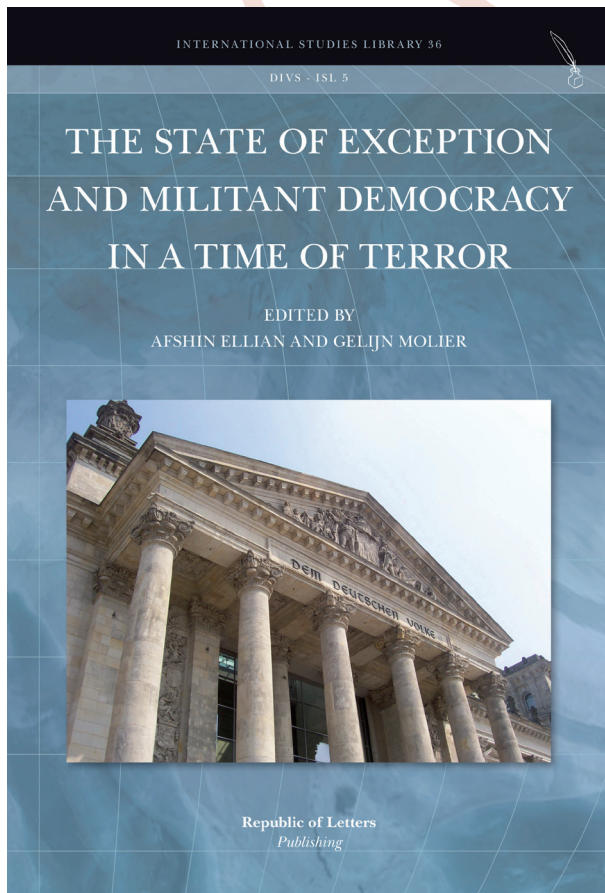


The State of Exception and Militant Democracy in a Time of Terror

Edited by Afshin Ellian and Geliijn Molier



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Pub datum 2012
ISBN HB 978-90-8979-117-7 (418 pp.)
ISBN PB 978-90-8979-118-4 (418 pp.)
Prijs HB Euro 75 / US\$ 99
Prijs PB Euro 39 / US\$ 49
Series DIVS - ISL, 5
Library (International Studies Library, 36)

Which measures may a state undertake when its very existence is threatened? Can it suspend the democratic legal order, may it prohibit undemocratic political parties, can it withhold fundamental constitutional rights from those who intend to abuse them? Or, in case of an external threat, may the state use force in anticipatory self-defense? In addressing these issues, two legal-philosophical doctrines play a crucial role, namely: the state of exception and militant democracy. Unlike other books, this book offers an interdisciplinary approach to both doctrines by a variety of international scholars. The state of exception and militant democracy are viewed from a legal-philosophical, legal-positivist and sociological perspective, thereby creating a broad perspective on how states actually deal and how they should deal with diverse threats to their (democratic) existence.

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