# S1 Microeconomics & Accounting Module





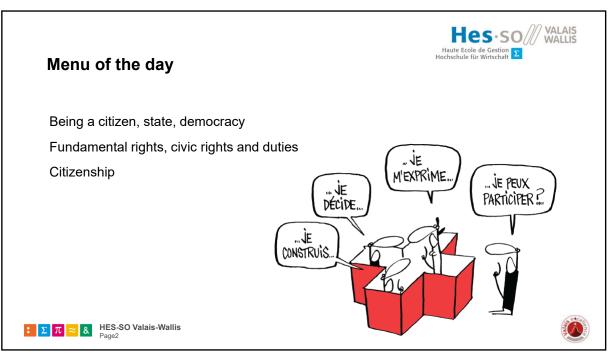






Sociopolitical Part Course 2

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#### What is a citizen?



<u>Definition of "citizen"</u>: 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

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political authority

ability to relate to other states

#### State characteristics:

✓ Legal person, foundation = the Constitution







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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.







#### 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.





# Haute Ecole de Meteron 2

## **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







Discussion area:

The floor is yours!

Palaver tree

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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?





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?



