

# A New Malta, A New Republic

During the last few months and weeks we have undergone an experience that is unique in the history of our country.

We saw the upsurge of a national movement that was not led by a political party.

We saw a protest that was not due to anything that had affected our pockets.

We saw that Malta was much bigger than the criminals who abuse of power.

We saw clearly that the cynical consideration that the Maltese are only concerned about the money in their pockets does not quite reflect the truth.

The filth we rose against in the last months is both a symptom and a consequence of much deeper structural problems. Daphne Caruana Galizia was assassinated on 16 October 2017; her death, however, tells a much bigger story.

Although we are pleased to see that there is greater awareness of these problems, we believe that they cannot be solved on their own.

If nothing is done, these problems will not go away, they can only become more serious.

We believe that civil society does not only have the role to protest against what it disagrees with, but also that of promoting values and developing a vision for the common good. The hope for a better future is not the monopoly of political parties. Neither is the work that must be accomplished to promote an agenda for change and reform in the country's social, economic, environmental and institutional sectors. Working to achieve this does not mean becoming a political party, but it certainly makes clear what it is we want our political parties to do.

We, members of Repubblika, have come together with the aim to "promote civil rights, democratic life, the rule of law, free speech, personal freedoms, social inclusion, environmental conservation, economic sustainability and equality of access, by means of active participation in the national discourse and related educational, social and charitable initiatives" (Repubblika Statute 8 (1)).

We, members of Repubblika, acknowledge that we do not hold any monopoly over public action; consequently we welcome other movements and associations that strive to push forward what we believe in and what we strive to achieve.

Repubblika held an Extraordinary General Meeting on 11 January 2020 and approved this manifesto which we consider as:

- ▶ a declaration of our identity
- ▶ a summary of our fundamental goals
- ▶ the foundations on which we build our initiatives and collaboration with others for a New Malta, a New Republic.

## 1. Public Life based on and guided by ethical principles

We all have the right and duty to contribute to public life. Although we do this to different degrees and in different contexts, the part we play, whatever it may be, must be based on and guided by ethical principles.

Ethical behaviour means that we weigh our decisions and guide our actions according to a moral compass and not simply ask ourselves whether our action is to an individual's personal advantage or to that of one's family, whether it is legal or whether it is profitable.

In public life, the fact that unethical behaviour is not expressly forbidden by law is no excuse. Neither is it excusable not to carry political responsibility in cases where there is reasonable suspicion of unethical behaviour, even if these cases are not yet proved in court. The presumption of innocence in a criminal sense is a different matter to the obligation of persons in public life to have an exemplary behaviour and to act in a manner befitting their role.

Our expectations with regard to the behaviour of people in public life are much higher than those with respect to ordinary people.

Persons in politics have the responsibility to promote, represent and guarantee the protection of the common good. In order to do this, they have to put aside all private interests.

Repubblika believes that the seven principles for good conduct in public life, proposed by Lord Nolan should be the measure and inspiration for anyone serving in public office in our country:

- ▶ **Selflessness** – Holders of public office should act solely in terms of the public interest.
- ▶ **Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- ▶ **Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- ▶ **Accountability** – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- ▶ **Openness** – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- ▶ **Honesty** – Holders of public office should be truthful
- ▶ **Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Public life in our country is corroded by deep mistrust. The expectation of behaviour that conforms to the highest ethical levels, together with serious consequences for the lack of unethical behaviour, are only the first steps out of the impasse the country currently finds itself in.

Persons in public life have the duty to be an example to the whole of the community. This is why they have to go beyond what is required by law and act in a way that is much more decorous than the minimum required by law.

This also means that persons in public life:

- ▶ must not seek to have their money hidden outside Malta in order to avoid paying taxes in Malta;
- ▶ must not accept privileges and favours that may create any form of obligation
- ▶ must refuse all gifts and donations that are made to them or to persons or organisations close to them unless these are of a small and defined value;
- ▶ have to stay away from opportunities to accept roles - even those of a voluntary nature - apart from their public duties, which give prominence to them or to anyone close to them.

Behaviour which falls below the highest standards required from a person in public life should be investigated and documented. The person who undergoes such an investigation remains under the obligation to ensure that both during the investigation, as well as after this is over, s/he is never in a position where his/her interests are in conflict with public interest. For this reason, the suspension of public duties or resignations should not occur following the results of investigations of allegations, but should happen whenever there is the risk that personal interest can be in conflict with public interest.

Even though it should be expected that a person in public life should carry the responsibility of unethical behaviour, and should consequently take the decision to suspend him/herself or resign when there is any doubt that s/he is incapable of honouring these obligations, recent experience in Malta has shown that persons in public life all too often believe that until they are condemned by a court, they can continue occupying their public position.

It has to be said, therefore, that when this occurs, the obligation of all other public person who has the power to suspend or remove the person who has not respected his/her ethical obligations is to actually suspend or remove him/her. According to this principle, a prime minister who does not suspend a minister who has not behaved correctly is not fulfilling his duty, and in the same way, a political party or a parliamentary group that does not remove a prime minister who is not respecting his/her ethical obligations, is also not fulfilling its duty. Morally, the person, party or group become complicit. It is unacceptable that any member of parliament abdicate their responsibility and continue to give their support to those who, *prima facie*, have not respected their ethical obligations, especially since the Constitution confers the possibility of stopping this type of abuse.

All suspicion of corruption should be investigated in a just way with great attention, and if the investigation reveals the suspicion to be justified, the person, whoever they may be, has to be brought to justice.

## 2. Structural and Constitutional Developments

The time has come for us to examine the Constitution of Malta, the fundamental pact that makes of us a civil and democratic state.

We need to reflect on, and wherever necessary, review our institutions including the Office of the President, Parliament, the Executive, and Public Service, the Courts, the Police and Armed Forces, and the Regulatory Authorities.

The Independence Constitution, together with the amendments that have been made to it in the last fifty-five years, have served us well up to now. However, the experience we have had of the Constitution and socio-economic and technological changes have shown the need for serious reflection and for the courage to update it, wherever necessary.

We do not see why we have to remove all that has served us well through time; we believe that in our Constitution, the following should be maintained:

- ▶ A parliamentary democracy where the majority of the Executive is chosen among those parliamentarians who enjoy the trust of the parliamentary majority;
- ▶ Protection of the fundamental rights of the individual;
- ▶ An electoral system which allows voters to express their preference from among the candidates contesting parliamentary seats on an individual basis;
- ▶ local democracy and regional autonomy for Gozo;
- ▶ a Republic founded on work which identifies itself with European values.

However, we also have clear objectives for progress which we would like to see in our constitution. These include:

- ▶ A real and protected separation of powers between the Legislative, Executive and Judiciary;
- ▶ A strong Parliament having the real and credible authority to ensure scrutiny of the Executive;
- ▶ An independent judiciary;
- ▶ A permanent public service, without any partisan loyalties, that offers continuity, memory and awareness of public interest;
- ▶ independent institutions, particularly in the sectors of law enforcement;
- ▶ electoral reform that better reflects the popular vote when the latter demands a plurality of political parties in Parliament;
- ▶ Recognition and definition of the role of political parties in the functioning of democracy;
- ▶ Regulated financing of political parties in order to do away with any secret obligations on their part towards private interest;
- ▶ Regulation of lobbying that occurs in order that persons in public life may listen to the opinions of those who have an interest in influencing the legislative or administrative process;
- ▶ Enforceable safeguards of the democratic principles which comprise not only individual rights but also the obligations of institutions and of the persons leading them to act according to the principles that the Constitution is based on;
- ▶ more responsible and autonomous local councils;
- ▶ the building of a secular Republic based on the principles of justice, meritocracy, work, economic and environmental sustainability, social inclusion, clemency and compassion, participation, reciprocal respect, equality between sexes, between persons of different sexual orientation, between persons of different political views,

between people who were born in Malta and others who have made it their home, between persons of different religious beliefs, including those who have none.

Despite these aspirations, it is not enough for us to see these reforms adopted. In order for Constitutional change to have the desired effect, Repubblika believes that this exercise should possess the following qualities:

#### **I The Constitution should be emended, not replaced.**

Currently, the Constitution is an imperfect tool that safeguards the interests of the community and the rights of persons. It is true that there is no perfect Constitution, it is better to keep the current shortcomings than introduce others that may be even worse. All change should occur only after much thought, discussion and collective agreement.

We feel that if there is not enough agreement, it would be better to suspend change until the thinking of the community develops further, rather than enforcing change in order not to show that the process has not been completed.

Our starting point should be that we already have a Constitution, and until our community is ready to make changes, we shall remain faithful to our current Constitution.

This also means that any thought of a new Constitution or of changes to the current Constitution which do not gather wide consensus will be just as illiberal a step as the constitutions that were imposed on our country during colonial times, and which did not have popular consent.

Moreover, consent regarding change between the two large parties is not sufficient because it can still endanger democracy.

#### **II Any changes to the Constitution cannot occur as a package, but should be divided into themes**

It is not wise to carry out simultaneously reforms that have nothing in common with each other. This is necessary both in order that citizens may have the time to absorb these subjects and allow their thoughts to mature, and also to give institutions the time to adapt without weakening their effectiveness or stability.

This principle has to be balanced out by the principle that isolated changes may bring instability, consequently, a certain number of changes must occur at the same time.

As an example, in order to make ourselves more clear, a radical change in the electoral commission does not necessarily have to be carried out at the same time as a change in the functions of the President. In this way, one avoids the danger of diverting attention from things that may appear secondary in relation to others which may seem more interesting or controversial, when in effect, they merit more consideration and greater attention.

No element in the Constitution is too small and therefore every change risks taking place without wide and informed consensus.

Even though there may not necessarily be any evil intent, the introduction of changes which have nothing to do with each other, risks bringing in hidden change.

Finally, when some of the proposed changes

are agreed to, this does not necessarily mean that there is agreement on all changes, and all those involved in the reform process should have the right to reconsider their position and give or withdraw their consensus for changes proposed without committing themselves to any form of package of changes.

#### **III. Changes which may, on their own, increase the powers of the Executive, should be adopted together with others that limit these powers.**

Constitutional reform that occurs in various phases carries the risk that the process may stop at a point where the changes introduced may increase the power and authority of the Executive before the implementation of initiatives that are devised to lessen these.

This risk can be diminished by tying together a number of reforms that in their totality can ensure the balance of power and the limitation of the power of the Executive by ensuring that all change is to be effected only when the change that balances it out is adopted.

#### **IV. The design process should be transparent**

The process of reform should not be dominated by the political parties.

The Constitution is the basis of the Government's obligations towards the citizens. It is a tool that is used in case of disagreement and issues where already at the outset, the resources and influence of the parties are totally unbalanced.

For this reason, it would be helpful if the reasoning at the time of the Constitutional amendment being proposed is written and registered. It is only fitting that the debates taking place within the gatherings involved in the amendment before the parliamentary debates should be transmitted 'live' to the public and be recorded and kept, so that in case interpretation is needed, they can be referred to.

The points of view and positions emerging from public debate should be taken into careful consideration in the debate that takes place in Parliament.

#### **V. All proposed changes should be considered according to the reasons in favour or against their adoption.**

In spite of the fact that agreement between the main parties is desirable and necessary for Constitutional reform to take place, it carries the risk of forfeiting the dialectics by means of which alternative solutions may be proposed or the relative change not carried out.

Consequently, it must be ensured that even if the two main parties agree in favour of a Constitutional amendment, there has to be clear and appropriate space for public discourse arguing against that same amendment.

#### **VI. Constitutional Reform without Time limits**

We understand that in the light of past failures to bring the two parties to agree on reform, political parties may feel the need to grab the opportunity or exploit moments of crisis or of changes in their relationships to rush through the changes.

Reform should be based on the principle that the rarity and narrowness of this window of opportunity should not be a consideration on the rarity, quality and process of change and it certainly

should not be a consideration that in some way may go against some of the principles listed here.

### **3. Training for a participative and responsible citizenship**

Democracy comprises a series of institutions and processes, including elections, parliamentary representation and the limiting of power by means of a series of checks and balances.

These institutions and processes are vibrant and bear fruit when they are rooted in a democratic political culture.

Experience shows that the attitude of the citizen towards democracy is as meaningful as that of the institutions. It is necessary for the citizen to understand and appreciate the democratic structure in order to feel responsible for its stability and development.

Today's world presents a series of challenges to the traditional models of citizenship and sovereignty: globalization, inequality, economic competition, new technologies, environmental challenges and migration are presenting new challenges.

In spite of the temptation to rush to find false, populist or authoritarian solutions, Repubblika believes that democracy is the best, if not the unique tool to address these complex challenges.

We also acknowledge that democracy is a precarious asset, and can only remain alive if it is nurtured, maintained, and passed on to the next generations.

We also understand that the more complex the challenges that define our future become, the more it is going to be difficult for the common citizen to participate. We are already suffering because of the distrust in politicians and institutions.

Many of the problems that Maltese society is facing and will continue to face derive from the weakness of our educational system.

Corruption and mafia find fertile ground in the parts of the world where citizens are not given adequate means to educate themselves. In order that Malta may start writing a new and clean page of its history, it has to wisely develop a strong, reliable and long-term plan for education. This should be started immediately by taking the necessary steps.

The education of the citizen starts at a young age, and intensifies in time. In order for this to occur, new dignity must be given to the fundamental role of the teacher. Society has the duty to understand the difficulties teachers face. The state has the duty to invest heavily in education, and to improve the financial situation of teachers so that more young people may be encouraged to follow this career path. Teachers should also be encouraged to pursue further studies in order for their teaching skills to improve and respond better to today's challenges.

The physical environment of a school is fundamental; consequently, the Government is duty bound to strengthen and give priority to the building of new schools having sports facilities, laboratories etc. that are adapted to today's standards.

Education, and the importance it is given in the country, are like a thermometer that gives good indications of values, or the lack of them, that drive civil life.

The fundamental obligation of the state is to ensure that everyone is provided with high-quality education. Respect towards citizens is shown when this principle becomes fact and does not remain the shallow rhetoric of politicians.

The educational system should not be put off in educating children coming from difficult social contexts. They should be given incentives to strengthen research that can provide concrete answers.

The school should change into an environment where from a young age, every person is taught the value of justice, truth, respect for the environment and for persons, and solidarity.

Educational programmes should be reformed to respond to today's necessities. Young people should be given the tools to understand the world they are living in. Unfortunately, schools often find difficulty in keeping up with the times. It is to be made clear that the critical sense that should lead a person through life is the result of a complex, long-term educational process that is based on educational programmes which have vision.

Repubblika commits itself to helping to form responsible and active citizens who participate in the development of democracy in Malta and who take part in the life of the country.

Apart from formal education, we need to see a change in the will of the Maltese to be informed. The right to information is an intrinsic one, and it derives from the right of free expression. It is not enough to "allow" everyone to say what they like. It should be made possible for everyone to know the truth and the different opinions in a community.

Currently public broadcasting is seized by governmental interests and journalists working in the public sector do not have the liberty to investigate and publish. Private televisions are dominated by the political parties which control the contents of what is transmitted on their stations, and have no scruples in manipulating the truth and even lying, also by remaining silent with regard to facts that they are duty bound to report.

The rest of Maltese journalism depends on publicity, an economic enterprise which is constantly decreasing and providing less and less earnings. In the current situation, Government is exploiting this vulnerability in order to dedicate its publicity spending mainly on the media that back it.

At the same time, Government uses huge financial resources not to communicate through the media, but to exploit social media for propaganda purposes.

Consequently, the following must be considered a priority:

- ▶ to change the ways in which public broadcasting is regulated in order to ensure its independence
- ▶ to create a distinction between political parties and broadcasting media
- ▶ to regulate by law protection to investigative journalists who attract danger because of the work they do
- ▶ to introduce the principle of ethical responsibility to regulate government spending on public information
- ▶ to create public funds that support

journalistic investigations and other forms of journalistic work that provide criticism to authorities and other critical perspectives.

### **4. A New, Honest and Sustainable Economy**

Rather than proposing a specific economic theory, we are hereby listing all those values that we feel should guide economic efforts.

Repubblika considers that economy is not an aim in itself but a means to allow the Maltese people to move forward and to have a good and sustainable income.

Just like public life, the economy should be kneaded with ethical values, guided by a moral compass, and inspired by a number of values that include honesty, integrity, sustainability, inclusivity and responsibility.

We do not want an economy where the few become rich by taking the wealth of the many, such as the country's landscape, village and town cores, public space, social capital and reputation.

We do not want an economy based on a programme that is designed for a single legislature with the intention that on the eve of the election it can paint a pretty picture without any real consideration for what will follow later.

We do not deserve an economy that is pumped up with steroids in order to grow quickly but which some time later, leaves us all the poorer.

We believe that it is the Government's duty to govern and to act less like a salesperson; a Government that is less set on selling our riches and more focused on improving the common good.

The crisis of the past two years has shown that our country needs to focus on creating an economy that no longer depends on economic activities that exist mostly or only because of the dishonesty of those who want to hide their identity, nationality, or legal or financial obligations.

Malta cannot act as a shelter for the world's pirates. It has to fight against Mafia infiltration which has taken up proportions that have never been seen before in our country. Repubblika calls upon social partners, the entrepreneurial community, expert academics and the Government to think creatively of new economic initiatives which provide sustainable development to our country's economic future.

We maintain however that we mature in our culture when we plan out Malta's economy and present these considerations in preparation for this type of planning:

Economic growth that is measured by the traditional expression: 'More always means better' is not sustainable. The common good has to be measured by other means such as people's quality of life, physical and environmental health, mental health, the limitation of inequality, equal opportunities, access to cultural and intellectual wealth, and so on.

The use of imported human resources should not be considered as a simple economic transaction. The needs and human rights of all persons who play an active role in our economy must be considered, as well as the right to family life, the right to participate in the social and economic life of the country. In this sense, the "integration" of persons who come to Malta to work is not the forced transformation of people who were born outside Malta in an imaginary idea of what a Maltese should be like. It should open up the idea of Maltese identity through the participation of all those who live in Malta.

Maltese culture, environment, customs, language and values are not victims of the economy and should not be considered as its rivals. On the contrary, they themselves provide opportunities.

We must appreciate that part of Maltese reality that remains unchanged. Malta is small and crowded. An economy that depends on construction, on the exploitation of land and property, on the payment of unsustainable debts on empty or yet unbuilt properties, is a bubble that once burst, will leave irreparable consequences which will seriously handicap future generations. Property development should stop being one of the essential elements of the country's economy and earnings from property should be re-invested in new and sustainable economic activities.

## **5. An Environment that is enjoyed by All**

No one lives in isolation. Whatever we do or otherwise, we will always live within an environment. The difference lies in the quality of the environment that we will have to live in.

The environment is not a decoration or a luxury. It lies at the heart of our quality of life, it is the space where we enhance or ruin our lives and that of others.

The environment is an essential factor for the common good, which belongs to us all, but at the same time it belongs to no one in particular. It comprises the natural environment, which includes the air, landscape, sea, countryside and urban environment that contains squares, streets, lanes and public spaces.

In June 2018, our Constitution was amended to introduce a declaration where it was stated in Chapter 2 that: "The State shall protect the environment for the benefit of present and future generations and shall take measures to address the problem of pollution and any other form of environmental degradation in Malta, and to promote the right of action in favour of the environment" (Article 9 (2)). Unfortunately, this chapter ends with Article 21, which states that: "The provisions of this Chapter shall not be enforceable in any court".

A dog without a bite, smoke without fire, empty words.

This is certainly not enough with regard to the huge challenges that we have to face. Among these are the following:

- ▶ the great challenge of the use of the land when the economy has been closely tied to the destruction of the natural and urban environment in a country with the highest population density in Europe (1325 persons per Km<sup>2</sup>, when the EU average is at 117 persons) and this is increasing by 5% annually (when the increase in the EU is of 1.45).
- ▶ the great challenge of the state allowing the countryside to be transformed into a labyrinth of narrow corridors surrounded by high walls in spite of its constitutional obligation to defend the countryside. This same state is allowing the urban environment to be transformed into concrete cages one on top of the other.
- ▶ the challenge of a sustained and sustainable

supply of energy which for a time appeared to be solved but which now appears to be affected by corruption. It is our opinion that the domestic infrastructure for the generation of electricity should be nationalized and a sufficient and sustainable supply of electricity should be established. From then onwards, Government should ensure a steady increase of electricity generated from sources of renewable energy.

- ▶ the challenge of waste management; though for a time the problem seemed to be solved, it now seems unable to cope with a larger population and needs.
- ▶ the transport challenge which, despite the small size of our country, is making us spend more time in travelling, makes our lungs sick and forces us to live in a chaos of cars jammed into one another.
- ▶ In the energy, waste and transport sectors, national policy should be redirected so as not to remain enslaved to uncontrolled and unplanned growth. Wherever possible, energy consumption, waste generation and the need for mechanized transportation should decrease or become more efficient instead of enlarging the infrastructure to cope with antiquated and vicious habits.

Repubblika would like to contribute towards the protection and improvement of the environment.

## **6. An inclusive, just and humane society.**

Repubblika believes that no society can be healthy until even a single person remains excluded.

We believe that we are all responsible for each other and towards each other. This is why we believe that solidarity is our foundation both as a society and as a state.

Our efforts for justice (where everyone gets what they deserve) goes hand in hand with our work on solidarity because we believe in the dignity of each individual and their fundamental rights. Each person has intrinsic value, independently whether man or woman, old or young, rich or poor, black or white or any other distinction we might create.

This principle also governs economic life, where excuses are being found in order to justify the exploitation of workers in the workplace, long working hours, abuse in payments given, and unequal pay for equal work. It is clear that values that have been agreed upon are degenerating and need protection once more.

Social justice is a structure which ensures the fulfilment of a person's duties towards the community as well as those of the community towards the individual.

Today, the state is burdened with many responsibilities that formerly were held by the family, relative and neighbours, the Church and voluntary organisations. One of the advantages of this state of affairs is that the state has a range of resources, including financial resources, that the latter do not possess.

However, there are also disadvantages. It is very difficult for the bureaucratic machine, which is sometimes very impersonal, to give the personal touch that can be given by the

family, relatives and neighbours, the Church and voluntary organisations. Consequently, we believe in the duty of the state to maintain and strengthen all initiatives towards a healthier society.

Yet Government should never exploit voluntary initiatives as an excuse to shirk ensuring a public service. Consequently, we believe that it is the undeniable duty of the state to:

- ▶ supply protection, prevention and medical cure to all without payment for high-quality services rendered which take into account rare and difficult cases just as any other case;
- ▶ ensure that everyone earns enough to lead a decent life and have full access to economic and social opportunities;
- ▶ ensure that there are no obstacles for anyone to accede to a digital society;
- ▶ ensure that the distance between poor and rich is not too wide;
- ▶ welcome those who escape poverty, violence, or lack of opportunities in their country;
- ▶ contribute to world peace and therefore aid poorer countries to stand on their feet;
- ▶ reach and develop Malta's obligations with regard to climate change.

Persons in public life should not negotiate the rights of their citizens. This does not only mean that corruption should not assume the appearance of payment or compensation.

Bestowing favours, privileges (whether due or not), to citizens in return for a vote or for any other sort of loyalty is also a form of corruption and injustice with respect to whoever does not seek favours from politicians but chooses to make democratic decisions and choices in the interest of the whole community, before seeking personal interest.

## **7. Equal Justice, Guaranteed Liberties**

Repubblika would like to contribute to the continuous efforts to develop Malta as a country built on truth and freedom. We have consciously decided not to become a political party. Even though we acknowledge the importance of political parties, we feel we should use different tools to those used by the legislative and executive powers to build a free and democratic society that upholds the rights of every individual.

Democracy means much more than the five minutes we spend every five years to cast our vote.

Democracy is not the tyranny of the majority. Democracy is far greater than a parliament that works on a part-time basis.

Democracy is a fragile treasure that is constantly under threat but which can flourish if we protect it and sustain it.

Whereas politics uses the tools of power, freedom necessitates the limitation of this power and control over the imposition of the personal interests of those temporarily entrusted with power.

Consequently, as members of Repubblika, we pledge ourselves to work in favour of justice and the rule of law, the collective commitment towards the common good, the separation of powers, the administration of a fair and speedy justice, the equality of all before the law, the respect of minorities, and the delicate balance between rights and responsibilities.