

Hans Kelsen

## Verteidigung der Demokratie

Abhandlungen zur Demokratietheorie

Ausgew. u. hrsg. v. Matthias Jestaedt u. Oliver Lepsius

[A Defense of Democracy. Essays on the Theory of Democracy.]



2006. XXIX, 402 pages.

ISBN 978-3-16-148846-7  
sewn paper 54,00 €

Published in German.

Hans Kelsen (1881–1973) was not only the founder of the pure theory of law, but also contributed extensively to the theory of democracy and representative government. He was the most prominent defender of parliamentary democracy in German and Austrian constitutional theory in the twentieth century. A leading authority in democratic theory, Kelsen established and justified democracy and representative government with both individual liberty and social pluralism. This explains the continuing interest in his writings. They still address the problems of our times and advocate an individual theory of democracy which accepts political pluralism and social diversity as a natural basis for a democratically established legal order instead of trying to overcome social pluralism. His writings on democracy, however, are not yet as accessible as his writings on jurisprudence. This volume contains a representative selection of Kelsen's most important writings on democracy and parliamentarism. Some texts are well known, others have not yet earned their due respect. Kelsen's articles collected in this volume were written between 1920 and 1955 under five different political regimes. Thus the collection also demonstrates the development of Kelsen's thinking on democracy. The editors' critical introduction gives an overview of Kelsen's thinking in general and the most important aspects of his theory of democracy in particular.

**Hans Kelsen** (1881–1973) 1919–30 Universitätsprofessor in Wien; 1919–1930 Verfassungsrichter; 1930–33 Professor in Köln; 1933–40 Professor in Genf; 1936–38 Professor in Prag; 1945–52 Professor in Berkeley.

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