

Citizenship + democracy: rights + responsibilities

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Introduction



We are called to reflect upon
political concepts + practices
which are all in a process of transition.

They have gone through the XX century
anchored both in strong convictions
inherited from the Enlightenment period
and the XIX century

and, during more than half a century,
in the deep-seated splits created by
the Soviet Revolution + Nazism,

by the II WW and by the "don't touch at my convictions" of
the Cold War.

This is true for citizenship + democracy
as well as for rights + responsibilities,
or even for civic + social rights.

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Thus, it is within this unstable
Conceptual frame
that we are making steps
towards a European Union

larger in its composition,
more diversified and in its
value-systems + cultural traditions
unsure about the outcome
of its configuration.



The horizon I will follow is both
short-term (the elaboration of the
Charter decided at the Council of (Cologne))
and long-term (which are the main
ingredients that will be essential
to the dynamics of the European Union?)

The decision taken by the Council
implies these two dimensions when it says:

"It would be convenient, at this stage
of the development of the European Union
to gather together ^{in a charter} the fundamental rights
already at work within the Union, so that
they will acquire a greater visibility".

When a few years ago I chaired
"the Comité des Sages", responsible for the
report "Towards a Europe of civil + social rights",
I had the opportunity to work with outstanding
personalities from different Member States.

Our conclusion was unanimous:

A bottom-up process for the establishment
of a European bill of rights
is an essential step for

greater
the reinforcement of European identity,
for the coherence of its moves
towards the enlargement,
for the assertion of its role in the world.

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SÍNTRA 2000

Onde encaixar?



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In the 4 years since then, we had 4
the A'dam Treaty but it left us with some
progress but still very far from the steps
needed.

Citizenship in Europe remained very
meagre in its components: Besides the existing rights:

- The right to move freely
- to vote + stand as a candidate in elections to the
European Parliament + municipal elections
- to petition the E. Parliament
- to apply to the Ombudsman and to diplomatic
protection

The A'dam Treaty built on the steps already
made with the Social Charter and the ^{later with} Haasticht
Treaty, mainly in what concerns the beginning
of social policies with the ~~no~~ steps on employment
activities.

Is this enough?



2. Likewise, democracy has to be deepened + enriched. 8

In all European countries, activists in civil society are dealing with the question of strengthening the existing representative democracy and of inventing / inventing the ways to the participatory democracy.

Such movement has to be taken seriously. If there is a knowledge-based society, participation is of the essence.

When the EU met after the demise of Communism, several conditionalities for aid were put before the countries of central + east Europe, besides the market economy. They were seen as the essentials of democracy:

- the State of law
- multiparty system
- free elections
- ~~to~~ respect of human rights

Today, 11 years later, can we be satisfied with that? The history of those countries during these 11 years shows that they are happy with that recipe of democracy? Of course not.



3. Of course, one of the key-questions is ⁹
exactly the expression "rights".

I have serious doubts that all rights
- civil + political as well as social, economic
+ cultural - were envisaged then.

Here lies, in my view, the weak point
that in the EU, links citizenship
democracy
civil + social rights.



* In the thinking of W countries,
there is still the heritage of the conflict
which opposed them to the communist
countries when, in the very first years
of the UN, the attempt was made again
+ again to draw up a convention based
on the Universal Declaration of Human
Rights.

For the W countries, only the civil
+ political rights could be the object
of a convention.

For the communist countries, the social
economic + cultural rights were essential.

We know the result: 2 International
Covenants, with only a common preamble
but then of utmost importance.

In the Preamble of each Covenant,
it is clearly said that all h. rights
are interdependent + indivisible.

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I am ^{not} speaking of rights. But I don't 12
separate them from responsibilities -
We cannot forget that many of the c.
who are going to join the EU come from
a political culture where responsibilities
were stressed.



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3. Feedback of EParliament (F.)



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1. Not enough to compile the already existing rights
but to give to them another meaning (F.)



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2. Process of elaboration of the charter
- an exercise of citizenship (F./CDS)
(new social partner)



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3 premisses

1. Quantity changes quality: enlargement asks for new tools, ~~too~~ for ~~putting~~ ^{stating} clearly + without ambiguity what in the past was taken for granted
2. What was asked from East + Central Europe on 18th Nov 89? - state of law (where is it founded) ^{on a legal basis}
 - multifarty system
 - free elections
 - rights
3. Is it possible to ~~separate~~ put into brackets the commitments made by ~~regional~~ sovereign Nation-states at the international level? Just by accident of history that the 2 initial Comenents are not included in one single Convention (controversy of between Comm. c. + W.c.)



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I want to demonstrate that it is impossible to make effective progress without a fundamental law, ~~like~~
 - Coherence of ECU

New steps

"Rights + responsibilities" - towards society
 " " the state
 " " E.U.