

# Democracy Founded on People's Sovereignty



Overcoming systemic poverty and structural inequalities; geopolitical conflicts and wars; and unsustainable growth and environmental crisis remain tremendous challenges that bear heavily on the toiling masses — the poor and marginalised.

World economic inequality is intolerably high by any accounting. UNICEF estimates that at the current rate of inequality reduction, improving the bottom billion's share of world income to just 10% would take eight and a half centuries — at least 10 lifetimes — to accomplish.<sup>1</sup> Current patterns of economic production and consumption, while benefiting a few and leaving many in poverty, have come at the cost of lasting damage to the environment. The poor bear the brunt of environmental change as they depend most on the environment for their livelihood (agriculture, forestry and fishing) and are most vulnerable to environmental shocks. Meanwhile, the race for what's left of global resources gives rise to conflicts and wars that worsen their plight.

This development narrative requires a transformation process that allows for genuine people's inclusion, participation and engagement of citizens amid democratic deficit in institutions and processes, nationally and globally.

Democracy has to be built on people's rights and sovereignty in order to realize social justice. A truly empowered people is one of the hallmarks of democracy. This dynamic, self-reinforcing relationship between people's rights, democracy, and development is what IBON International calls *Rights-based Democracy or People-powered Democracy* (RBD/PPD). It is a transformative framework and process that enable people not only to claim their rights and hold

duty bearers accountable, but to self-organise and self-mobilise as independent development actors as well.

## Attaining people's rights

Human rights are commonly understood as inherent entitlements of every person as a consequence of being human.<sup>2</sup> They are a set of moral principles that apply to everyone; and reflect the minimum standards necessary for people to live with dignity. Human rights are essential to the full development of individuals and communities. The notion of individual human rights emerged side by side with the notion of collective rights (of entire peoples, communities).

There has been increasing recognition that the application of human rights is not only to individuals but also to social groups or as collective rights. Collective rights are those that people hold in common, premised on the concept of humans as social beings, who belong to distinct social groups and whose interactions are greatly shaped by their groups. In contrast to individual human rights, collective rights are largely dependent on collective interests rather than the mere summation of the members' individual rights. Nonetheless, while there is primacy in upholding collective interest, there is both a social and an individual component to human dignity — the balance of which is central in the struggle for collective rights.

Collective rights are self-evident and self-assertive, the existence of which is inherent to the existence of collective groups. Members of a distinct social group or collective are joined together not simply

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because of a common external discrimination but by an internal cohesiveness, a commonality on the basis of language, race, gender, ethnicity, religion, class, etc. Examples include the right of a community or people or nation to its common resources, to the benefits of development, and a healthy and safe environment; the right to determine its own economic and social system and path of development; and the right to political self-determination.

The right to development, for example, is defined in the Declaration on the Right to Development as “an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” Human development is about enhancing the quality of people's lives and enlarging people's choices and opportunities for advancement.

The whole range of individual and collective rights is best covered by the term “people's rights”, which go beyond existing human rights official instruments or intergovernmental conventions. This does not belittle existing human rights treaties and mechanisms, as those are hard-earned victories from years of peoples' struggles and international solidarity, but is rather an acknowledgement that history shows how people must first claim and assert their rights, and exert enough political pressure for these rights to achieve legal recognition. Furthermore, people can still lose the legal status of their rights through constitutional amendments, implementation of new restrictions, and especially if they stop asserting these rights.

### *Continuing struggle*

Over the past 70 years, the international community under the auspices of the United Nations has endeavoured to codify and refine human rights norms. Treaties, customary international law and other legal instruments express and guarantee human rights with the broadest range of states and non-state actors upholding the concepts. States have the duty to respect, protect, and fulfil human rights under international law. The obligation to respect demands that states avoid interfering with or curtailing human

rights, while the obligation to protect requires states to ensure protection against human rights violations. The state duty to fulfil human rights means that states must take action to ensure enjoyment of human rights – which entails both obligations of conduct and of result.<sup>3</sup>

Current practice, however, is mired with shortcomings in enforcement happening at all levels, and remedy is scarce. Violations are systemic and systematic. States themselves are guilty of neglect and violence inflicted on the people. Asian farmers, for example, recently experienced vicious attacks from state forces for simply asserting their rights to food and to express their grievances amid government failure to ensure their welfare.<sup>4</sup> This shows precisely why the enjoyment of rights is largely determined by economic power. The right to food, for instance, is a fundamental problem of economic distribution – how can a small peasant living on less than USD1.25 a day access all the food he/she needs to survive?

And this problem is further accentuated by governments who enter into free trade and investment agreements that hinder their compliance with human rights obligations and result in the violation of civil, political, economic and social rights. They have even allowed non-transparent, unaccountable investor-State dispute settlement that advances the interests of powerful investors and transnational corporations to the detriment of public good and people's rights.<sup>5</sup>

This clearly demonstrates that the struggle to attain people's rights still has much to achieve and that legal or political recognition is never enough assurance – the realization of people's rights depends on the sustained assertion of the people to claim their rights.

### People's sovereignty and governance

Democracy demands full participation of the people, giving full play to their initiative, in social, economic and political processes. The bases for such participation are the whole spectrum of rights and freedoms, including the right to self-determination and liberation from restrictions and bondage, while promoting at the same time social and individual

responsibility. And at the heart of asserting people's rights and democracy is the sovereignty of the people, or their autonomy to act and decide on their aspirations.

The full exercise of people's rights and sovereignty must permeate throughout the conduct and institutions of governance. However, people's sovereignty is immutable (exists by itself, cannot be forfeited), superior, precedent to and not simply a function of governance. Thus, if existing governance is insufferable, people's sovereignty can operate autonomously to change the system, in various levels (be it community, municipal, national or international).

### *Redefining governance*

IBON International's RBD/PPD framework upholds people's sovereignty, enabling people to claim their rights and hold duty-bearers accountable, as well as self-organise and self-mobilise as development actors in their own right. Given historical and structural inequalities, persistent injustice, and social exclusion that violate people's rights and undermine true democracy, RBD/PPD necessarily goes beyond electoral participation and political representation in governance. It entails people's direct participation in and benefit from all aspects of governance. It also means openness to redefining boundaries of democratic practice and institutional politics towards reconstructing or overhauling governance institutions for the expansion of effective citizen participation and representation that is constant and renewing/rotational. It entails making governance institutions, mechanisms and processes premised on people's sovereignty, sovereign will and participation. It also entails making said institutions fully accountable and responsive to the needs of people, especially the poor, vulnerable and marginalised.

Governance framed in RBD/PPD means involving the whole citizenry to the fullest through exercise of their sovereign will and rights and through state processes/mechanisms in managing society's public affairs: from legislation and policy-making, including handling of public opinion; selection of

state functionaries, administration of state functions; to implementation, monitoring and evaluation of state policies/programs, and enforcement of laws. It requires effective participation in all units and instrumentalities of government, from the top to the grassroots level such as representation in different units by POs/CSOs, ensuring a system of meaningful and direct citizen participation in specific units of government. It upholds the principle of subsidiarity, which means decisions are taken at the local level whenever possible rather than by a central authority, and thus recognizes the grassroots as viable starting point, focus, and locus of power.

Countrywide, localized dialogues are needed to promote democratic ownership. Spaces and mechanisms for input, debate and negotiation must be cultivated, both for defining appropriate policies and plans and reviewing progress. Respect for the right to information and participation, and upholding the agency of the people are necessary for a truly shared development agenda. This space where cooperation, contestation and mutual learning are possible is what IBON International calls the 'interface' among development actors in the transformative process of RBD/PPD.

Interface must happen at all levels (local, subnational, national). For example, people's participation in local governance means communities are involved in assessing their needs, take part in planning development programs and projects, and monitoring of implementation and budget. In all these, interface is important to facilitate trust, inclusion, and a sense that participation matters and can make a difference. Such interface can be between state actors (national government, legislators, local authorities, oversight institutions) and people and their organizations; or may also include other stakeholders like economic actors, academe, media, etc. depending on the objectives and desired outcomes. It can take many forms – from less institutionalized modes like dialogues, forums, and interactive/social media platforms to more established structures such as policy councils or committees.

### *Reorienting economies*

RBD/PPD is likewise premised on people's sovereignty in economic democracy – a socio-economic structure and a process that secures an equitable distribution of economic power (ownership over productive resources and incomes) among the people; enables people to collectively exercise authority over the economic sphere (production, consumption, distribution) at multiple levels (workplace, community, country, globally); and ensures the well-being of all and enables the full realisation of human potential, including future generations. People's sovereignty involves claiming inclusion and benefit from effective economic and industrial policies as well as ensuring regulatory frameworks to protect public welfare.

Reorienting economies means breaking free from the unequal structure of trade, production and credit imposed by the global economic system to poor and developing countries. This means that national economic and social policies must be reflective of the needs and aspirations of the people – thriving on its people's skills and labour power intended towards building of a just and sustainable economy. This will enable the people to fully exercise the true essence of their democratic rights towards the development of a society free from exploitation and oppression.

### Empowering change

To achieve change and social transformation, democracy must be based on empowerment of people and their organisations. The test of empowerment is the people's capacity to exercise their collective sovereign will. This empowerment is characterised by their increased level of awareness and over-all capacities from national to international levels; their organisation and consolidation into broad alliances; and their sustained independent actions in defence of people's rights.

IBON International contributes to people's empowerment and the advancement of RBD/PPD through partnerships with people and their organisations exercising and claiming their rights and

meaningfully engaging with other actors, especially with governments to promote an enabling state and economic democracy. It has long established its ability to support CSOs and peoples' movements through research, education and advocacy. It takes leading roles in various global advocacies, forwarding critical analyses and challenging states, non-state actors and multilateral institutions and processes to undertake change in policy and practice, and presenting pro-people recommendations and alternatives.

### Endnotes

<sup>1</sup>“Global Inequality: Beyond the Bottom Billion – A Rapid Review of Income Distribution in 141 Countries,” UNICEF Social and Economic Policy Working Paper, United Nations Children's Fund, 2011.

<sup>2</sup>See “Human Rights: A Basic Handbook for UN Staff,” Office of the United Nations High Commissioner for Human Rights.

<sup>3</sup>See “The OPERA Framework: Assessing compliance with the obligation to fulfill economic, social and cultural rights,” Center for Economic and Social Rights, 2012.

<sup>4</sup>In the Philippines, the violent dispersal of farmers demanding rice and financial aid amid months-long drought left at least 3 dead and over a hundred injured. See <http://newsinfo.inquirer.net/777335/solon-hungry-kidapawan-farmers-just-wanted-govt-aid>. In Indonesia, a protest action in Central Sulawesi against land grabbing and rising landlessness was met with police and military violence. See <http://www.asianpeasant.org/content/apc-condemns-brutal-dispersal-rally-day-landless-lorelindu-sigi-central-sulawesi-indonesia>.

<sup>5</sup>See “Report of the Independent Expert on the promotion of a democratic and equitable international order, Alfred-Maurice de Zayas,” distributed 14 July 2015, Human Rights Council, Thirtieth session, Agenda item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. Available at [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A\\_HRC\\_30\\_44\\_ENG.docx](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A_HRC_30_44_ENG.docx)