

Advocating the AMENDMENT of ARTICLE 29

- i. Citizens have become subservient to a world order evolving under the organizational structures of the United Nations (UN), away from national self-government towards 'stakeholder capitalism'. By its own definition, this Public-Private Partnership requires citizens to take a democratic step back.
- ii. To prevent further loss in the political process WAIT argues that Western citizens must strengthen their legal position within the UN and under international law, by Amending Article 29 of the Universal Declaration of Human Rights (UDHR).
- iii. In this historic and highly celebrated document, which is technically non-binding but defining in normative, practical and ethical terms, the United Nations claims unilateral priority* over people and can suspend all rights at will without an independent judicial process.
- iv. While Article 1 proclaims that 'all human beings are born free and equal in dignity and rights', Article 29(1) immediately subordinates that same individual to that of the UN and its community, boldly asserting that therein alone "the free and full development of his personality is possible".
- v. This community, the establishment, is represented by 193 member states and is bound by the UN Charter, which is an instrument of international law due to the powers conferred on it.
- vi. The mergence of government, corporations, and non-governmental organisations (NGO's) under the executive structures of the UN also puts pressure on the independence of the judiciary and legislature. Once the delicate balance of power of the 'Trias Politica' is compromised in this way, the very nature of our Western liberal form of democracy is at stake.

vii. If a people cannot influence policy through suffrage, it turns the executive into self-sustaining institutions that ultimately represent "the system" rather than its voters. Without a functional democracy and proper counter force, people's representatives and their political parties turn into 'system administrators' which, unchecked, inevitably leads to Groupthink and ultimately forms of tyranny.

viii. Consequently, this UN-led governance, in accordance with UDHRs prescient Article 28 which anticipated a future global government, is slowly ushering in a transnational neo-collectivist world order with the appearance of a functioning democracy, one which unilaterally subordinates citizens of all member states under its Article 29.

ix. It is of importance to realize that most international treaties protecting human rights such as the *Nuremberg Code*, *UNESCO Universal Declaration on Bioethics and Human Rights* and the *International Covenant on Civil and Political Rights*, all fall under the structure of the increasingly powerful UN family.

x. So after the deliberate deconstruction of the Westphalian principle of state sovereignty, citizens have no independent legal remedy against these organizations, we must find a unifying path back to a rebalancing of power that does justice to the challenges of a hyper-digitalized 21st century.

xi. In so doing, we first heed the Founding Fathers' advice that when 'it becomes necessary for one people to dissolve the political bands which have connected them with another' then 'a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation'.

xii. Accordingly, WAIT's Manifesto proposes that now is the time that we should build on John Adams's revolutionary but outdated vision of a "government of laws, not of men" and that we should in fact strive to become "peoples of laws, not of governments." Bearing in mind, as the Declaration of Independence puts it, that "the laws of nature and of nature's God" should always act as "universal principles limiting and directing the power of human government".

xiii. Additionally, we must insist that we are human beings first and citizens second, which should be clearly reflected in our constitutions and treaties. Nor should we entertain the illusion that "community" always precedes the individual, or that individualism equals egoism. The lowest common denominator of a community is the individual, so robust individual rights make communities stronger, not weaker.

xiv. Therefore, in this upgraded social contract the sovereign individual must be recognized as the highest unit of value. Western citizens, thus reaffirmed as having certain 'Unalienable Rights', can then improve our democracies and revive our liberal Western enlightened principles.

xv. Realizing that the ultimate challenge remains how to keep the separation of powers independent, the individual must always enjoy impartial protection against the latent tyranny of the community and its executive structures.

*Prof. J. Morsink, †John S. Schmeekle

World Alliance of
Independent Thinkers

For Sovereignty, Democracy and the pursuit of Meaning