

From Citizen to Subject

(Translation of an article written by H.S.H. Prince Michael of Liechtenstein published in "Finanz und Wirtschaft", the leading Swiss financial and economic newspaper, on 9th October 2010.)

How much political tutelage will citizens tolerate? Freedom and self-determination are fundamental rights. Yet rules and controls are increasing in Europe as in the USA.

A person who makes their own decisions about themselves and their development is free from tutelage. If this definition is taken as true, then persons are under tutelage when they give up significant decisions concerning individual rights and obligations to another (for example the state) or are expropriated from their freedom to make decisions. In a political sense, therefore, a person can only be free from tutelage when freedom is a fundamental right. Even within Europe there are fundamental differences regarding this point.

Most Swiss people see freedom and self-determination – both of themselves and from the Municipalities and Cantons – as fundamental rights. The state is a service provider, whose services should provide personal freedom and welfare. What's shocking is the result of a study by the Allensbach Institute for Public Opinion Research regarding the value of freedom in Germany (taken from the book: *«Die deutsche Freiheit»* [German Freedom] by Hans Jörg Schmidt) which says: *«...that a considerable part of the population see the many facets of freedom in their everyday lives less as non-transferable fundamental rights of the individual but more as a right clearly defined and granted by a caring state.»*

Under General Suspicion

The reason for this paternalism lies in the feeling of security with which it is connected (protection from crimes, social security, etc). In every healthy and liberal state there is an accepted paternalism which is only justifiable so long as the authorities and the political groups accept the liberty of citizens as a non-transferable fundamental right.

It is increasingly considered, however, that freedom is a gift from the state and it can therefore decide the extent of this freedom. Ever thicker rulebooks are emerging and lead to a vicious circle. Following the rules, let alone knowing the rules is becoming more and more difficult. As a consequence, the authorities are increasing their control by means of a new flood of (sometimes conflicting) regulations that gradually leads to a democratically sugar-coated transformation of the population from citizens to subjects.

A most alarming part of this picture is the fact that one is put under general suspicion. The system draws on the «*Big Brother*» law that states that anyone may be watched at any time. There are numerous examples of this, such as data being retained – even data of totally respectable people. Mistrust thus becomes the guiding principle of the system. A functioning society, however, requires the courage to trust.

Whilst the American constitution in its original form has significant purpose in protecting its citizens from the state, the European Nation States in their origin were very different. They saw the state or rather the nation as the «*highest being*». The duty of each individual was to serve the state and nation. Citizens' rights were written into later constitutions but it was the state that gave the citizen his portion of freedom.

In the United States the original form of the constitution was changed (not only after 9/11 and due to the popular issue of fighting terrorism) to include additional controls and limitations to citizens' freedom. These limitations conduce control and enable the continuation of a sole-power, populist policy.

Interestingly, a power is now forming which has not been seen in American history since the Declaration of Independence – the Tea Party Movement. It is not an organized party, but a relatively disordered though very large grouping of the disgruntled middle class supporting social shifts in the USA and who have up until now always been strong advocates of law-abiding activities. Through over-regulation and too intense limitations on freedom and political maturity the heat on the «*pressure cooker*» is really being turned up but the Tea Party are (hopefully still) the safety valve - or are they more like the precursor to it running over? At the moment it

is too early for an answer, however the displeasure among the American population is not to be underestimated.

In Europe the question also remains – how much (more) political tutelage will the citizens tolerate? The huge increase in the black market in many European countries (including Germany) or the growing emigration of qualified workers alone shows the attempt of a broad number of the population to evade state paternalism. In a European context it can be seen in countries like Switzerland, where freedom is recognized as a non-transferable right, that there is much immigration, even in Cantons with high tax rates. It can thus be deduced that people are not immigrating primarily on fiscal grounds but rather because people are searching (sometimes unconsciously) for personal freedom.

For business activities, innovation and creativity, a large portion of freedom is also necessary. States should therefore resume to fulfilling only their service providing role and recognize that the population is free and able to make their own decisions. In English we call this a «*Nanny State*», but a nanny is needed for children, not for adults.



Immigration to Switzerland does not have primarily fiscal grounds. It arises from the want for personal freedom.

Michael von Liechtenstein

Power over other states

Paternalism may be seen by many as being easy, because responsibility is delegated. As a consequence, however, power is delegated to state institutions. When applied to the state this means that through this political tutelage the powerful become corrupt and strive to have even more power. State tutelage at some point risks reaching a «*level of explosion*», namely when the state is no longer able to meet its obligations to the population to the same degree as they are taking their freedom.

Corruption through power at state level is leading to an attempt to spread the power to smaller states. This attempt at oppression is being propagated in «*politically correct*» terms as the want for international solidarity. Those states which are still free and therefore successful are being forced to limit the freedom of their citizens in order to level things out at lower levels. With this, not only will the freedom of the own citizens be reduced but also the self-determination and sovereignty of other, mostly smaller, states.