

# Lusíada



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### Preamble

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## Preamble

*“Question - What liberty does our Constitution directly seek to establish?  
Answer: Political liberty, that is, that tranquillity of mind which every citizen should enjoy, deriving from the good opinion he has of his individual security and property. These securities are the natural rights of men, and because they could not enjoy them outside of society, they, instigated by the love of themselves, have come together in civil applications. The free exercise of these rights or political liberty is opposed by despotism, which is any attack on it by any governing power: if by the executive it is called ministerial despotism, if by the legislator it is called anarchic despotism.”*

*[Mnemosine Constitucional, no. 43, 19 February 1821]*

1. The above excerpt was published at the beginning of the work of the Constituent Cortes in 1821, when they were debating the *Bases da Constituição* [Foundations of the Constitution] – which would be adopted on 9 March 1821 –, and is quite revealing of the fact that the Portuguese Liberal Revolution relied particularly on the ideal of individual liberty of the citizen to combat the chains of despotism of the Ancien Régime. In the words of the charismatic leader of this revolutionary movement, Manuel Fernandes Tomás, the lack of liberty was enough to justify and legitimise the people’s revolt – “*the people only break into excesses when they are not allowed to use their liberty*”<sup>1</sup>.

Thus, based on the sovereignty of the nation and a core of fundamental rights for the individual, which this ideal of liberty presupposed, the revolutionary movement of *Vintismo* made profound

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<sup>1</sup> *Constituent Cortes Gazette* (session of 29 August 1821): p. 2078.

changes to the legal-political link between citizens and the state political community, at the same time transforming the *neighbours of each municipality and the subjects of the king into citizens of the nation* and giving rise to a completely new concept of citizenship, which is at the root of the modern democratic concept of citizenship.

2. This book brings together, in an extended version, the four papers that were presented at the Colloquium “*From subjects to citizens: the conquest of citizenship, from Vintismo to the present day*”, organised by the Centre for Legal, Economic and Environmental Studies (CEJEA), an R&D unit of the Lusíada University, which took place on 15 October 2020 at the auditorium of the Almeida Garrett Municipal Library (Gardens of the Crystal Palace, Porto).

This scientific event was the result of a protocol agreed on 18 July 2019 between the Lusíada University / Minerva Foundation and the City Council of Porto, and therefore forms part, along with other initiatives under the responsibility of the Lusíada University, of the calendar of commemorations of the bicentenary of the 1820 Revolution promoted by the city council of Porto throughout 2020.

Despite the Covid-19 pandemic, which has disrupted a large part of the programme, this initiative has fortunately been able to take place.

To the four papers from the above-mentioned colloquium, we decided to add a reproduction of the first Portuguese *constitutional catechism* – the *Political Manual of the Constitutional Citizen*, by an anonymous author –, which is published in its entirety in a final annex (Annex I), with a brief commentary by us. We have also added a list of all the constitutional catechisms that were published during the liberal triennium, as well as a list of unpublished ones, some of which have unfortunately disappeared (Annex II).

In fact, the catechisms or political-constitutional manuals were written in accessible language so that they could be understood by all citizens (usually in the form of systematised questions and answers) and they were a privileged way of transmitting the new ideals brought about by modern constitutionalism and were a privileged instrument of civic education. Adopting the French tradition inaugurated by the 1789

Revolution, this was the most effective way of instilling in ordinary citizens the idea that they were full members of the political community and therefore had a core of civic and political rights and duties.

The colloquium and the book that is now being published were intended to underline the historical legacy derived from the constant struggle for citizenship over the last two centuries in Portugal, from the founding moment of *Vintismo*<sup>2</sup> (1820-1823), through *Setembrismo*<sup>3</sup> (1836-1842) and republicanism (1911-1926), enduring the hardships of the authoritarian “Estado Novo” (1926-1974), to the 1976 Constitution and the current democratic Republic. In fact, we are all heirs to and responsible for the modern concept of citizenship that began to be forged in the cradle of liberal constitutionalism in 1820!

3. The preparation of this work had the financial support of the City Council of Porto, under the aforementioned protocol, which we publicly thank.

This edition is part of one of the lines of scientific research on *Constitutional Theory and History* at the Centre for Legal, Economic and Environmental Studies (CEJEA) at Lusíada University, to which we belong.

Coimbra and Braga, 30 May 2022.

*Vital MOREIRA*

*José DOMINGUES*

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<sup>2</sup> The notion of *Vintismo* (as well as *vintista*) comes from the Portuguese word *vinte* (twenty), being a reference to the 1820 Liberal Revolution.

<sup>3</sup> The notion of *Setembrismo* (as well as *setembrista*) comes from the Portuguese word *setembro* (September), being a reference to the 1836 Revolution, which occurred in September.