... and quite unprepared for university... There had been no one at Rothesay or elsewhere who had undertaken to stimu-

late in me any real love of learning or help me find my direction. In the result I had no sense of purpose. I had no idea whatsoever of what I wanted to do after graduation; my one ambition had been to shake the dust of Rothesay from my feet. Having done that, I settled down to two years of intellectual lethargy. The rigid discipline at Rothesay had also made me impatient of all authority and I was more apt than not to break a rule simply for the fun of it. More serious, from the point of view of my immediate happiness, Rothesay had made me into a snob – one of the worst kind, the kind that judges people by the clothes they wear; and I had nothing but disdain for the sons of Methodist ministers and farmers who made up the great majority of the Mount Allison student body. I heartily endorsed every prejudice that it was possible to have. In the result, I soon became very unpopular, except in the small coterie of like-minded people whom I first frequented. (Humphrey, c. 1990, p. 34-35)

Years later, after a Commerce degree from McGill University had left him with an aversion to accounting, Humphrey finally found a love of learning and sense of purpose, instilled by Stephen Leacock in Arts and Percy Ellwood Corbett⁸ in Law. It was also Leacock who told Humphrey that to achieve his goal of a law degree within a certain time he could take his last year of Arts and first year of Law simultaneously – the equivalent of 54 credits in today's terms (Hobbins, 1999, pp. 757-758). Humphrey had learned from his last year at RCS that he was capable of carrying this level of academic load if the end was important enough to him, and he did manage it with great success.

Other lessons from RCS were also to prove useful to him. His temper never left him and injustice made him fiercely angry, yet he realized from his futile fights that force, no matter how apparently justified, was not the way to resolve issues and certainly no guarantee that the deserving side triumphed. He learned that anger should be controlled and focused into positive action. The situation of the jobless in Montreal during the Great Depression angered him deeply and, under the influence of Frank Scott and King Gordon, he changed from a conservative to a socialist. He began to advocate his belief that governments had an obligation to protect citizens from such disasters through social programs. Throughout the 1930s and the Second World War he argued passionately for a bilingual, bicultural Canada with a social safety net, and he promulgated these views – thirty years ahead of their time – on the national CBC Radio (Hobbins, 1993).

He also realized from the treatment he received from his fellow students that the individual sometimes needs to be protected from society. When he sat down to prepare the first draft of the UDHR, he decided to include not just civil/political rights, but also the controversial social/economic rights, then anathema in North America.⁹ The UDHR retained this duality through to its final iteration, and the inclusion of both types of rights is now considered one of its greatest strengths. RCS also taught Humphrey that those in

authority – the masters – are not always right by virtue of their position; they can often exercise a tyranny of their own that must be resisted. Until the end of the Second World War, international law, Humphrey's specialty, had only recognized nations, not individuals. However, the wartime crimes against humanity made it imperative to develop mechanisms that protected the citizen from the state. The UDHR was an early part of this process, which continues to be refined to this day.

Humphrey prepared his draft declaration, selecting from a dozen or so previous instruments (Glendon, 2001, pp. 56-58; Humphrey, 1984, pp. 31-32), to combat the evils of the world, not those of RCS. Yet reading through the draft (UN, 1947) it is easy to imagine that his Rothesay experience might have influenced him when selecting what to include. He may have had a brief vision of the mad Beak armed with a cane flit through his mind as he prepared article 4, which stated no one should be "subjected to torture, or to any unusual punishment or indignity." When he wrote article 8, noting that "slavery and compulsory labour are inconsistent with the dignity of man," thoughts of fagging may have occurred to him. He may have recalled the small boy contesting a mark when he penned in article 15 that "every one has the right to form, to hold, to receive and to impart opinions." The teenage rebel, frustrated with the daily imposition of rules and restrictions, might well have inspired article 25, wherein it is said that: "Everything that is not prohibited by law is permitted." Cold bedrooms and school food might have been behind article 42 – "Every one has the right to good food and housing and to live in surroundings that are pleasant and healthy." The list could go on. It should be noted that while the UDHR contains no concept that was not in Humphrey's original draft, a number of his ideas were dropped as being unacceptable to one or other of the member states.

While Humphrey generally managed to channel his anger towards positive action, it is clear that he could never completely control his temper, as his diary of the UN years reflected:

May 23 1955

Occasionally I lose my temper and it is then that I usually say something that I can't back up as this morning to [Assistant Secretary-General for Economic and Social Affairs Philippe] de Seynes who must be beginning to think that I am difficult to get along with. But these people are so wrong on the big things that they are still wrong even when they are right on the details. (Hobbs, 1994-2000, Vol. 3, p 153)

Humphrey was often in conflict with authority figures, whether individual or governmental, throughout most of his career. His relationship with McGill Principal F. Cyril James was not the easiest in the 1940s. He was constantly at loggerheads with UN Secretary-General Dag Hammarskjöld over the latter's attempts to cut back on UN human rights activity. Indeed,

Humphrey considered his greatest contribution was not drafting the UDHR, but rather keeping the UN program going at all in the face of Hammarskjöld's perceived hostility. He spent fifty years criticizing Canada's human rights record from its 1948 abstention on the UDHR to the question of compensation for the Hong Kong veterans, unresolved at his death.

There can be no doubt that Humphrey was profoundly affected by his schooldays at RCS. Although the institution may not have been as bleak as Humphrey recalled it to be, he was conditioned not by his experiences but his memory of those experiences. The injustices he encountered instilled in him a strong sense of justice and a passionate desire to protect the weak. The passion that drove him helped him overcome a natural indolence and achieve his goals regardless of difficulties. Indeed, he developed an unswerving determination, that detractors might term obstinacy, in the pursuit of these goals. It seems clear that RCS, or rather the Rothesay of his mind, had provided much of the stimulus to develop these traits. It is a moot question as to whether Humphrey could have become one of the world's premier human rights advocates had he been educated in the gentler schools of contemporary Canada, where Hibbard and his fellows would be sued, if not jailed, for their actions. Regardless of such considerations, the Rothesay legacy combined with his observations in the Great Depression made Humphrey determined, as a lawyer, to protect the unfortunate in Canada. The atrocities of the Second World War and the influence of Percy Corbett broadened his perspective beyond Canada to embrace the world. The coincidence of a number of fortuitous circumstances placed him in a position to prepare the first draft of the UDHR. He prepared a text that was based on many earlier instruments but one that also reflected his personal beliefs – beliefs that RCS played no small part in forming.

ACKNOWLEDGEMENTS

The author is grateful to Douglas Edwards, Director of Alumni Affairs, RCS Netherwood, who checked old issues of the yearbook, *The Blue and White*, to verify names and dates, and provided much useful information. Professor Warren Dicks (Universitat Autònoma de Barcelona) kindly read and commented on the text.

NOTES

1. The drafting process has given rise to great confusion and erroneous information in the literature. It is only recently that a comprehensive and accurate scholarly treatment of the subject has been published (Glendon, 2001).
2. The exception was when Pierre Trudeau was Prime Minister. He and Humphrey shared many ideas in common and it was then Humphrey was named to the Order of Canada.
3. French human rights advocate René Cassin had long been credited with preparing the first draft based on his own assertions. Humphrey's claim was not recognized until his manuscript was discovered in 1988 (Hobbins 1989) and was the subject of some debate for a few years thereafter.

John Humphrey's Schooldays

4. The facts concerning the histories of Rothesay Collegiate School and Netherwood School for Girls are taken from the school website RCS Netherwood (2001).
5. Ruth kept all of her brother's letters covering a span of nearly sixty years, and these were returned to Humphrey after her death. Letters from the Rothesay period cover 1918-1920. (McGill University Archives number MG4127).
6. Dooe had two sons at RCS at this time. The younger, Walter Colwell Dooe, was in the bugle band (*Blue and White*, 1917, vol. 12, No. 3, p. 22).
7. Students were allowed to advance to the next level with one condition if there was a failure in one required subject. The condition was that the credits had to be made up in the following year.
8. Corbett's influence on Humphrey is described in detail in Hobbins 2000.
9. For the negative attitudes of the Canadian political elite to the question of human rights, see Schabas (1998). Hobbins (1998) describes similar attitudes in the Canadian legal and business communities.

REFERENCES

- Ainsworth, L. (2000, October). Überschools: From these great schools come five tried-and-true learning boosters that will work for your child, too. *Canadian Living*, p. 188.
- Blue and White*. (1916-1919). Rothesay, NB: Rothesay Collegiate School.
- Glendon, M.A. (2001) *A world made new: Eleanor Roosevelt and the Universal Declaration of Human Rights*. NY: Random House.
- Hawkins, M. (1998, October 9). A true humanitarian. *Times-Globe* (St. John).
- Hobbins, A.J. (2000). Mentor and protégé: Percy Corbett's relationship with John Peters Humphrey. *Canadian Yearbook of International Law*, 1999. 37, 3-56.
- Hobbins, A.J. (1999). "Dear Rufus. . .": A law student's life at McGill in the roaring twenties from the letters of John P. Humphrey. *McGill Law Journal* 44(3), 757-758. Also at <http://www.journal.law.mcgill.ca/abs/443hobbi.htm>
- Hobbins, A.J. (1998). Eleanor Roosevelt, John Humphrey and Canadian opposition to the Universal Declaration of Human Rights. *International Journal* 53, 325-342.
- Hobbins, A. J., Ed. (1994-2000). *On the edge of greatness: The diaries of John Humphrey, first director of the United Nations Division of Human Rights*. Montreal: McGill University Libraries. 4 vols.
- Hobbins, A.J. (1993). Canadian Unity in Quebec in 1942: A roundtable discussion among John Humphrey, Hugh MacLennan and Émile Vaillancourt. *Fontanus* 6(VI) 119-141. Also at: http://www.HistoryTelevision.ca/humphrey/english/jph_rnd.htm
- Hobbins, A.J. (1989). René Cassin and the daughter of time: The first draft of the Universal Declaration of Human Rights. *Fontanus* 2, 7-26. Also at: http://www.HistoryTelevision.ca/humphrey/english/jph_rene.htm
- Humphrey, J.P. (c. 1990). Life is an adventure. Unpublished manuscript. McGill University Archives, MG4127, Container 8, File 133, "Life is an adventure." Internal evidence indicates that this project was started after 1988.
- Humphrey, J.P. (1984). *Human rights and the United Nations: A great adventure*. Dobbs Ferry, NY: Transnational Publishers.
- RCS Netherwood (2001). Homepage. <http://www.rcsn.nb.ca>.
- Schabas, W.A. (1998). Canada and the adoption of the Universal Declaration of Human Rights. *McGill Law Journal* 43, 403-441.

United Nations. (1947, June 4). Human Rights Commission. Drafting Committee. Draft outline of International Bill of Rights/Avant-projet de la déclaration internationale des droits de l'homme. Mimeographed. UN document E/CN.4/1/3. This working document is reproduced in Glendon (2001), pp. 271-274.

A. J. HOBBS is Associate Director of Libraries, McGill University, and literary executor of John Peters Humphrey.

A. J. HOBBS est directeur adjoint des bibliothèques de l'Université McGill et exécuteur testamentaire littéraire de John Peters Humphrey.