Abstract

The system of fundamental rights, as it has been shaped by the European constitutions after the fall of fascist dictatorships, is based on the principle of solidarity: in order to achieve substantive equality between citizens, the state has to help weak persons and fight against the social weakness in economic relationships. This system is in crisis because of EC law, which has resurrected the principles of economic liberalism, and enacted State intervention in the market only as far as this is necessary to avoid market failures. If we want to go back to the culture and praxis of solidarity, we should enhance the democratic debate and affirm the supremacy of politics over the economy.

Keywords

Citizenship, Private law, European Union, Social Market Economy.