



A Human Future

VOLUME 5 ■ NUMBER 4 ■ NOVEMBER 2006

L'Arche Canada offers this "thought sheet" as a contribution to the public conversation about values and the shaping of the social ethos in which we live.

Our perspective comes from two broad sources: (1) from thirty-five years of living together in community as a diverse group of people, differently abled and from various cultural, ethnic and religious backgrounds; and (2) from contemporary thinkers who are open, fresh and responsive to the human spirit and are reflecting deeply on the individual and society today.

The vision and confidence to create a healthy Canadian society lies in the nexus where humanistic thinking and spirituality cross-fertilize. Indeed, today the best spiritual thinking engages contemporary culture with a view to the good of human society and the best humanistic thinking integrates spiritual values.

We believe it is possible to live consciously in the gap between an ideal society and everyday reality and to make choices that contribute to the closing of that gap. It is a hopeful view, based on human and spiritual values embodied in daily life.

Changing Attitudes: Louise Arbour on Human Rights



Louise Arbour has been United Nations High Commissioner for Human Rights since 2004. Born and educated in Montreal, she had a distinguished academic career before her appointment in 1987 to the Supreme Court of Ontario and then to the Ontario Court of Appeal. In 1995, she led an inquiry into events at the Prisons for Women in Kingston, Ontario. In 1996, she became Chief Prosecutor for the International Criminal Tribunals for former Yugoslavia and Rwanda. In 1999, she was appointed to the Supreme Court of Canada. Mme Arbour is based in Geneva, Switzerland.

We are privileged to present an interview with Louise Arbour, a Canadian who works tirelessly to forge a more just and compassionate world. This issue anticipates the UN General Assembly's adoption of the new Convention on the Rights of Persons with Disabilities next month. — Beth Porter, ed.

A Human Future, is a free e-publication. Readers may subscribe at www.larche.ca.

Beth Porter: You often deal with very ugly human behavior. What enables you to keep going?

Louise Arbour: I work with wonderful colleagues, from a variety of backgrounds and cultures. They share an enormous enthusiasm for, and commitment to the work we do. I am also encouraged and inspired by the people I meet when I travel. Even in the most desperate circumstances, they demonstrate

great courage and hope. Any interaction with them would displace the most entrenched cynicism. There are also many people of good will in government who need to be encouraged in their own inter-bureaucratic and external

advocacy of human rights. Their work for change from within is crucial to creating a culture of rights.

Sometimes people with intellectual disabilities can be vulnerable to those who would use them and can get caught in the criminal system. How can we prevent this?

Education has a very significant role. We must move

"Entrenched marginalization ... calls us to a deeper examination of our basic values."

Helen Henderson



More than 3 million Canadians [with disabilities] often feel as if they live in a Third World country...

Existing human rights systems were “meant to promote and protect the rights of persons with disabilities,” says [Louise] Arbour... But these standards and mechanisms “have in fact failed...”

All levels of government in this country can and do point self-righteously to legislation that, they say, shows Canada is serious about tearing down barriers and making sure people of all abilities are welcome to contribute to society.

They hide behind paper promises that bear no resemblance to reality. Ask someone struggling to eke out an existence on the disability support Ontario offers. The luckiest among them get the maximum \$957.90 a month. Most get little more than half that. Ask people turned down for every job they apply for, given a million excuses, anything except the fact that they don't hear or see or move or communicate the same way as the majority. Ask a child excluded from regular school classes ...

Excerpts from “Paper Promises Will No Longer Be Enough,” in *The Toronto Star*, Aug. 14, 2006, reprinted with permission of Torstar Syndication Services. Read entire article ([click](#)). Read Helen Henderson's columns championing disability issues. www.thestar.com/access



towards ensuring that persons with disabilities are included into the general education system. I do not mean simply putting persons with disabilities, including intellectual disabilities, into the same classroom as other students. I mean training teachers to understand the specific needs of these students so that they can participate actively in classroom activities and students without disabilities can actually learn from the different experiences of students with disabilities.

People with disabilities are often on the bottom of lists of priorities. In developing countries they may not even be on the list.

The breach of human rights of persons with disabilities is a matter of grave concern. They are some of the most vulnerable and marginalized people in society. I do believe that there has been a significant change in attitudes, due largely to the work of persons with disabilities themselves. Recently, UN member states adopted a new convention on the rights of persons with disabilities. It is due for formal adoption by the General Assembly in December. This convention marks a further shift in attitudes, and it seeks to include persons with disabilities, including persons with intellectual disabilities, in mainstream society.

This new convention is based on an idea of disability that considers the environmental and attitudinal barriers that we place before persons with disabilities to be one of the elements, or even the significant element, that results in disability. In other words, the physical or intellectual impairments of a person need not disable that person if we change discriminatory attitudes and ensure that all people have access to mainstream life. I think that if we can ensure accessibility of persons with disabilities to public spaces we can increase their visibility and their capacity to participate in society. This should help change attitudes. We must also raise awareness about disability and tell the many stories of persons with disabilities actively enjoying their lives and contributing to society.

The international community has a role to assist those countries with greater difficulties in achieving this – whether

Brian Mathot



People used to say that I was about as hardest core a person that nobody wanted to meet... They were probably scared. With H.O.M.E.S., my life has turned around. It's better than it ever has been. It's been, like, three or four years clean of probation. You live with a family, you have your own suite. You do things, they do things, some things together. What I like best: Time to myself. Going out for coffee. Camping, fishing, swimming. I do garbage, and recycling for H.O.M.E.S., and a contract with Edenvale, a retreat building. There's one thing I'm happy about – Edenvale, because I got that myself. I had to do the appraisal and everything. They don't get a lot of money, so I just wrote up a thing for them that said twenty dollars a month to do pickups, recycling. Eventually, I wouldn't mind to get a little mobile or a little cabin for myself. And that's about it.

The H.O.M.E. Society in B.C. provides homes inspired by the “Gentle Teaching” philosophy of John McGee and Cam Doré. It has been the last option for some men and women whose lives are complicated by many challenges – intellectual disabilities, mental health issues, fetal alcohol syndrome, violence, drugs, arrests and endless foster homes. Brian has become a leader in H.O.M.E.S. www.homesociety.com/homenew.htm



for financial, historical or other reasons. The sharing of experience and capacity building between countries is very important. Ensuring the participation of persons with disabilities in all steps of this process is essential.

You've noted that Canada has long been ambivalent about affirming social, economic and cultural rights, and that it is First Peoples, people with disabilities and single parent families headed by women who are poorest and suffer most. Why does this ambivalence persist, and what can we do to change it?

In 1948 and after, Canada, under pressure from conservative elites, joined in thwarting hopes for a single international treaty embracing all rights in the Universal Declaration. The result was an artificial boundary between civil and political rights, on one hand, and social, economic and cultural rights on the other.

Poverty and exclusion is too readily accepted by majorities as regrettably accidental, or natural or inevitable, rather than the outcome of conscious policy choices. In a wealthy, cosmopolitan democracy such as Canada, entrenched marginalization cannot be dismissed as the fault of the marginalized, as some tacitly suggest. It calls us to a deeper examination of our basic values – the values for which Canadians purport to stand.

In spite of claims that health care, for instance, is a Canadian value, there has been a reticence to give this and other socio-economic values the full force of law. Courts have routinely interpreted the Charter in ways that exclude, for example, the right to an adequate standard of living. However, our courts are well equipped to reflect the expectations of Canadians that equitable access to the riches of this generous land is no longer a matter of charitable disposition.

The Western bias today towards a narrow strand of civil liberties likely has to do with neoliberal, market-driven policy imperatives, and the supposed incompatibility of socio-economic rights. However, allegations as to the “costly” nature of socio-economic rights seem misinformed, or even disingenuous. Comparative experience shows that there is nothing to fear

from the idea of socio-economic rights as real, enforceable human rights on equal footing with all other human rights.

Are you hopeful about human rights in Canada? In the world?

Yes, to both questions. The Canadian Charter and the quality of the Canadian judiciary provide a good framework for the protection of fundamental rights and freedoms. Canadian jurisprudence and academic writing are often at the cutting edge of evolving thinking internationally both in law and policy.

I also see everywhere the resilience of the human spirit, as well as the solidarity and commitment of human rights activists. I am privileged to both witness and encourage the empowerment of civil society, as well as the growing assertiveness of rights holders. This movement and progress is often initiated or bolstered by the advocacy of nongovernmental organizations. Despite the catastrophic situation in Darfur, and the acute or chronic violations of human rights conditions elsewhere, particularly in conflict zones, the human rights agenda is becoming more and more difficult to ignore. The reach of accountability, including through the International Criminal Court, is not only growing, but becoming irreversible.



The L'Arche movement was founded by Jean Vanier, in France in 1964. Today there are 130 communities of L'Arche on five continents, 28 in Canada. In L'Arche, people with developmental disabilities and those who come to assist them share life together.

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L'Arche Canada relies on the generosity of many individuals for initiatives such as this publication.

Charitable number: 88990 9719 RR0001

FOR YOUR INTEREST

Mme Arbour has worked to strengthen her Office in parallel with the General Assembly's blueprint for the reform of human rights mechanisms. In 2005, recognizing, among other matters, "the importance of ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization," the Human Rights Council was established to replace the Commission on Human Rights. The Council, which is supported by the Office of the High Commissioner for Human Rights, is responsible for "promoting universal respect for the protection of all human rights and fundamental freedoms for all without distinction of any kind and in a fair and equal manner."

Read more. [Click here.](#)

- U.N. Convention on the Rights of Persons with Disabilities, (to be adopted in December): www.ohchr.org
- Office of the High Commissioner for Human Rights: www.ohchr.org
- The Council of Canadians with Disabilities works mainly on human rights: www.ccdonline.ca/
- Canadian Abilities Foundation: www.enablelink.org
- The Social Edge will feature an article on the new Convention in its Nov 15th issue: thesocialedge.com/
- PLAN is conducting a cross-Canada tour of "Reaching Out" workshops for families: www.planinstitute.ca/
- L'Arche and St. Francis-Xavier University offer a new CD-based distance learning diploma program in assisted living. ([Click here.](#))
- L'Arche Canada has a new draft curriculum for Grade 12 Philosophy and Religion based on Jean Vanier's CBC Massey Lectures, *Becoming Human*. Info: eposter@larchecanada.org
- Tamarack interview – L'Arche as a Social Movement: tamarackcommunity.ca Audio: tamarackcommunity.ca

"The place of disabled persons is everywhere. Persons with disabilities should be guaranteed equal opportunity through the elimination of all socially determined barriers, be they physical, financial, social or psychological, which exclude or restrict full participation in society." (Article 64, proposed Convention on the Rights of Persons with Disabilities)

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