Political Rights Under Stress In 21st Century Europe

Examining the uncertainty of the role and scope of traditional political rights in the 21st-century's threat of terrorism, this book reflects on the appropriate scope and strength of protection of political rights, and analyses issues such as party closures, political rights of minorities, and democratization.

Constitutionalism and the Enlargement of Europe-Wojciech Sadurski 2012-07-26
Written at the intersection of law and political science, this book adopts a new and original perspective on the legal implications of the Eastward enlargement of the Council of Europe and the European Union. Case studies offer a novel examination of the development of legal norms and institutions within these supranational bodies.

Constitutionalism under Stress-Uladzislau Belavusau 2020-09-10
Constitutionalism under Stress reflects on comparative constitutionalism in Central and Eastern Europe through the work of eminent constitutional scholar Wojciech Sadurski. The book examines the current decline of liberal democracies and populist challenges to the rule of law in the region - events that Sadurski predicted early on in his writings about Jörg Haider affair in Austria and the introduction of Article 7 TEU by the Amsterdam Treaty. Sadurski's work has chronicled the transition from concern for the most basic of human rights under authoritarian rule to the challenges of democratic governance. The compelling rights discourse of an earlier period gave way to claims of abuse of majoritarian prerogatives as the hopes of liberal democracy encountered the power of illiberalism. The theoretical responses offered for the preservation of liberal
democracy, in light of the current turbulence regarding the rule of law in the region, produces a far reaching and effective reference tool on matters of constitutional capture and illiberal democracy.

Political Rights Under Stress in 21st Century Europe-Wojciech Sadurski 2006-12-14 Examining the uncertainty of the role and scope of traditional political rights in the 21st-century's threat of terrorism, this book reflects on the appropriate scope and strength of protection of political rights, and analyses issues such as party closures, political rights of minorities, and democratization.

Constitutionalism Under Stress-Uladzislau Belavusau 2020 This volume brings together leading scholars of comparative constitutional law to reflect on current challenges to liberal constitutionalism and democratic governance, as inspired by the work of Professor Wojciech Sadurski.

Towards a Filipino Ideology-Ferdinand Edralin Marcos 1979

Democracy and Violence-John Schwarzmantel 2013-09-13

Illustrated most dramatically by the events of 9/11 and the subsequent ‘war on terror’, violence represents a challenge to democratic politics and to the establishment of liberal-democratic regimes. Liberal-democracies have themselves not hesitated to use violence and restrict civil liberties as a response to such challenges. These issues are at the centre of global politics and figure prominently in political debates today concerning multiculturalism, political exclusion and the politics of gender. This book takes up these topics with reference to a wide range of case-studies, covering Latin America, the Middle East, Africa, Asia and Europe. It provides a theoretical framework clarifying the relationship between democracy and violence and presents original research surveying current hot-spots of violent conflict and the ways in which violence affects the prospects for democratic politics and for gender equality. Based on field-work carried out by specialists in the areas covered, this volume will be
of high interest to students of democratic politics and to all those concerned with ways in which the recourse to violence could be reduced in a global context. This book has significant implications for policy-makers involved in attempts to develop safer and more peaceful ways of handling political and social conflict. This book was published as a special issue of Democratizations.


The International Covenant on Civil and Political Rights and United Kingdom Law-David John Harris 1995 Contents.

The Public in Law-Haris Psarras 2013-02-28 Bringing together established academics and new researchers, the chapters in this collection interrogate the operation of 'the public' in a range of different legal, illegal and alegal spaces. The key question which frames the contributions is whether and in what manner 'the public' operates as an interface between law and society, allowing the interests and opinions of the population at large to be represented and reflected in legal discourse, such that collectively generated imperatives may be imposed upon political and economic actors. Multi-disciplinary in its approach, the volume reflects an understanding that there is more to the role of 'the public' in relation to law than the conventional demarcation of the field of 'public law' and that this relationship is open to comment from a wide range of actors.

Constitutional Democracy Under Stress-Peter L Biro 2020-08-06

Constitutional democracy is not just any old form of democracy. It has a peculiar logic and is premised upon some exacting criteria and principles including good laws and institutions predicated on specific fundamental core values and principles. But it is, when fully ingrained in the public sensibility, a sort of civic serum necessary to inoculate free citizens against the ravages of anti-democratic populism, authoritarianism, racism, nativism, discrimination, xenophobia, corruption, self-dealing, and much worse. The need for civic inoculation of that sort is urgent today, globally. The essays in this volume probe the sources and malaise
now confronting Constitutional Democracy. However, they go much further. Many of the essays are, indeed, road-maps for a realistic and cultivated response to our present condition. The clues for a rehabilitated democracy are found here analytically but also prescriptively.

Multiple Democracies in Europe-Paul Blokker 2009-12-04 This book provides an in-depth discussion and analysis of democracy in Europe, with a focus on the new EU member states, and makes an important and original contribution to the debate on the future of European democracy. Author Paul Blokker seeks to provide a critical reconceptualization of the notion of democratic political culture by developing a ‘multiple democracies’ theoretical approach. He draws on debates in democratization theory and normative political theory, and presents a cultural-sociological approach for the analysis of democratization and democratic regimes. This approach emphasizes the historical and cultural embedment of democracy, identifies a potential variety of ‘ethics of democracy’ that underpin democratic political cultures, and points to the significance of democratic imagination in the interpretation and recombination of such ethics. The book explores the relevance of this approach by analysing multiple political cultures and their role in the emergence of democratic regimes in three new member states - Hungary, Poland, and Romania - providing a detailed description and analysis of political cultures by means of the analysis of constitutional politics, constitutional texts, and political elite discourses, and the identification of distinct politico-cultural elements that distinguish these societies from each other. It will be of interest to students and scholars of democracy, European studies, post-communist studies, political theory and comparative politics.

Militant Democracy – Political Science, Law and Philosophy-Afshin Ellian 2018-11-15 This volume offers an up-to-date overview of the much-debated issue of how a democracy may defend itself against those who want to subvert it. The
justifications, effectiveness and legal implications of militant democracy are discussed by addressing questions as: How can militant democracy measures such as party bans be justified? Why is it that some democracies ban antidemocratic parties? Does militant democracy succeed in combatting right-wing extremism? And is militant democracy evolving into an internationalized legal and political concept? Bringing together experts and perspectives from political science, law and philosophy, this volume advances our understanding of the current threats to democracy, a political system once thought almost invincible. It is especially timely in the light of the rise of illiberal democracy in the EU, the increasingly authoritarian rule in Turkey, the steady shift to autocracy in Russia and the remarkable election of Trump in the US.

Democracy and Political Violence-John Schwarzmantel 2011-03-24 A broad overview of the phenomenon of political violence and its implications for democratic politics. Democracy and Political Violence adopts a distinct perspective: that both community and conflict are at the heart of all but the smallest of democratic societies, and that they need to be reconciled in order for democracy to be successful. John Schwarzmantel applies democratic theory to the problem of creating a liberal democracy in a situation of conflict, violence and social division. Within this framework, the book focuses on the particular issue of the challenge posed by violence, both to established democracies and to the establishment of new democracies. He combines these theoretical arguments with real-world examples and case studies to show clearly the challenges that violence poses to liberal democracies.

The Ethos of Europe-Andrew Williams 2010-03-11 Can the EU become a 'just' institution? Andrew Williams considers this highly charged political and moral question by examining the role of five salient values said to be influential in the governance and law of the Union: peace, the rule of law, respect for human rights,
democracy, and liberty. He assesses each of these as elements of an apparent 'institutional ethos' and philosophy of EU law and finds that justice as a governing ideal has failed to be taken seriously in the EU. To remedy this condition, he proposes a new set of principles upon which justice might be brought more to the fore in the Union's governance. By focusing on the realisation of human rights as a core institutional value, Williams argues that the EU can better define its moral limits so as to evolve as a more just project.

Terror and the War on Dissent-Ian Cram 2009-06-29 Located within wider debates about ‘security versus liberty’ in our post 9/11 world, the book analyses the new landscape of UK counter terrorism powers and offences and focuses upon the deleterious consequences of the so-called ‘war on terror’ on freedom of political expression and association. Questioning the compatibility of recent speech-limiting measures with liberalism’s established commitment to free speech and international human rights norms, the book takes a critical look at new powers to proscribe ‘extremist’ political parties, possession offences and other criminal controls (eg. Official Secrets Act prosecutions) as well as new offences such as ‘glorification’ of terrorism. Less visible, extra-legal forms of censorship are also evaluated. The monograph concludes by asking how a more vigorous defence of unorthodox and unpopular forms of expression might be safeguarded in the UK.

Central and Eastern Europe After Transition-Wojciech Sadurski 2016-04-08 How have national identities changed, developed and reacted in the wake of transition from communism to democracy in Central and Eastern Europe? Central and Eastern Europe After Transition defines and examines new autonomous differences adopted at the state and the supranational level in the post-transitional phase of the post-Communist area, and considers their impact on constitutions, democracy and legal culture. With
representative contributions from older and newer EU members, the book provides a broad set of cultural points for reference. Its comparative and interdisciplinary approach includes a useful selection of bibliographical resources specifically devoted to the Central Eastern European countries' transitions.

Minority Rights in Central and Eastern Europe-Bernd Rechel 2008-12-08 Minority rights is an important issue in all modern states, but for those countries hoping to join the European Union the protection of minorities is a key condition for success in the accession process. This book provides a comprehensive assessment of minority rights in Central and Eastern Europe, covering all the countries of the region that have joined the EU since 2004, including Poland, Czech Republic, Hungary, Slovenia, Estonia, Lithuania, Latvia, Slovakia, Romania and Bulgaria. For each country it outlines the major developments since 1989, highlights the salient issues in minority rights politics, assesses the actual implementation of policies and legislation, explores the roles that domestic and international factors have played - including the impact of the EU succession process - and discusses whether there have been any major changes once EU accession was secured. Overall, this book is important for all those interested in European integration and minority rights politics, as well as for specialists on Central and Eastern Europe.


Latin American Index- 1982

The Financial System Under Stress-Marc Uzan 2003-09-02 The collapse of Barings bank and the currency crisis in Mexico are...
just two instances of stress in an international financial system still largely governed by the institutions established by the Bretton Woods Committee in 1944. Here, the authors put forward an agenda for a new system of international economic institutions to fit the changes in international relations. This agenda includes:

* an analysis of the role of the Bretton Woods institutions and their relations with the newly created World Trade Organizations
* a discussion of the search for world economic governance
* an analysis of the crisis within EMS and the prospects for European Monetary Integration
* an examination of the integration of private markets in the new economic architecture.

The Law, Policy and Politics of the UN Human Rights Council-Bertrand G. Ramcharan 2015-05-12

It is the merit of this book to present the Human Rights Council in terms of its mandates, roles and organization while seeking to remind the membership and the international community at large that the Council must be anchored in the modern human rights law of the Charter - of which the author gives a superb presentation. The book then proceeds to make the case that human rights are part of international constitutional law and this is exceedingly important at a time when universal values have come under stress from various quarters including from terrorist formations. The argument of the book is essentially that the modern human rights law of the Charter and the human rights provisions of international constitutional law must take precedence for everyone, everywhere.

The Impact of the ECHR on Democratic Change in Central and Eastern Europe-Iulia Motoc 2016-07-28

Explores the effects of the Strasbourg human rights system on the domestic law and politics of post-communist member States.


European Media Law-Oliver Castendyk 2008-01-01

Supplies an in-depth commentary on EU media law, with detailed analysis of
all important legislation and court decisions. It leads European lawyers with vast knowledge and practical experience of media law provide detailed expert commentary. Human Rights and Comparative Politics-Youcef Bouandel 1997 Human rights is a central concept in political science, yet it is still poorly understood. This book reviews the literature on human rights and takes into account the different perceptions, asking if human rights can be measured and whether countries can be ranked on the basis of their performance. New Democracies in Crisis?-Paul Blokker 2013-09-05 This book considers whether the potential of democracy following the end of the Cold War was diminished by technocratic, judicial control of politics in the new democracies of Central and Eastern Europe. It explores the complexities and drawbacks of modern constitutionalism by offering a comprehensive theoretical and comparative-empirical assessment of the status and role of constitutionalism in five new EU Member States. The democratization of countries in Central and Eastern Europe has been guarded by constitutions and constitutional courts. This book examines the implications of powerful courts and rigid constitutions for the democratic engagement of citizens and the political authority of politicians. Using an interdisciplinary and comparative approach, the book analyses the historical emergence of powerful constitutional institutions in the Czech Republic, Hungary, Poland, Romania and Slovakia. The author argues that the democratic promise of 1989 largely lost out to a technocratic and top-down view of judicial control of politics – a state of affairs reinforced by EU accession. The current backlash in countries such as Hungary and Romania indicates that the realization of democratization to the extent initially expected might be ever more remote in some new democracies. New Democracies in Crisis? will be of interest to students and scholars of European Union politics, democratization studies, European constitutionalism, socio-legal studies, governance and
comparative politics.
The Freedom to Be Racist?-Erik Bleich 2011-09-01 We love freedom. We hate racism. But what do we do when these values collide? In this wide-ranging book, Erik Bleich explores policies that the United States, Britain, France, Germany, and other liberal democracies have implemented when forced to choose between preserving freedom and combating racism. Bleich's comparative historical approach reveals that while most countries have increased restrictions on racist speech, groups and actions since the end of World War II, this trend has resembled a slow creep more than a slippery slope. Each country has struggled to achieve a balance between protecting freedom and reducing racism, and the outcomes have been starkly different across time and place. Building on these observations, Bleich argues that we should pay close attention to the specific context and to the likely effects of any policy we implement, and that any response should be proportionate to the level of harm the racism inflicts. Ultimately, the best way for societies to preserve freedom while fighting racism is through processes of public deliberation that involve citizens in decisions that impact the core values of liberal democracies.

A Constitution for the European Union?- 1995
Official Records- 1963
Thinking through Transition-Michal Kopeček 2015-10-01 Thinking through Transition is the first concentrated effort to explore the most recent chapter of East Central European past from the perspective of intellectual history. Post-communism can be understood as a period of scarcity and preponderance of ideas, the dramatic eclipsing of the dissident legacy (as well as the older political traditions), and the rise of technocratic and post-political governance. This book, grounded in empirical research sensitive to local contexts, proposes instead a history of adaptations, entanglements, and unintended consequences. In order to enable and invite comparison, the volume is structured around major
domains of political thought, some of them generic (liberalism, conservatism, the Left), others (populism and politics of history) deemed typical for post-socialism. However, as shown by the authors, the generic often turns out to be heavily dependent on its immediate setting, and the typical resonates with processes that are anything but vernacular.

Democracy Under Stress-Ursula Van Beek 2012-02-01
DEMOCRACY UNDER STRESS focuses on the global financial crisis of 2008-2009 and its implications for democracy. Why and how did the crisis come about? Are there any instructive lessons to be drawn from comparisons with the Great Depression of the 1930s? What are the democratic response mechanisms to cope with serious crises? Do they work? Is China a new trend setter? Do values matter? Are global democratic rules a possibility? These are some of the key questions addressed in the volume.

Regionalism Under Stress-Detlef Nolte 2020-07-01
Regionalism is under stress. The European Union has been challenged by the Eurozone crisis, refugee flows, terrorist attacks, Euroscepticism, and Brexit. In Latin America, regional cooperation has been stagnating. Studying Europe and Latin America within a broader comparative perspective, this volume provides an analytical framework to assess stress factors facing regionalism. The contributors explore how economic and financial crises, security challenges, identity questions raised by immigration and refugee flows, the rise of populism, and shifting regional and global power dynamics have had an impact on regionalism; whether the EU crisis has had repercussions for regionalisms in other parts of the world; and to what extent the impact of stress factors is mediated by characteristics of the region that may provide elements of resilience. Written by specialists from Europe and Latin America with a shared interest in the new field of comparative regionalism, this book will be an invaluable resource for students, scholars and policy specialists in regional integration, European politics, EU studies, Latin American studies, and international
relations and international law more generally.

System Under Stress: Homeland Security and American Politics-
Donald F Kettl 2013-03-12 In System under Stress, The Challenge
to 21st Century Democracy, Third Edition, Donald F. Kettl looks
at the latest stress to hit the system--the financial crisis of 2008.
In his brief, gripping narrative, Kettl assesses how well the U.S.
political system responds under extraordinary pressure--from
9/11, to Hurricane Katrina, to the Great Recession-- and asks if
the government is ready to face that next challenge. A well-known
scholar, commentator, and writer in the areas of federalism and
governance, Kettl asks the hard questions, makes a credible and
persuasive argument, and crafts a readable case study that is
fascinating and thought-provoking.

International Influence Beyond Conditionality-Rachel A. Epstein
2013-09-13 The European Union’s (EU) membership
conditionality has been perceived as a highly effective means of
influence on non-member states in the run-up to the 2004 and
2007 enlargements. According to the incentive-based explanation
that dominates the literature, conditionality has been particularly
effective when the EU offered a credible membership incentive
and when governments did not consider the domestic costs of
compliance threatening to their hold on power. This volume
challenges much of the existing work on EU enlargement and
postcommunist transition, however, by testing the conditionality
thesis in the post-accession setting. Whereas a conditionality
hypothesis would predict deteriorating compliance among the
newest member states, several contributions here actually find
the opposite. Enduring compliance among postcommunist states
with the acquis, as well as with less formally institutionalized EU
preferences for economic liberalization and minority protection,
calls into question the role that conditionality plays in eliciting
comformity. Simultaneously, support for the conditionality
hypothesis in areas such as political party development and EU
relations with Turkey and the western Balkans suggests
conditionality’s effects vary across countries and issues. As the first study to systematically examine the relationship between international institutions and postcommunist states after enlargement, this volume provides new insights into how external actors exercise their power in domestic politics. This book was published as a special issue of the Journal of European Public Policy.

Self-determination-Yonah Alexander 1980-06-16
Limits to Democratic Constitutionalism in Central and Eastern Europe-Bogusia Puchalska 2011 In this book, Bogusia Puchalska develops an original theory of democratic constitutionalism and uses it to support the argument that constitution-making and lawmaking in constitutional moments should be politically, and not just constitutionally legitimate. This original and informative book should be read by all curious to understand how the democratic learning and the foundations of grass-root constitutionalism might have been damaged in post-communist countries.

Civil and Political Rights in Cameroon-Avitus A. Agbor 2021 The book explores and appraises concepts related to human rights and situates them within the Cameroonian context.
Right to Survive-Catholic Institute for International Relations 1987
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