

duerchbléck!

Politik verstehen Nr. 5



100

Years

democracy

in
Luxembourg

English edition

3 Background information

ACTIVE POLITICS

8 Impulses

8 Democra-test

9 Social participation

10 Democracy as a way of living and a form of society

12 The democracy-reporter

LEARNING POLITICS

15 What is democracy?

16 1919: suffrage for all

17 1919 elections: the first time

18 Freedom vs state intervention

20 1940-1944: the abolition of democracy

22 Equality between men and women

24 Work and democracy

26 Participation

28 Unlimited freedom of opinion?

30 What is your opinion on democracy?

32 Imprint

Background information

Exactly one hundred years ago Universal Suffrage was introduced in Luxembourg. Ever since, 1919 has represented a milestone-year in the development of democracy in Luxembourg as all Luxembourg men and women have subsequently had access to free elections. This anniversary represents an ideal opportunity to review the different aspects of democracy in our country.

Understanding of democracy

The term 'democracy' comes from Classical Greek and translates as, 'The power of the people'. It can be perceived from three different perspectives. Democracy designates both a specific form of government and a form of society (i.e. how people live together). Democracy, however, also stands for a way of life. Democratic procedures can be perceived as complicated or boring, as the greatest possible number of different positions should be taken into consideration in a decision-making process.

Democracy as a form of government

Two-thirds of all the countries in the world consider themselves to be democracies. There are two predominant forms of democratic governments: the republic and the constitutional monarchy. Luxembourg is a monarchy, meaning that the position of the head of state is passed on through heritage. At the same time, however, the Grand Duchy also represents a parliamentary democracy where representatives who have been elected by the people rule the country. The Luxembourg constitution is the fundament of the democratic rule of law and it regulates the relationship between the different institutions: Parliament, Government, Judicial system, Council of State and Head of state.

The first Luxembourg constitution of 1841 was adopted by the then King Grand Duke. It guaranteed him extensive legislative and executive powers. To some extent, our current constitution still goes back to parts of constitutional texts from the 19th and 20th century. Over the course of the last century, however, a number of adaptations took place. In 1919, for example, universal suffrage was introduced into the constitution. Another cons-

titutional change took place in 2009 when it was decided that the Grand Duke should no longer have to approve of laws, but merely pass them with his signature. The Parliament (or Chamber of Deputies) is currently working on a comprehensive change of the constitution which should represent the political and societal reality of the 21st century. Hence, the development of democracy is an ongoing process.

The separation of powers between legislative (parliament), executive (ministries) and judiciary (courts) guarantees the respect and use of democratic principles. The Council of state is an independent institution that participates in the legislative process.

On top of that, democratic states commit themselves to a common system of values, human rights, such as the 1948 Universal Declaration of Human Rights or the 1950 European Convention on Human Rights. Those can be seen as a 'moral imperative' of a democratic society.

The understanding of the term 'democracy' is not the same everywhere in the world. The Democratic People's Republic of Korea, for instance, is not a democratic state in which the people chose their ruler in an election. Hence, democracy is not a 'protected' term.

Democracy as a form of society

Democratic states are based on the participation of citizens, i.e. an active civil society. Participation means that every single person is aware of the possibilities political participation holds and knows how to make use of them. Participation means partaking in political processes of decision-making that affect one in some way or another. In concrete terms, this means that citizens can articulate their demands, intervene in political events, make their voices heard and thereby exert some form of pressure and control on political leaders.

Media, non-governmental organisations (NGOs), interest groups, and also trade unions, political parties and government opposition are important instruments for monitoring the Government and, if necessary, uncovering grievances and putting them on the political agenda.

Opportunities for participation:

- free elections,
- (e-)petitions (requests to the municipality, the Chamber of Deputies or to the European Parliament),
- citizens' initiatives,
- demonstrations,
- strikes (work stoppages, which are mostly unionised),
- letters to the press,
- using, supporting or commenting posts in social media,
- participating in round tables and citizens' forums,
- co-determination in the workplace,
- ...

Examples of this are the mass protests against the increase in food prices during World War I, the student protests of 1968, which only made it to Luxembourg in April 1971, or the 2009 trade union strike against all forms of social dismantling.

The prerequisite for an active civil society is the guarantee of human and civil rights in general and the guarantee of rights of freedom, for instance, the freedom of expression and freedom of assembly, in particular. Rights of freedom protect the citizen before the Government.

- The principle of the rule of law is one of the necessities of a democratic state. Everything done by the state has to be pursuant to the constitution and the applicable law.
- Freedom of speech, which was laid down in the Luxembourg constitution in 1848, guarantees freedom of expression. This, however, is not unlimited, and not everything can be said under its guise. The Luxembourg criminal code foresees penalties for certain unpermitted public libel (Criminal Code, Chapter V.- Damaging of the pride and reputation of persons - articles 443 to 452) and for incitement to hatred or even worse to violence (articles 454 to 457-4) against people or groups, depending on their origin, skin colour, sex, sexual orientation, family status, age, health condition, disability, customs, political or philosophical view, trade union work, actual or perceived belonging or not-belonging to a certain ethnic group, nation or religion (Criminal Code, Chapter VI: Racism, revisionism and other forms of discrimination - articles 457-1 and 457-2).
- Freedom of assembly: Public rallies and demonstrations must be registered with the municipality, which then informs the police, who in turn ensure a safe process.

Basically, the democratic society allows each individual to live his or her life as far as possible according to his or her own wishes and ideas and to develop freely. The state intervenes in the individual spheres of life of its citizens, for instance by supporting them with transfer payments or obliging them to be socially insured. The state also intervenes when it has to guarantee the safety of its citizens, for instance by means of camera surveillance and person checks in public places. State intervention, however, also has its limits in order to preserve the freedom of citizens. Living democracy finds itself in a field of tension that can be summarised in a sentence by Immanuel Kant: 'The freedom of the individual ends where the freedom of the other begins.'

Democracy as a way of life

Democracy as a way of life concerns the level of interpersonal behaviour. In a school context, this refers to concrete experiences of democracy, for example, counselling and voting within school or class, which the group then has to adhere to. This shows that learning about democracy can start very early. Thus, democratic processes are triggered by communication between individuals. Democracy is, therefore, not a given state of nature, but requires early support in the private and social life of children.

Direct and indirect democracy

In a direct democracy, political decisions are taken directly by the people. In an indirect or representative democracy, the populace leaves political decisions up to its representatives.

Elections as a tool of representative democracy

In Luxembourg, national, European and social elections take place every five years and municipal elections every six years. Participation in the election is bound to certain criteria. While Luxembourg nationals over 18 have to participate in national elections, non-Luxembourg nationals may register for municipal elections and EU-Europeans additionally also for European elections. The number of residents eligible to vote further increased through easier access to Luxembourg citizenship.

There are more opportunities for participation for non-Luxembourgers to vote at the elections of the professional chambers (i.e. Chamber of employees). They allow around half a million foreign employees, pensioners and cross-border workers to have their say in politics, independently of their nationality. In 2019, the turnout in the private sector was almost 30%. The next elections in the public sector will take place in 2020.

Referenda, a tool of direct democracy

A way to consult people outside of elections is a referendum (popular vote, plebiscite). It is a tool of direct democracy. In the case of a referendum, Luxembourg voters have to vote (compulsory vote). On a municipal level, referenda are organised, for instance, in the event that two municipalities want to fuse. In the history of the country, only four referenda have taken place on a national level - all of them after 1918. The outcome is not binding, except in the case of a constitutional reform where the referendum replaces the second vote of the Parliament.

- The first referendum took place in 1919. Prior to the referendum, the Chamber of Deputies had already, by great majority, replaced census suffrage with universal suffrage. This meant that in May 1919, all Luxembourg men and women over 21 received active suffrage. Once a person reached 25 years of age, they were allowed to stand for election (passive suffrage). The double referendum regarding the political and economic orientation of the country was supposed to solve the political crisis that had started with the end of World War I. From an internal political point of view, a number of members of parliament began questioning the monarchy and speaking out in favour of a republic. On top of that, France and Belgium began questioning the independence of the country. The results of the referendum showed that 78% of Luxembourg men and women were in favour of a dynasty under Grand Duchess Charlotte and 73% were for an economic union with France.
- A second referendum took place in 1937. The 1930s were marked by economic crises and unemployment. Radical parties became ever more successful throughout all of Europe, and the national socialists came to power in Germany. Out of fear of increasing influence from the Communist Party, which was founded in Luxembourg in 1921, the conservative government passed a law regarding 'the protection of the political and social order'. This was seen as a ban on the Communist Party. The opponents of the law named it 'muzzle-law' as it would have given the Government the power to terminate all associations that were too critical of the existing constitution and the laws. After an exhaustive campaign led by the opponents of the 'muzzle-law', it was rejected by 50.67% of Luxembourg citizens as they saw it as an interference in the freedom of opinion.
- The third national referendum took place in 2005 with the European integration process in mind. Luxembourg citizens voted on the 'Treaty establishing a Constitution

for Europe'. The majority, 56.52%, voted in favour of this treaty. The constitution never became effective, however, as it was rejected by other EU member states. The ratification process was, therefore, interrupted. Reasons for this were, among other things, the fear of certain member states that they would lose their national sovereignty to the EU.

- The fourth and, to this date, the last referendum took place in 2015 and was an initiative of the new government (DP-LSAP-déi gréng). The referendum came down to three main questions: the introduction of suffrage for foreign citizens, the decrease of the voting age to 16 and the decrease to ten years of the maximal duration of mandate for ministers. The voters rejected all three questions with a significant majority.

In the past, referendums were thus always used when, in the eyes of the respective parliamentary majority, important political decisions or course settings had to be made, such as on foreign or domestic policy issues (1919) or on social policy issues (2015).

The development of democracy in Luxembourg

The development of democracy in Luxembourg over the last hundred years has been marked by a number of different processes and events: increasing citizen participation due to the enlargement of suffrage, the lack of democratic structures during World War II and their later reintroduction, the emancipation of women and—last but not least—the leading role of civil society, especially of trade unions and other NGOs.

From census suffrage to universal suffrage

At the beginning of the 20th century, a large number of people's parties took root. To this day, they are still part of the Luxembourg spectrum of political parties, under the names of LSAP, DP or CSV. Until 1919, census suffrage for men applied in Luxembourg, which meant that the suffrage was linked to income or tax payments. The census that had to be paid was adjusted several times. In 1918, only about 57% of the male population were allowed to vote, and women were completely excluded from suffrage. Universal suffrage for men was promoted long before World War I. The first demands for suffrage for women appeared in 1905 in the form of petitions from social democratic men and women. Social and political turmoil marked the end of World War I in Luxembourg. Living conditions of the workers in the steel industry and of the farmers were hard. It came to strikes in the south of the country, and the workers' assemblies demanded, among other things, the eight-hour day.

The universal suffrage for men and women was adopted finally in 1919: the age limit was set at 21 years for active suffrage (to vote) and 25 years for passive suffrage (to be elected).

During social reforms in 1972, about half a century later, the active voting age was reduced from 21 to 18 years. It was not until 2003 that the passive voting age was lowered to 18 years.

Democracy in danger

The Europe of the 1930s was marked by economic crises and the rise of nationalist trends and radical parties. In Germany, national socialists were elected to power. In Luxembourg, the elected Zénon Bernard was not allowed to take office as Member of Parliament because the revolutionary ideas of the Communists were contradictory to the Constitution, and because, according to electoral law, welfare recipients were not allowed to be elected. The 'muzzle-law' of 1937 then put Luxembourg's understanding of democracy to the test. Only a small majority rejected the law and thus the ban on the Communist Party. Right-wing radical and xenophobic groups and parties also emerged in Luxembourg in the 1930s. Their influence remained, however, relatively small.

In 1939, Luxembourg celebrated 100 years of independence. The celebrations, however, took place against the background of an approaching conflict: the expansionist endeavours of Germany. On 10 May 1940, the neutral state of Luxembourg was occupied by German troops. Both the Luxembourg government and the Grand Duchess Charlotte fled to exile. Until 31 July 1940 Luxembourg was ruled by a military administration before it was put under a German civil administration. Gustav Simon, Gauleiter (regional leader) of the Gau Koblenz-Trier was named chief of the civil administration. He was under the direct authority of Reich Chancellor Adolf Hitler. The ARBED-building in Avenue de la Liberté in Luxembourg City, which had been renamed 'Adolf-Hitler-Straße', became the official seat. Only three and a half months after the German troops marched in, democracy was abolished in Luxembourg, with a de facto annexion of Luxembourg to the Reich and germanisation of the population in mind.

All Luxembourg state structures were dissolved. German regulations replaced Luxembourg laws. The racial laws and regulations of the National Socialists directed against the Jewish population enabled their social isolation, economic expropriation and ultimately deportation to the ghettos and concentration camps. French was banned, freedom of opinion was suspended, trade unions and parties were

dissolved. In 1941, the Reich Labour Service (Reichsarbeitsdienst) was made compulsory for boys and girls, and in August 1942, compulsory military service was introduced for Luxembourg men born between 1920 and 1927.

The liberation of the capital on 10 September 1944 by the American troops laid the foundation for the reintroduction of democratic structures. On 23 September 1944, the exiled Government returned to Luxembourg. In November 1944, the parliament convened, but did not have a quorum as over half of the members of parliament were absent for war-related reasons. In October 1945, elections were held again for the first time.

Emancipation of women

The introduction of universal suffrage in Luxembourg in 1919 was not due to an explicit demand from a women's movement or a deep political engagement with this topic. Nevertheless, a number of men and women from the Social Democrats tabled a petition in the Parliament in 1905 regarding women's suffrage. In 1919, only one out of the four women running managed to enter the Chamber of Deputies: the teacher and Social Democrat Marguerite Thomas-Clement (1886-1979). There were no women in Parliament between 1931 and 1965. In 1967, Luxembourg saw its first ever female member of the Government: Madeleine Frieden-Kinnen (1915-1999) who was, among other things, advocating in favour of women's issues such as the rights of married women and free choice between work and family.

Since the elections of 2018, the number of female members in Parliament is 15 (25%), and the number of female ministers in the current Government is five (29.4%) (as of May 2019). In order to foster equality between men and women, a women's quota has been introduced for national and European elections. The law regarding the compliance of a 'gender quota' of 2016 determines that political parties shall only receive full financing if at least 40% of candidates on the list display the underrepresented gender.

Despite the political equality of 1919, women remained, from a legal and economic perspective, second class citizens for many more decades. Until the 1970s, married women were legally incompetent, and it was their husband who had the right to read letters addressed to his wife or to decide on the common place of residence. Without the permission of her husband, a woman was not allowed to work outside her house, to open a bank account or to sign a contract. In the case of adultery, the

husband would merely receive a fine while the wife was risking a prison sentence. The 1972 reform of matrimonial law finally defined the rights and duties of marital partners and called for equal treatment of men and women in the case of a divorce.

The social opening in the 1960s and 1970s led many women to adapt their professional and private life plans to the changing times. Female sexuality, the right to self-determination, a fair division of housework and child-rearing, the right of women to work and equal pay or criticism of violence against women were topics that were increasingly discussed in public.

On the institutional level, the Family Ministry introduced in 1989 the 'Service de la promotion de la condition féminine' which is today its own ministry: the Ministry for Equal Opportunities. The principle of equality between men and women was not introduced in the constitution until 2006, even though the Treaty of Rome had already stated in 1957 that the member states of the European Economic Community had to guarantee the right to equal pay for the same work. The principle of equal pay was introduced in the Luxembourg legislation in 2016. It is now illegal to pay men and women who perform the same task, or work of equal value, differently.

The role of the civil society seen by the example of trade unions

Trade unions represent the interests of the employees before the employers (economy) and the Government (state). In the middle of the 19th century, interest groups of employees were founded in order to improve the bad living conditions of the workers in the printing and glove trade industry and later on, also of those in the iron and steel industry. Thus, trade union work meant from the beginning that employees would gather in order to stand up together for better work conditions and hence, better living

conditions. Around the turn of the century, new laws regarding health and social care were introduced.

In Luxembourg, trade unions were first founded in the south of the country where metalworkers, miners and metallurgists enforced their demands. In 1918, work councils spoke out in favour of universal suffrage, the eight-hour day and a republic. The introduction of workers' leave (1926) and free unionisation (1936) were among the achievements. The first collective agreement in the steel industry was signed in 1936.

Free trade unions are not possible in dictatorships and authoritarian systems. Trade unions are a tool for claiming and enforcing fundamental rights of employees, such as the right to work and fair wages, or the right to free time and paid leave.

In addition, trade unions stand up for social questions and they articulate general demands such as the social recognition of work performance or the reconciliation of family and working life. They are a driver of democracy in Luxembourg.

Impulses on the topic

Democra-test



20 min.

—



From 14 years

—



Pupils are being introduced to the topic, 'Hundred years of democracy in Luxembourg', by first testing their general knowledge on the topic. The aim is to raise their interest regarding democracy as a form of government, of society and of living.

On www.zpb.lu, the pupils can find ten questions related to the development of democracy in Luxembourg.

The pupils can answer the questions online and see their result. The correct answers contain a short explanation.



Quiz

Social participation



20 min.

—



From 8 years

—



Reflecting on one's own social engagement and discussing it

Organisation:

First, the pupils are asked to tick or complete the statements that apply.





The results are then compared together. What do pupils stand up for most and what least? Are there young people who are not active? If so, why?

Going for politics!

What would you stand up for or against today?

Topics that could motivate me to become active	If I become active, ...	I could imagine ...
<input type="radio"/> European unification	<input type="radio"/> I want to gather new experience.	<input type="radio"/> becoming active in the youth organisation of a political party.
<input type="radio"/> Protection of the environment	<input type="radio"/> it has to be fun.	<input type="radio"/> supporting a citizens' initiative.
<input type="radio"/> improvement of transport infrastructures	<input type="radio"/> friends have to participate.	<input type="radio"/> working in an environment group.
<input type="radio"/> Development of leisure facilities	<input type="radio"/> my commitment has to show quick results.	<input type="radio"/> participating in a protest.
<input type="radio"/> Third world	<input type="radio"/> I would like compensation for my work.	<input type="radio"/> participating in 'virtual' online discussion forums.
<input type="radio"/> Terrorism	<input type="radio"/> I have to be convinced of the cause.	<input type="radio"/> signing a call or a petition.
<input type="radio"/> War	<input type="radio"/> nobody should be bossing me around.	<input type="radio"/> Taking part in a political meeting.
...

Democracy as a form of life and a form of society

-  50 min.
-
-  From 10 years
-
-  Pen, paper, flipchart
-
-  Recognising connections between one's own experiences and the rather abstract term of democracy.

Organisation:

Every pupil receives the experience cards. They find at least one other pupil who has either had the described experience themselves or who knows somebody who has had the described experience. The youngsters move freely around in the classroom. They write down their answers to the W-questions (who? where? what? when? why?) in the form of key words.

After 20 minutes, an exchange with the entire group follows with the two main questions being:

- 1) How are these actions related to democracy?
- 2) How difficult was it to find pupils who had had the experience? Finally, based on the notes, the

experiences are to be assigned to the following democracy-related topics: freedom, equality, participation, codetermination, freedom of assembly, majority or minority, discrimination, equal rights, civil courage, solidarity, tolerance, justice... They are written down on the blackboard or the flipchart, and the relevant cards are attached with magnets. At the end, the pupils should recognise in which situations they acted democratically and in which they were pushed to their limits.

Find someone who...

...has participated in a protest.

Find someone who...

...couldn't participate somewhere because only boys or only girls were allowed.

Find someone who...

...has written a comment on a political topic (social media).

Find someone who...

...participated in an online vote.

Find someone who...

...took part in a participative project in their municipality, such as waste collection in spring.

Find someone who...

...defended his or her opinion within the circle of friends, even though it was difficult.

Find someone who...

...was in the minority when voting on a decision.

Find someone who...

...does work for an NGO (non-governmental organisation)

Find someone who...

...has entered into an argument with someone based on his or her religion.

Find someone who...

...is or has been actively representing the interests of others, such as a class representative or a student council.

Find someone who...

...is thinking about or is already supporting a political party.

Find someone who...

...has already witnessed someone being discriminated (based on skin colour, origin, etc)

Find someone who...

...watches out for fair trade products when buying groceries.

Find someone who...

...stands up for human rights.

The democracy-reporter

Connection with teaching plan

Topic field: rights of freedom

Duration

5-6 school lessons

Skills

related to judgment and actions

Methods

Project teaching (project planning, implementation and evaluation)

Material

Copies, camera, paper, pen, printer

Learning objectives

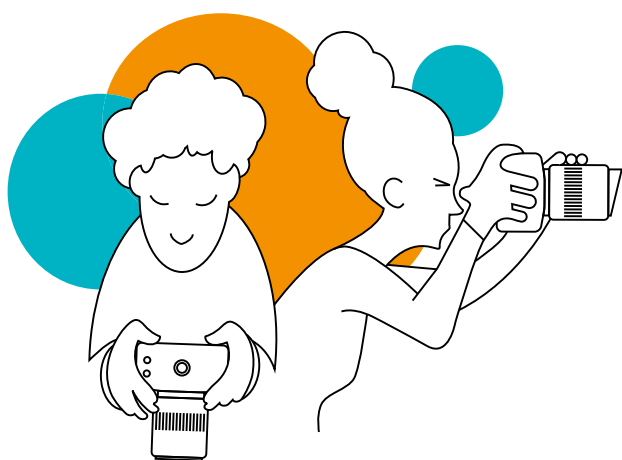
Sensitisation to democracy and rights of freedom in day-to-day life; recognising that democracy can be jeopardised and that it needs to be protected

Planning stage

- At the beginning of the project, the teacher speaks with the pupils about photojournalists working for print media, online sources and television. The teacher explains that the pupils will now become journalists themselves and, based on photographs, that they have to document a place where democracy is demonstrated, fostered and lived. The pupils get information about rights of freedom and their meaning in relation to maintaining democracy KV ①. The pupils should understand that as 'journalists', they may come across positive examples but also examples that do not respect rights of freedom and liberty.
- The pupils choose places that are representative of democracy in Luxembourg, such as the Parliament, a monument, a court building, a municipality, an NGO, an interest group, a union representing the interests of employees, a political party etc. The teacher can hand out a list of options.
- Every group of three or four now decides on a specific place of democracy.

Example:

- **Democracy as an institution:** Group A may, for instance, document the work of the Parliament by participating in a public session and talking to a member of Parliament.
- **Democracy means a right to information or education:** Depending on how you interpret it, group B can get information regarding contraception, support or abortion at Planning familial or Pro Familia and document their work (here, information and education are interpreted in relation to the right to self-determination). Group B can interpret information and education related to the spreading of relevant information as well as document the work of a newspaper editor or a journalist (media have a controlling role vis-à-vis the state).
- **Symbolic forms of democracy:** Group C can, for instance, analyse and document one or more monuments or memorials (Gëlle Fra, Shoah monument, etc.).
- **Democracy and separation of powers:** Group D can, for example, visit a court building and document how applicable law is being enforced.



- The groups have some time to discuss their topic and to plan their research. The pupils take some photographs of the chosen location and get in touch with a representative in order to discuss their plans with them and to gather information.
 - Every group presents their plan in full and agrees on a submission deadline and a presentation date.
-

Implementation stage:

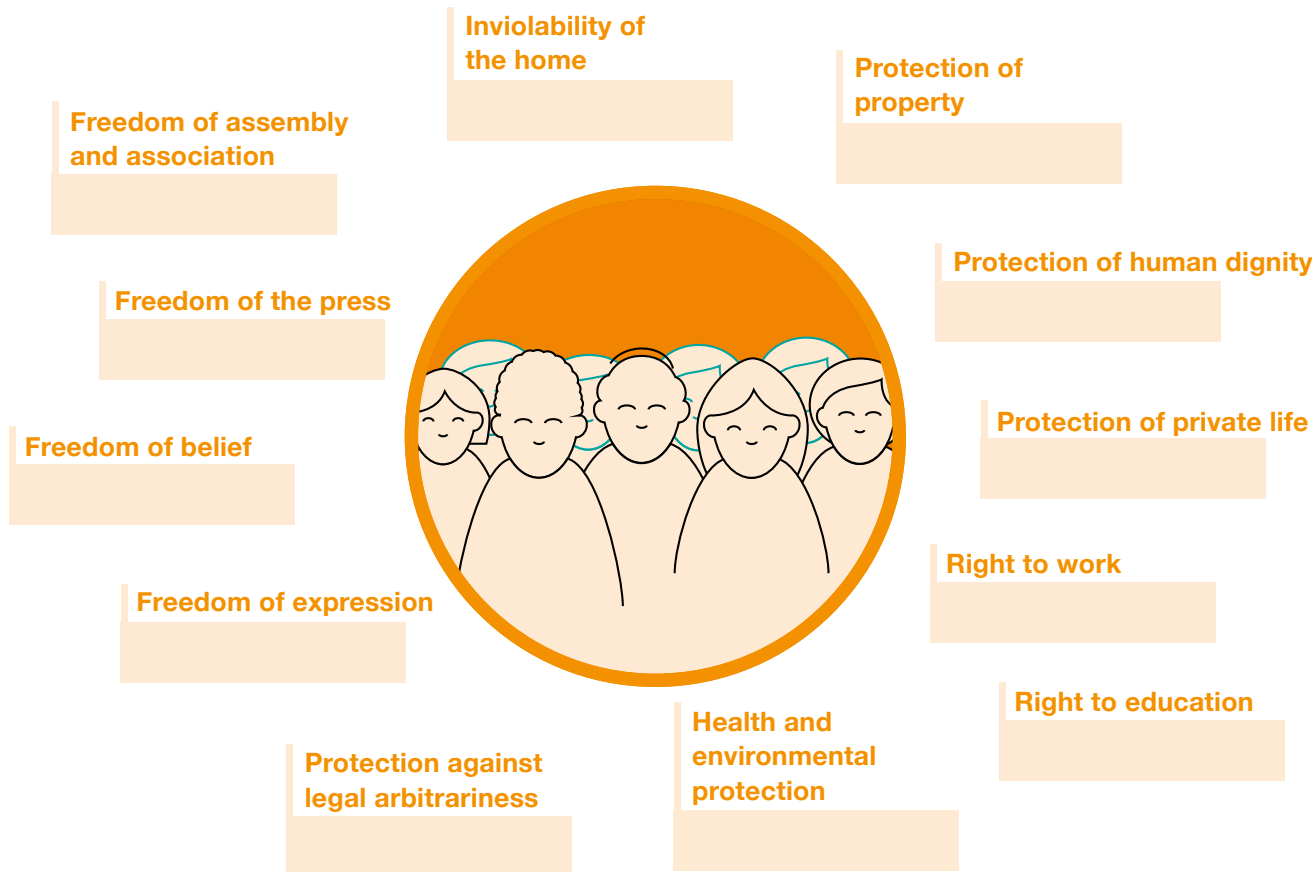
- After having visited and documented the locations in their free time, the pupils choose suitable photographs during class hours. At the end, every group must decide on one single picture.
 - A caption is then formulated for each photograph.
 - When each group has their photo at hand, the teacher gives them time to plan a mini-exhibition. At the end, each exhibition photograph has a title, the names of the reporters, a caption showing when and where it was taken, and what can be seen on it. A report is written for each photograph, which assigns the picture to certain rights of freedom and makes suggestions on how to deal with these rights in the future. Parents, school management and relevant representatives can be invited to the exhibition. They can look at and listen to the students' suggestions and talk to them about possible changes.
-

Follow-up and assessment stage:

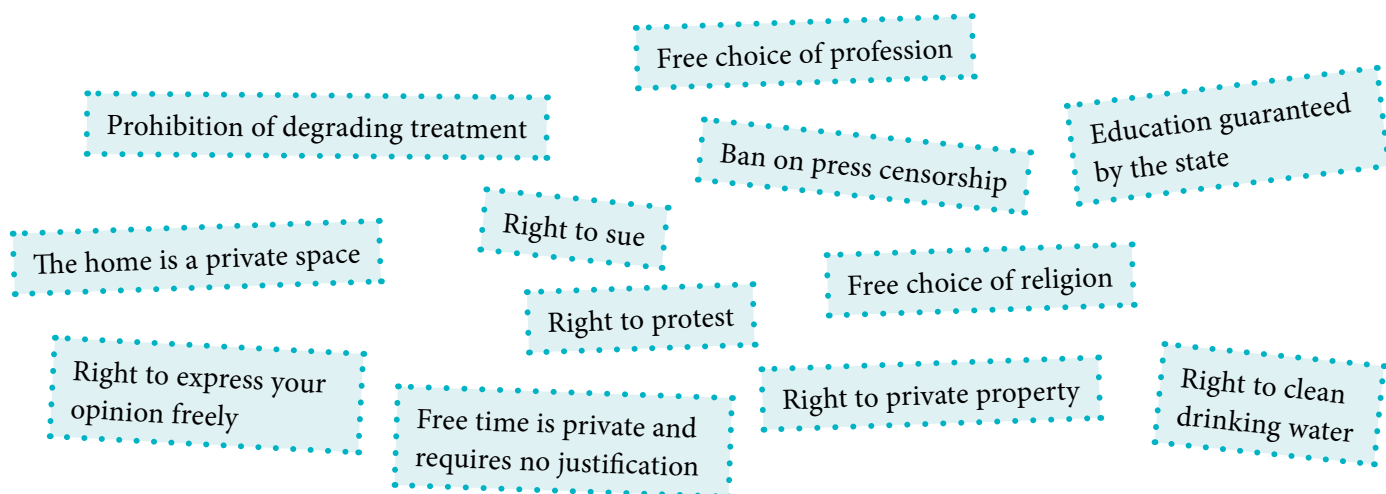
- Was it difficult to find suitable examples?
- Was it difficult to write a caption for the pictures?
- Has your understanding of the different locations changed? If so, how?
- Is the camera a useful tool for documenting locations? Is writing a useful tool?
- Which positive examples have you found of how democracy can be implemented and strengthened?
- Can you make concrete proposals for how democracy can be improved? To whom could these proposals be presented? (such as the school administration, parents, politicians, media, teachers, other relevant people)

Rights of freedom and democracy ①

The rights of freedom and democracy protect the freedom of people in everyday life and they protect citizens from the arbitrary use of power by government. They are part of human and civil rights. In a democratic state, freedom has an important value in the constitution.



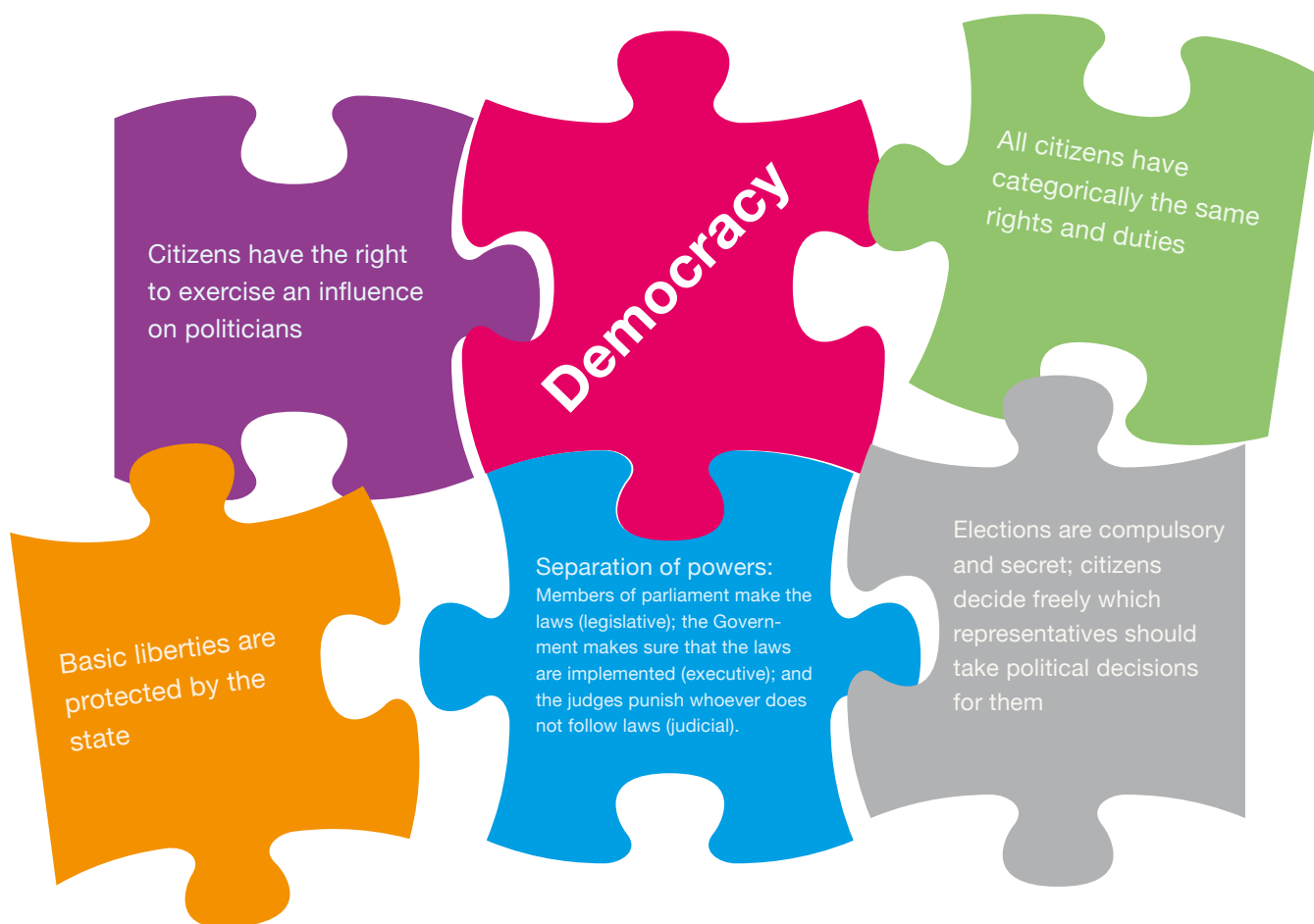
➤ Fill the examples into the correct place in the picture.



What is democracy?

Luxembourg is a democratic state. This means that decisions are taken by citizens entitled to vote who elect their representatives (representative democracy). In 1919, universal suffrage for men and women was introduced in Luxembourg. This means that for a hundred

years, all Luxembourg nationals have had a say in who should represent them in the Chamber of Deputies or in their municipality. Before 1919, this right was reserved for only a few wealthy men.



**Which statements below fit with the puzzle pieces?
Colour the circle with the matching colour.**

- I can basically say what I think (freedom of expression).
- No sole person holds power.
- I can go to court if I see my rights or freedoms restricted.
- I decide which politicians I choose.
- I have the right to criticise decisions.
- I have the same rights as my rich neighbour.
- I will be punished by the judge if I do not obey the law.
- Nobody can force me to vote for a certain party.
- I am allowed to protest for or against something.
- Nobody is allowed to look over my shoulder when I vote.
- I am allowed to join a non-governmental organisation to promote my interests.

1919: suffrage for all

On 8 May 1919, the Chamber of Deputies approved active suffrage (over 21 years) and passive suffrage (over 25 years) for men and women. Up until that point, census suffrage was still in operation in Luxembourg. Only men were allowed to vote. On top of that, they had to be over 25 years old and had to pay a defined minimum amount in taxes in order to vote or to be elected. Even though the census was decreased over the course of time, suffrage was still reserved for a minority of wealthy men. The discussion about enlarging suffrage to all men, that is to say, also simple farmers, day-workers and workers, had already arisen before World War I. There were

no concrete demands in Luxembourg from women's movements, even though many parts of Europe saw women's organisations advocating suffrage for women at the beginning of the 20th century. As of 1905, however, the first petitions regarding women's suffrage were handed into the parliament by Social Democrat men and women. After World War I, all major parties were in favour of universal suffrage. In the end, however, only socialist and conservative members of parliament voted in favour of suffrage for women. The Liberals wanted, at first, only to give them the right to merely participate in municipal elections.

A call to sign the petition regarding women's suffrage was published in the socialist-republican newspaper 'Armer Teufel' and signed, among others, by Marguerite Mongenast-Servais, 6 July 1918. (translated)

Women's suffrage. All questions of politics concern women as well as, and sometimes even more than, men; for example, who should make laws and write out taxes, who should make decisions regarding schools, children's homes, hospitals, old people's homes and homes for the disabled, and so forth, how women and children should be cared for when their husbands and fathers die, how the health of workers should be better protected. Women will be, most likely, the first ones to be in favour of

a reduction of working hours, higher wages, and sufficient pensions for old people, invalids, widows and orphans. Women will prefer to give their voice to those who stand up for the oppressed.

In all the countries of North America, Northern Europe, Northern Asia and Australia, women have been given the right to vote. In many other countries, women's voting rights will soon be introduced. We in Luxembourg must also free half of our compatriots of the legal and political equivalence with idiots, fools and criminals and give women the right to have a say in all major issues affecting the welfare and woe of all citizens of Luxembourg. (...)

- Which decisive change took place in Luxembourg in 1919 in the spirit of democracy?
- To what extent did women fight for their right to vote in Luxembourg?
- Answer the following questions: How do women justify their demand for women's suffrage? Which areas seem 'typically female'? Where do the demands correspond to the then traditional image of women as 'wives and mothers'? Where not?
- To what extent does the photograph reflect the atmosphere of the time?




Spontaneous speech by the socialist activist Lily Becker-Krier at Place Guillaume on the occasion of the demonstration for inflation bonuses and food prices, 13 August 1919

1919 elections: the first time

The referendum of 28 September 1919 was about the political future of the country and whether Luxembourg should remain a monarchy or become a republic. On top of that, the economic collaboration with France and Belgium was to be decided on. For most eligible voters, this represented the first time since the introduction of universal suffrage (8 May 1919) that they had been asked to go to the polls. 78% of the population was in favour of the monarchy while 20% wanted a republic. Even though a majority voted in favour of an economic union with France, it never came to pass due to a lack of interest from the French side.

Part of the referendum note,
28 September 1919 (translated)



THE REFERENDUM

of 28 September 1919

A.
Political orientation
I desire

1. The retention of the ruling Grand Duchess Charlotte
2. The retention of the ruling dynasty under a different Grand Duchess
3. The introduction of a new dynasty
4. The introduction of a republic

B.
Economic orientation

1. An economic union with Belgium.
2. An economic union with France.



Referendum:

(Latin: Re/Back, Ferre/ to Carry) means that a parliament 'carries a decision back' to the people. The parliament or the government has established a law, a resolution or an agreement, and all eligible citizens have to vote on it. A parliamentary decision is hence further legitimised by the people. The referendum of 1919 was a popular consultation, and its result was not legally binding.

Which form of government for democracy?

Republic	Constitutional monarchy
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

- Explain in your own words the role of a referendum. What was the referendum of 28 September 1919 about?
- Assign the following terms to the scheme: **1.** Head of state is a monarch (king/queen, grand duke/duchess) - **2.** Head of state is a president - **3.** Head of state is elected - **4.** Function of head of state is inherited within the family - **5.** The head of state has only the power which the constitution gives to him or her - **6.** The highest power (sovereignty) lies with the people.
- Examine the referendum paper. What is striking about the way the questions are asked?
- Imagine voting today on the following questions:
 1. Republic or monarchy?
 2. Economic union: EU or not?
 How would you vote and why?

Freedom vs state intervention

The economic crises of the 1930s led to a spreading of communist ideas in the workers' milieu. The National Socialists rose to power in the neighbouring country of Germany. Against this backdrop, the Chamber of Deputies voted in April 1937 on the so-called, 'Law of order', as proposed by the conservative government. The goal was to terminate the Communist Party as well as any groups that tried by force to change the const-

itution or the laws of the country. The opponents of this law named it the 'muzzle-law'. Due to increasing resistance, the government organised a referendum to accept the law on 6 June 1937. 50.67% of the Luxembourg nationals rejected this 'muzzle-law', as they saw it as, among other things, a limitation of freedom of expression and freedom of assembly.

Caricature of Albert Simon, published in 'Escher Tageblatt' on 24 April 1937



The head of the Conservatives, Joseph Bech, in the middle

Excerpt from a call by the right-wing party in the 'Luxemburger Wort' on 25 May 1937 in the run-up to the referendum (translated)

Referendum of 6 June on the Law on the Protection of Social and Political Order

I. What does the law want?

1. It prohibits the communist party and associations affiliated with the international communist group.
2. It mandates the government to dissolve all associations which, by violence or threats or by the formation of armed or paramilitary groups, seek to amend the Constitution or obstruct the free functioning of constitutional institutions. An appeal may be lodged with the Council of State against the government's decision. That, and only that, is the meaning of the law. Everything else that the opponents hang on to is rhetoric, diversion, distortion and lies.

The law does not prohibit - as its opponents would have us believe - freedom of opinion, freedom of speech, freedom of the press, the right to strike, professional and other freedom of association, which legally pursues its aims. On the contrary, its purpose is precisely to protect the Constitution and our democratic freedoms against all those who unite to overthrow them by force. Read the law for yourself. ... then think carefully ... and only then decide as free, thinking people of Luxembourg. [...]

IV. As true people of Luxemburg: we vote with a cross under our yes, and the result of 6 June will simply be that there will be no communist party any more and no fascist party ever, but only a free and nationally further-developing Luxembourg community. [...]

- In which historical context was the law of April 1937 suggested? Why is it commonly known as the 'muzzle-law'? How does the government react to criticism on the law?
- Decide if each of the present documents is in favour of or against the law. Describe the caricature. Which symbols and metaphors are being used? Which message is being spread? Which reason is the right party bringing forward as a reason to hold on to the law? Explain how the term 'democracy' is used in both documents in order to back the different positions.
- How would you decide today? Are you in favour of a strong state which, in order to protect the existing political and social order, can terminate an organisation or political party which uses force and threats? Yes or no? Justify your response. Or are you of the opinion that the state must under no circumstances limit rights of freedom?



Dilemma

A dilemma is the clash of two equally important but contradicting values in a decision process which leads, in all circumstances, to an unsatisfying solution.

On the one hand, the state advocates the rule of law and thereby, perhaps, limits the freedoms of the individual. On the other hand, the state would have the possibility of interfering in order to protect the individual.

YES...NO.....YESNO...YES NOYES...YES
 YES...NOYESNO...YES...NO YESNO..
 ...NO.....YES...NO.....YES NOYES
 NO.....YES NO

Possible law proposals

In favour Against

1.	The army, police and security forces are abolished. All citizens are responsible for themselves and their family.		
2.	The state guarantees better security for its citizens by installing surveillance cameras in all public places.		
3.	The ministry of education does not establish learning plans for pupils.		
4.	The ministry of education introduces a regulation on clothing in schools.		
5.	The government controls the Internet time of underage children and, for their own protection, cuts the connection after one hour.		
6.	It is prohibited to put up advertisements in order to leave the streets untouched.		
7.	The state puts in place a 'state food centre' which is responsible for delivering healthy food to all citizens and all households. Fewer people have heart problems or are overweight.		

Decide!

I believe the state should interfere when:

The state should not interfere in the liberties of its citizens when:

- Put a cross if you accept the law proposals.
- Which of the following principles represent the different law proposals: freedom, self-responsibility, safety, protection of young people?
- Discuss all the law proposals in groups of four. Find arguments for the different positions. Decide in your groups if you are accepting or rejecting the proposal.
- Is the freedom of individuals being protected or the freedom of groups? Whose freedom is limited by the intervention of the state?
- Decide when the government should interfere in the life of its citizens and when not. Why? Find other concrete examples.

1940-1944: the abolition of democracy

Luxembourg celebrated 100 years of independence in 1939. On May 10, 1940, the neutral state of Luxembourg was occupied by German troops. The Luxembourg government and Grand Duchess Charlotte fled into exile and Luxembourg was under military administration until 31 July 1940. Afterwards, Luxembourg was put under a German civil administration. Gustav Simon, National Socialist Gauleiter (regional leader) was named chief of the civil administration and was under the direct authority of Reich Chancellor Adolf Hitler. The ARBED building in Avenue de la Liberté in Luxembourg City, which had been renamed 'Adolf-Hitler-Straße', became the official seat. Only three and a half months after the German troops marched in, democracy was abolished in Luxembourg, with a de facto annexation of Luxembourg to the Reich and the 'germanisation' of the population in mind. All Luxembourg state structures were dissolved. German

regulations replaced Luxembourg laws. French was banned, freedom of expression was abolished, trade unions and parties were dissolved. A great deal of propaganda effort was put into trying to win over the population to the Nazi ideology. In 1941, the 'Reich Labour Service' (Reichsarbeitsdienst) became compulsory, and in August 1942 compulsory military service for Luxembourgers born between 1920 and 1927 was introduced.

The liberation of the capital on 10 September 1944 by the American troops laid the foundation for the reintroduction of democratic structures. On 23 September 1944, the exiled government returned to Luxembourg. In November 1944, the parliament met but did not have a quorum as over half of the members of parliament were absent for war-related reasons. In October 1945, elections were held again for the first time.

Place d'Armes: one place, two realities



Celebration of 100 year anniversary of Luxembourg independence, 1939



Place d'Armes during World War II

Characteristics:

Characteristics:

THE ERA OF DEMOCRACY IS OVER!

Luxembourg, 23 August - The head of the civil administration, Gauleiter Gustav SIMON, issued the following APPEAL today:

Women and men of Luxembourg! Luxembourg youth!

The era of democracy has come to an end. Parliamentarianism is about to disappear, and so is the fate of parties and interest groups.

LUXEMBOURG IS NO DIFFERENT FROM ANY OTHER COUNTRY. Here too, the last hour of the parties has come. They have become superfluous and represent an obstacle to the progress of development.

THEIR MAINTENANCE THREATENS THE GOOD OF LUXEMBOURG. In recent years, they have questioned the neutrality to which Luxembourg was bound towards Germany. In meetings and newspapers, they are irresponsibly relentless against Germany and National Socialism, knowingly placing themselves in a position of dependence on England and France - the enemies of humanity. They have, therefore, systematically soiled the relations between Germany and Luxembourg.

AS A RESULT, THE PARTIES ARE RESPONSIBLE FOR THE SUFFERING AND DISTRESS FACED BY MANY FAMILIES IN LUXEMBOURG.

In the interest of the entire Luxembourg population, I therefore ban all parties in Luxembourg on this day. The Volksgemeinschaft will and has to impose itself instead of party quarrels and social stratification. The political commissioners I have engaged will ensure, in close consultation with the population, that class hatred and party disputes never return to Luxembourg.

Luxembourger of all classes,

The abolition of the party system in your country also marks the end of an era and draws a line on what is now part of the political past. This past must die and never come to life again. A new era is beginning. On its flag is written the motto:

Workers of all classes, unite!
Luxembourg, 23 August 1940.

The head of the civil administration: Gustav SIMON, Gauleiter.



Propaganda in the service of dictatorship:

Propaganda is used to steer public opinion and mood in a certain political direction.

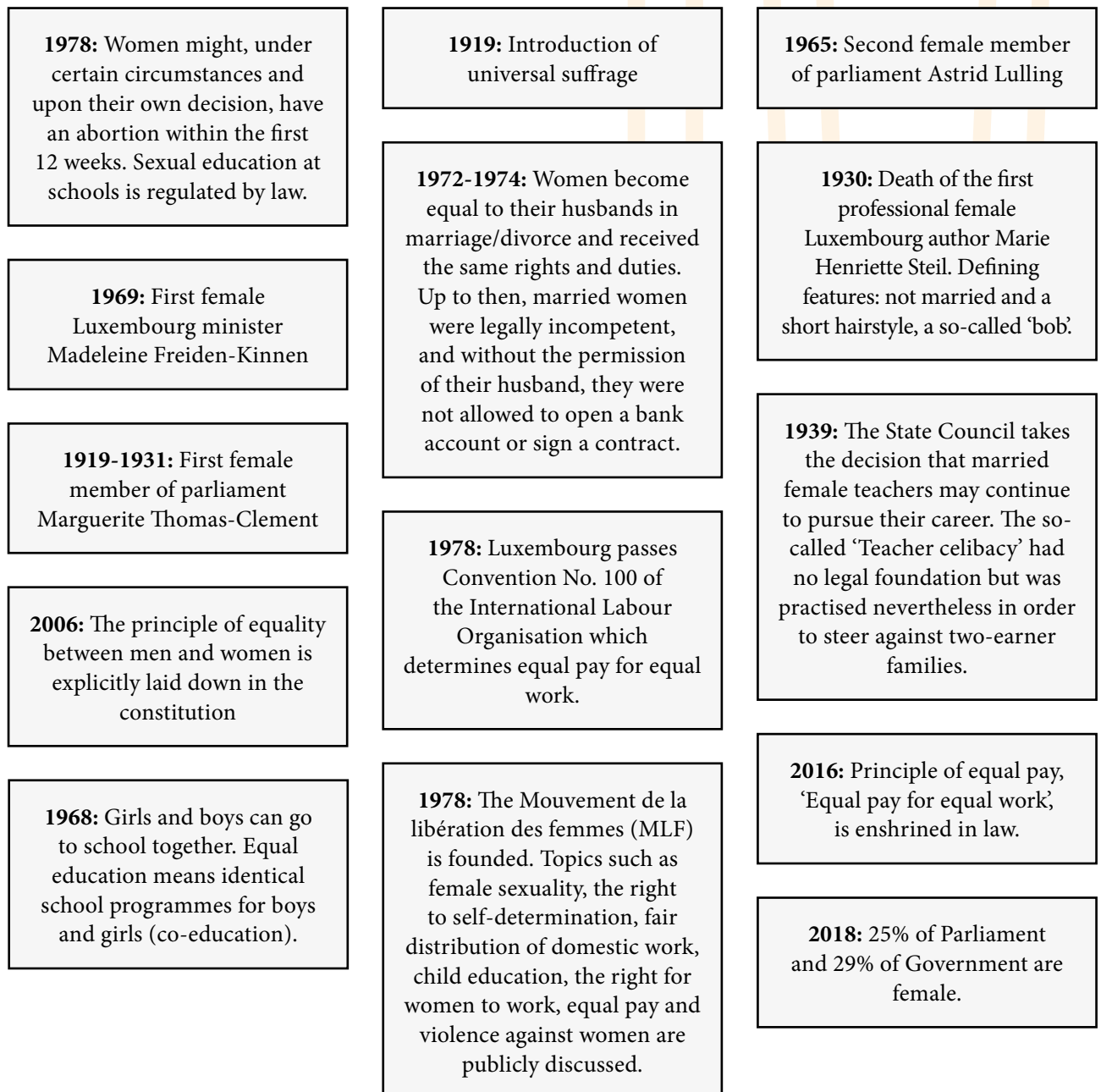
Propaganda:

- spreads truths, half-truths or lies
- ignores uncomfortable information
- simplifies the representation of complex facts
- manipulates emotions (perception and interpretation of events are manipulated)
- is dedicated to a certain idea
- cultivates a picture of an enemy
- uses certain vocabulary
- is directed toward a selected target audience
- ...

- Mark in the text the most important stages that have led to the abolition of democracy in Luxembourg. What do you notice?
- Compare the photographs and sort them chronologically. In which historical context were they published? Sort the following terms with the corresponding photograph: repression, freedom of expression, democracy, freedom, fear, dictatorship, indoctrination, cheer, pluralism, censorship.
- Who is the author of the text, 'The time of democracy is over'? Which political function does it have? What terms are used to denigrate the parties?
- Read the info box regarding propaganda. Why is this call considered as propaganda? The following questions can help you in answering: What enemy image is invoked? Which lies, truths, half-truths does the occupier present within this call? Which uncomfortable information is ignored? By what the parties are replaced? Which emotions does the call play with?
- For experts: Write a call on the topic, 'The time of dictatorship is over'.

Equality between men and women

Even after the advent of political equality of 1919, women remained, for many years, economic and political second class citizens. Theoretically, however, women today have all political and social options open to them. In 2019, men and women can shape their lives according to their own ideas.



- Read the short texts in groups of two. Colour the boxes depending on the category:
 - parliament and participation (yellow)
 - marriage and self-determination (blue)
 - education and profession (red)
 - promoting of women (green)
- Discuss the results in full. Which date has surprised you most? Why?
- Establish a timeline: cut out the texts and glue them back together chronologically on a poster. Illustrate the timeline with relevant photographs.
- Are there any areas that today disadvantage women based on their gender? Discuss this in class by presenting examples from your day-to-day life.



Marie-Paule Molitor-Peffer (1929-1999)

- What democratic tools does Marie-Paule Molitor-Peffer use to enforce her demands?
- To what extent is she still a role model today?

BIOGRAPHY

A life in the service of sexual education

Marie-Paule Molitor-Peffer, gynaecologist since 1958, becomes active in the Luxembourg branch of the international ‘movement for family planning’, which promotes family planning as the basis of a happy partnership - a breach of taboo in Luxembourg at the time. The medical chamber is against the creation of family planning centres in Luxembourg, and a disciplinary procedure is introduced against Marie-Paule Molitor-Peffer. Her lawyer Robert Krieps even brings the case before the European Court of Human Rights.

From 1981 to 1992, Marie-Paule Molitor-Peffer is president of the ‘Planning Familial’ an organisation that was founded in Luxembourg in 1965 and which advocated a modern sexual education, access to contraception and the decriminalisation of abortion. Violence against women and sexual abuse of children are other topics that are being discussed. In numerous statements and letters to newspaper editors, it broaches issues that are taboo in the Luxembourg society of the 1960s and 1970s. Marie-Paule Molitor-Peffer dies in 1999 in an accident.

At the instigation of Family Minister Madeleine Frieden, the ‘Planning familial’ was subsidised by the state from 1972 on. In addition to the centre in the capital, other centres were established in Esch/Alzette and Ettelbrück in the 1970s. The reformed Luxembourg legislation on abortion in 1978 anchored the family planning centres in law.

Sonja Kmec, Renée Wagener (et al.), Frauenleben–Frauenlegenden. Ein Streifzug durch 1000 Jahre Stadtgeschichte: Persönlichkeiten, Geschichte(n) und Hintergründe, Luxembourg 2007, p. 27-28. (translated)

Work and democracy

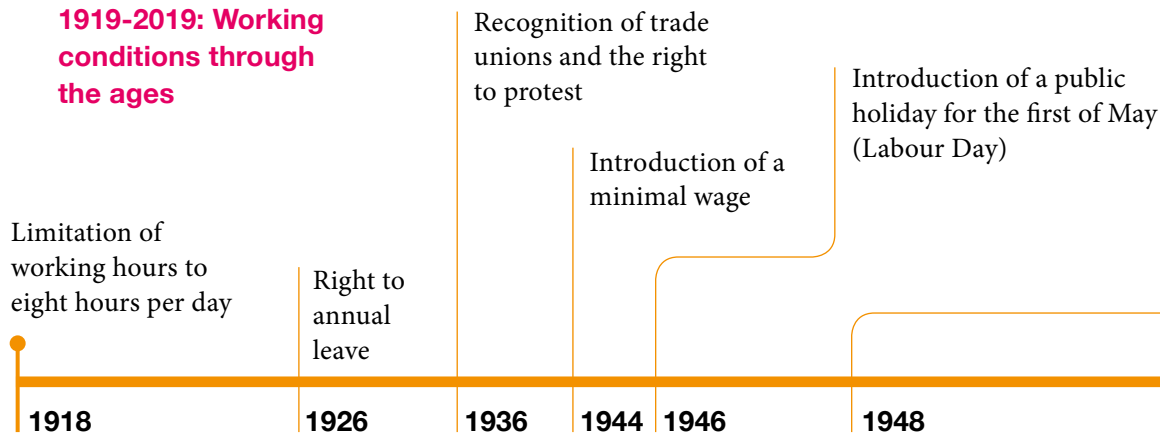
Over the course of the last century, people's working and living conditions had constantly been improving. Workers' protests and the formation of trade unions brought more rights for the workers. Privileges, such as 'free time', which were reserved for only a minority, were democratised, that is to say, made accessible to the general public through the introduction of working time limits and the right to annual leave.



Information:

The goals of the trade unions are: work for everybody; sufficient salary in order to live without any worries; shorter working hours and codetermination in companies.

1919-2019: Working conditions through the ages



Universal Declaration of Human Rights of the United Nations (10 December 1948)

Article 23.

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Articles 23 and 24 mean for me:

I am allowed to...

I have to...

My employer is not allowed to...

My employer has to...

The state has to...

The state is not allowed to...

- Mark achievements or changes in the timeline that you find particularly important. Justify your choice.
- What requirements of the Universal Declaration of Human Rights have been implemented in Luxembourg since 1948?
- Complete the sentences using articles 23 and 24 of the Universal Declaration of Human Rights. Discuss the results in class.
- Are the achievements in terms of working conditions put into question by the digitalisation of the working world? Why? Why not?

The terms 'Right to work, Social Security, Right to rest, Protection of health, and Freedom to exercise Trade Union rights', are laid down in the Constitution.

Progressive reduction of working hours from 48 to 40 hours per week

Introduction of parental leave (cong  parental) and family-related leave (2 days per year per child)

Introduction of family and birth allowances

1970

1999

2007



↑ Protest on the first of May 1958 for full employment and economic codetermination



← Protest 1973. The posters read 'Our health system is underdeveloped' and 'Equal opportunities for children of foreign workers'.

Future challenges to the working world:

Computers and digital technology affect almost all areas of life today. The working and economic world will be subject to far-reaching changes in the coming years. The regulated working hours of employees, which have been achieved through long democratic processes, are at stake. Constant availability, globalisation and teleworking present new challenges to the working world.

Participation

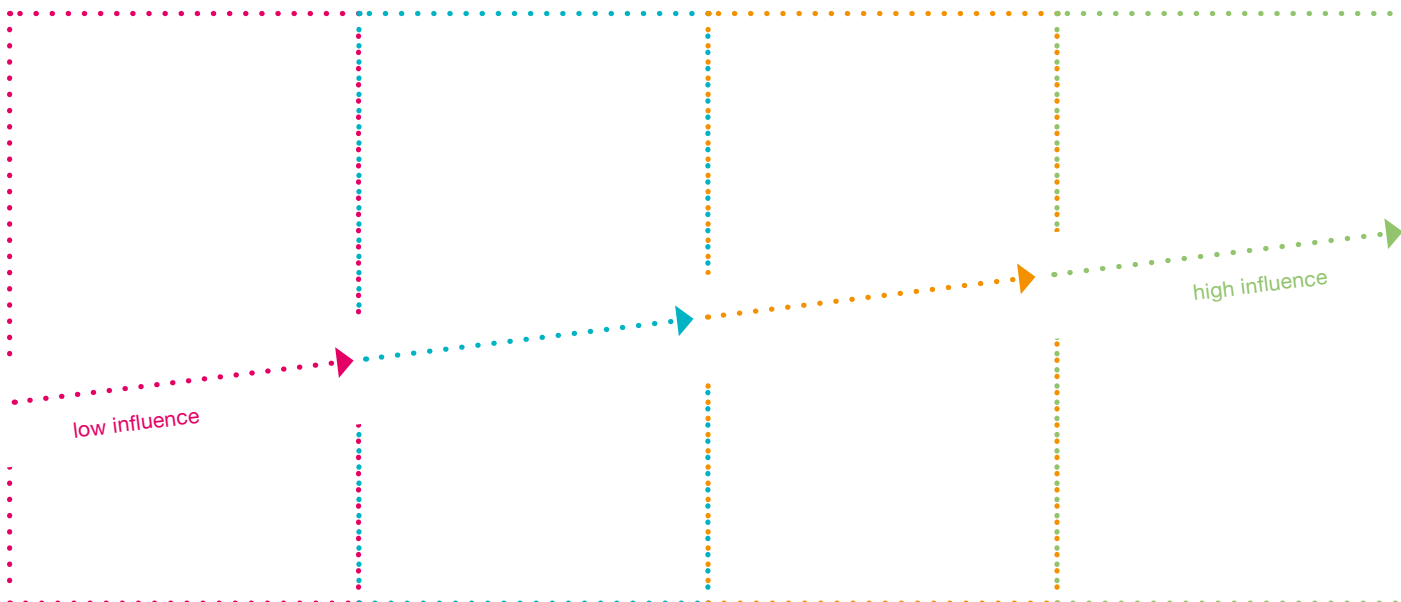
Democratic states exist through the participation of their citizens. An important aspect of participation is, other than the right to vote, the partaking in political processes of decision-making that affect people in one way or another.

Climate strike,
15 March 2019



Forms of participation and influence

letter to the press commenting function (social media) referendum election
submit a petition sign petition affiliation to a political party mediation or moderation (peer-mediation) citizens' initiative future workshop citizens' forums protests



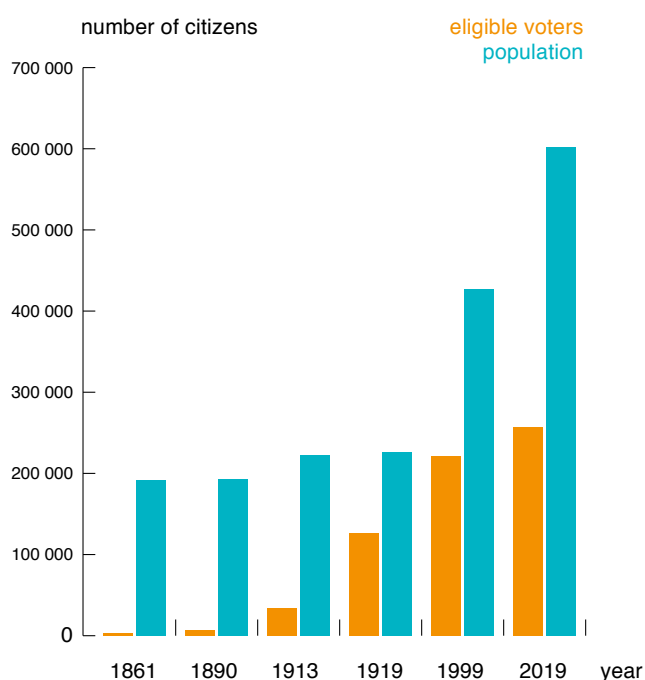
- What possibilities for political participation are there for young people in Luxembourg?
- Fill in the forms of participation for citizens in the line representing the estimated amount of influence.

Who has to/may vote?

	Legislative elections every five years	Municipal elections every six year	European elections every five years	Social elections, theoretically every five years
	The 60 members of parliament either vote on their own law proposals or those of the government.	The elected municipal council organises municipal life (such as water and energy), manages the finances of the municipality ...	The members of the European Parliament have the right to a say in EU legislation as well as the EU budget. They control EU institutions.	All employees (including pensioners and cross-border workers) can vote for 60 representatives of the professional chamber. They represent the interests of employees and pensioners by, for instance, taking positions on law proposals.
Eligible voters in the last elections	256.698 (2018)	286.683 (2017)	285.435 (2019)	526.476 (2019)
Luxembourg nationals	* * *	* * *	* * *	* *
Foreign EU nationals		* * *	* * *	* *
Foreign non-EU nationals		* * *		* *

active suffrage * ; passive suffrage * ; compulsory * ; entry on the electoral roll (subject to various conditions) *

Number of eligible voters in Luxembourg (1861-2019)



What is a 'Democratic deficit'?

The term 'Democratic deficit' was originally used to describe the lack of legitimisation of the EU political system based on the scarcity of participation opportunities for parliaments and citizens. The Treaty of Lisbon (2009) puts forward corrections in this regard, such as citizens' initiatives, strengthening of the European Parliament and new control rights for national parliaments during EU procedures. In Luxembourg, the term is used, among other things, in the context of the high number of foreigners - 48% of the Luxembourg population do not have Luxembourgish nationality and are, thus, excluded from national elections; however, they do have other opportunities to participate.

- In which elections do the most people have a say? In which elections do the fewest have a say? Which seem to be the most democratic? Which elections have the greatest influence on politics? Which ones are most important to you? Justify your answers.
- Why was the number of voters so low until 1919? What significance did the introduction of universal suffrage in 1919 have for democracy in Luxembourg? Who was excluded from these elections?
- Calculate the percentage of eligible voters at the legislative elections of 1913, 1919, 1999 and 2019 (formula: $100 \times \text{number of eligible voters} / \text{total population}$). Who is entitled to vote in the legislative elections today? What do you notice?
- Where does the term 'democratic deficit' come from? In what context was it used? Do you think that there is a 'democratic deficit' in Luxembourg today? Justify your answer.

Unlimited freedom of opinion?

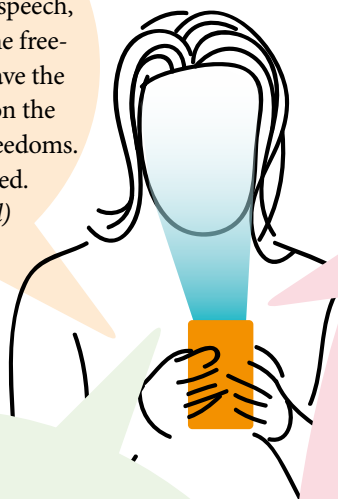
Freedom of opinion was anchored in the Luxembourg Constitution in 1848 and guarantees the freedom of expression. It is, however, not unlimited.

M1

Freedom of expression and its limits

Article 24 of the Luxembourg Constitution:

The freedom to manifest, through speech, one's opinion on all matters, and the freedom of the press are guaranteed, save the repression of offences committed on the occasion of the exercise of these freedoms. Censorship may never be established. (*Révision du 2 juin 1999*) (translated)



Article 19 of the Universal Declaration of Human Rights:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media, regardless of frontiers.

Criminal Code: Chapter VI - Racism, revisionism and other discriminations (translated)

Art. 457-1 (adapted article)

Anyone who infringes this law is punishable by imprisonment from eight days to two years, and/or a fine of €251 to €25.000:

- either by speeches, shouts or threats made in public places or meetings,
- either by writing, printing, drawing, engraving, painting, emblems, images or any other medium of writing, speech or image sold or distributed, offered for sale or displayed in public places or meetings,
- either by placards or posters displayed to the public,
- or by any means of audiovisual communication, encourages (...) hatred or violence against a person, whether natural or legal (...)

Art. 457-2 whoever belongs to an organisation whose objectives or activities consist of committing one of the acts provided for in paragraph 1) of this article; (...)

Art. 457-3 (...) who (...) contested, minimised, justified or denied the existence of one or more genocides (...), crimes against humanity and war crimes (...)

Criminal Code: Chapter VI - Racism, revisionism and other discrimination (translated)

Art. 454 (adapted article)

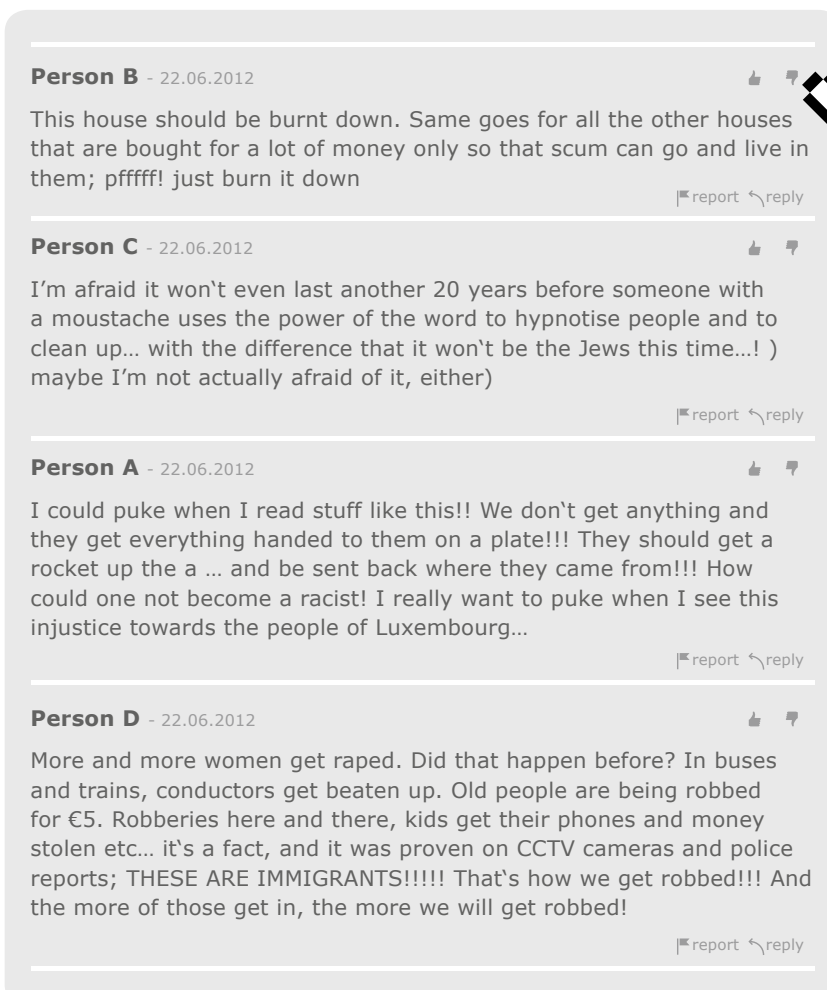
Any distinction made between natural or legal persons based on the following reasons constitutes discrimination:

- their origins
- their skin colour,
- their sex,
- their sexual orientation,
- their family status,
- their health status,
- their disability,
- their morals,
- their political or philosophical opinions,
- their trade union activities,
- their belonging or not belonging, truly or supposedly, to an ethnic group, a nation, a specific race or religion.

Does this still count as freedom of opinion?

On 22 June 2012, a Luxembourg media house published an article with the title: ‘Gemeng Kielen: Haus fir Flüchtlinge kaaft’ (eng.: ‘Kielen Municipality: House bought for Refugees’). As a result, the following xenophobic comments appeared on the media house’s Facebook page:

Online comments (translated)



Person B - 22.06.2012

This house should be burnt down. Same goes for all the other houses that are bought for a lot of money only so that scum can go and live in them; pfffff! just burn it down

Person C - 22.06.2012

I’m afraid it won’t even last another 20 years before someone with a moustache uses the power of the word to hypnotise people and to clean up... with the difference that it won’t be the Jews this time...!) maybe I’m not actually afraid of it, either)

Person A - 22.06.2012

I could puke when I read stuff like this!! We don’t get anything and they get everything handed to them on a plate!!! They should get a rocket up the a ... and be sent back where they came from!!! How could one not become a racist! I really want to puke when I see this injustice towards the people of Luxembourg...

Person D - 22.06.2012

More and more women get raped. Did that happen before? In buses and trains, conductors get beaten up. Old people are being robbed for €5. Robberies here and there, kids get their phones and money stolen etc... it’s a fact, and it was proven on CCTV cameras and police reports; THESE ARE IMMIGRANTS!!!! That’s how we get robbed!!! And the more of those get in, the more we will get robbed!

Legal consequences

Six days later, the public prosecutor’s office informed the police of these xenophobic statements. The police were now to determine the identity of the authors. The accused were summoned and admitted to having written these comments. They stated that they did not know that their statements would fall under criminal law. They merely published their own opinion in response to this article.

Source: <https://justice.public.lu/fr/actualites/2013/02/jugement-incitation-haine.html>

The verdict:

A, B and D are each sentenced to 6 months of imprisonment on probation; They must not become criminally liable in the next five years. C is sentenced to 6 months imprisonment without probation.

- Analyse M1. Which texts express general principles and which deal with the specific implementation of these principles?
- Draw a table based on article 454 of the Luxembourg Criminal Code in which you give an everyday example for each reason for discrimination.
- Evaluate the statements in M2. Do they still fall under freedom of opinion or not? Compare with M1. On what points do the comments violate the law?
- Comment on the judgment: do you think the penalties are appropriate? Justify your opinion!

What do you say about democracy?

At the beginning of 2019, the representatives of different institutions were asked to give their definition of 'Democracy' and to describe their roles and tasks in the context of the Luxembourg democracy.

Fernand Etgen
President of the Parliament and
First Citizen of the country



How would you define your role and tasks in the context of Luxembourg democracy?

A parliament is the central part – the heart – of a democracy. A democracy and also parliament work according to certain precepts. One of my tasks as president of the parliament is to make sure these precepts are respected, in political 'dispute' as well. Only this way democracy can live, be experienced and prosper.

Jean-Claude Wiwinius
President of the Constitutional Court



How would you define 'Democracy'?

Democracy means 'Rule' (cratos), by the 'People' (demos). This political system is different from others, such as Dictatorship or Aristocracy, where only one person exercises the power. In Luxembourg, citizens choose their representatives; this is called a Representative Democracy. Democracy requires compliance with the separation of powers between the legislature, executive and judiciary. The legislative power is in charge of laws and legal texts; the executive power forms the government of the country; and the judicial power checks that the law is properly applied. Ultimately, democracy is the guardian of justice, freedom and equal opportunities.

How would you define 'Democracy'?

Democracy is a political system, in which the supreme power emanates from the citizens who elect a parliament.

In a democracy, nothing is taken for granted and nothing is defined forever. Democracy must be upheld day by day. But democracy is also an ongoing process, since opinions in a society change, as well as political majorities. Therefore, democracy is a demanding model for coexistence, probably the most demanding that we know. It challenges people a lot. It is a constant compromise; for who likes to bow to an opinion that they personally considers to be wrong?

How would you define your role and tasks in the context of Luxembourg democracy?

Being the President of the Constitutional Court, I am the guardian of the Constitution. My function is to respect and favour the general interest and to guarantee the exercise of fundamental freedoms, such as freedom of expression, freedom of assembly or freedom of movement. Furthermore, in order to ensure that the principle of equal treatment is guaranteed and upheld, it is my duty to make sure that in a similar situation, two people will be treated equally. Lastly, my function requires that I verify the constitutionality of the law, which in turn makes a balanced ratio and fair distribution of the separation of powers possible.

How would you define 'Democracy'?

In a democratic state, people practice law-making power either directly - for example by referendum, or indirectly - through their elected representatives. Luxembourg is a representative democracy, because only the Chamber of Deputies has the legislative power. A democratic form of state is mandatory, to promote the observation of other important principles such as the separation of powers, executive and judiciary principles, the universal law, direct and free elections, the rule of law and respect human rights and freedoms.



Agnès Durdu
President of the Council of State

How would you define your role and tasks in the context of Luxembourg democracy?

The Council of State is responsible for examining the compatibility of Luxembourg legal norms with the norms of higher law before they are adopted. The democratic form of government is mentioned in the constitution and other international treaties, such as the European Convention on Human Rights and the Treaties of the European Union. In its report, advising both the Chamber of Deputies as well as government, the Council of State therefore points out any violation of the democratic rules, which a new law, regulation or constitutional amendment could bring.



Xavier Bettel
Prime Minister

How would you define 'Democracy'?

Democracy is a political system, in which the power emanates from the people. In Luxemburg, citizens exercise their sovereignty indirectly, by electing representatives for the parliament. For me, however, democracy is something way beyond that definition. Democracy is much more than a form of government, it is a form of community and common values, in which the citizens have the ability to express their opinions and ideas freely. Furthermore, it is important for a democracy that the juridical authorities have the ability to perform their work independently and that there is a free and independent media.

How would you describe your role and tasks in the context of Luxembourg democracy?

In our political system, both the government and the Grand Duke pursue executive power. Thus, the government is responsible for implementing the laws which have been developed and adopted by the parliament. The parliament is directly elected by the citizens and represents them in the exercise of legislative power. The Prime Minister is the president of the government, which consists of

a coalition of parties that form a majority in the parliament. He represents the government on a national, European and international level. This way, I am also responsible for the coordination between ministers and the organisation of the government and state in general, as well as the constitutional prerogatives of the government.

seperation of powers



judiciary



legislative



executive

- Read the statements under: 'How would you define "democracy"?' Make a list of keywords that describe democracy.
- Which terms are most commonly used? Are the definitions consistent? Which different aspects of democracy are addressed?
- Read the statements on how public officials see their role in Luxembourg democracy. Make a table on the separation of powers. Which institution belongs where? Then classify the persons and their main tasks in the corresponding column.

duerchbléck!

Imprint**Publisher:**

Zentrum fir politesch Bildung,
Foundation of public interest, RCSL G236
28, route de Diekirch
L-7220 Walferdange
info@zpb.lu
www.zpb.lu

Authors:

Véronique Krettels, Michelle Schram
1st edition, 2020

Picture credits:

Page 20: G. Fournelle, 1939 © Photothèque
de la Ville de Luxembourg,
unknown, 1940-44 © Photothèque de la Ville
de Luxembourg,
Page 23: © Archiv/Revue, 2019
Page 25: T. Krier, 1958 © Photothèque de la
Ville de Luxembourg, T. Mey, 1973
© Photothèque de la Ville de Luxembourg
Page 26: © Julien Garroy/Editpress
Page 30: © Chambre des députés, 2019;
© Cour constitutionnelle, 2019
Page 31: © Ministère d'État, 2019;
© Conseil d'État, 2017

Layout and Design:

Bakform

Print:

Reka Print +, Ehlerange

English translation:

Beganovic Selma

Status of statistics and links: August 2019
The ZpB accepts no liability for the content of
websites to which reference is made.