

S1 Microeconomics & Accounting Module



Sociopolitical Part
Course 2

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Menu of the day

Being a citizen, state, democracy
Fundamental rights, civic rights and duties
Citizenship







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What is a citizen?

Definition of "citizen": in Antiquity, a person who enjoyed the right of citizenship;
a person enjoying **civil and political rights in the state to which he belongs**, in particular the right to vote (as opposed to foreigners) [Larousse].

Other definition: member of an organised political community

To have citizens, you need an organised state. What elements are necessary for a **state** to exist (cf. Montevideo Convention)?

-  a territory
-  a population
-  political authority
-  ability to relate to other states

State characteristics :

- ✓ Legal person, foundation = the Constitution
- ✓ Sovereignty



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State tasks :

- Maintaining order
- Ensuring that the interests of citizens are represented (democratic state)
- Ensuring prosperity and guaranteeing social protection

The State guarantees rights to its citizens.

Historically, the concept of the citizen, and of citizenship, is linked to the development of democracy.

3 stages in establishing the "modern" notion of citizenship :

1. recognition of civil rights
 2. obtaining political (civic) rights
 3. acquisition of social rights
- => Citizens enjoy civil, political and social rights.



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Citizens' rights (and duties)

Where can you find them?

A fundamental text: **the Constitution**

- > may undergo partial modifications or a complete overhaul (e.g. Switzerland)
- > guarantees fundamental rights
- > the duties of citizens are less explicit than rights in the Constitution

- Swiss Federal Constitution - Title 2 Fundamental rights, citizenship and social goals - Chapter 1: Fundamental rights (art. 7 to 36)
 - > reading <https://www.fedlex.admin.ch/eli/cc/1999/404/en>



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Fundamental rights

- ✓ in principle, granted to every individual and guaranteed by the rule of law
- ✓ human and civil rights and public freedoms
- ✓ based on 3 basic principles:

Respect for and protection of human dignity: art. 7

Equality: art. 8 (art. 29-30, art. 34)

Freedom: art. 10 (art. 15, art. 16, art. 18, etc)

They are sometimes divided into 3 categories (! ≠ distinction between civil and political rights)

- individual rights and freedoms (linked to the human person)
- collective rights and freedoms (for individuals within a community)
- social rights (for benefits paid by the State)



In certain cases, the State may restrict fundamental rights in order to protect the public interest.



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Fundamental rights

Are they guaranteed to all? Are there any restrictions or conditions?

=> It depends on which rights we're talking about:

- civil rights: guaranteed for all (freedom of opinion, information, association, etc)
- political (civic) rights: subject to conditions at federal level (majority, CH nationality; in the past, gender)
- social rights: subject to conditions, linked to certain legal statuses (e.g. right to work or social benefits)

Duties

- ✓ respect for the law
- ✓ tax duty
- ✓ Compulsory military service
- ✓ compulsory schooling
- ✓ civic or political duty



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Civic rights or duties?

- = voting rights
- = election right/duty
- = right/obligation to be eligible

- most closely linked to the notion of citizenship
 - the need to have certain "qualities" to exercise them
 - the need for a legislative organisation that allows people to express their views and give their opinions.
- > Duty is seen above all as a moral duty.

For foreigners?

-> no civic rights at federal level

-> exist at cantonal level: NE and JU

➔ exist at municipal level: NE, JU, GE, VD, FR, part. GR and AI, AR

But everywhere in Switzerland, and for everyone, the right to petition exists.



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Current debates on civic rights

They focus on the issue of broadening political participation.



- ❖ The right to vote at 16
- ❖ Electronic voting
- ❖ Political rights for foreigners



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Is citizen - citizenship the same thing?

No, not really these days...

- citizenship implies attentive, active participation, a "participatory attitude" in public affairs, making use of freedom of opinion, freedom of assembly and individual freedom
- This attitude, this form of participation, must not be linked to a particular legal status; everyone must be able to use (in all legality) the range of rights and means of action that enable them to make demands:
to make demands on the state, and to join forces with others,
use forums, create networks, exchange knowledge, etc.
knowledge...

=> you can have a civic attitude or approach without being a citizen

=> you can be a citizen and not exercise your citizenship



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hes.
so
you.



Discussion area :

The floor is
yours!

Palaver tree

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Iran
Street demonstrations by women and
young people demanding greater
freedoms and fundamental rights

Slogan: Woman, life, freedom!



? Support in Western countries: sometimes from the same people
who also supported the right to wear the veil in France, for
example. How is this to be understood?

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Civic rights or duties

A moral duty above all

-> should the Swiss be forced to vote or elect? [*article "Une amende pour punir les abstentionnistes", B. Beauté, May 2011, Largeur.com*]
What do you think? Would it change anything for you?

