

MARIE
GOUPY

L'état d'exception

ou l'impuissance autoritaire
de l'État à l'époque
du libéralisme

CNRS EDITIONS

Etat Dexception

**Arthur Cools, Thomas Crombez, Johan
Tael, Rosa Slegers**

Etat Dexeption:

Wörterbuch der Handels-, Finanz- und Rechtssprache / Dictionary of Commerical, Financial and Legal Terms / Dictionnaire des Termes Commerciaux, Financiers et Juridiques HERBST, 2012-12-06 Die Arbeit an den drei Bänden dieses Wörterbuches wurde 1932 in London begonnen und ist in ständiger Fortsetzung auf den jetzt vorliegenden Stand gebracht worden. In seinem Aufbau und in der besonderen Anordnung des Stoffes erstrebt das Werk einem doppelten Zweck zu dienen. Besonders leichtes und schnelles Auffinden eines Stichwortes in möglichst vielen fertig vorbereiteten Verbindungen und möglichst wirksamer Ausschluss von Übersetzungsfehlern besonders wenn zwischen mehrfachen Bedeutungen desselben Stichwortes gewählt werden muß. Im Verfolg dieser Ziele ist das Werk im wahrsten Sinne aus der Praxis entstanden. Dementsprechend ist es auch für die Praxis als Nachschlagewerk für den Alltagsgebrauch bestimmt. An seiner Schaffung haben Menschen des Berufs und Geschäftslebens mit praktischen Erfahrungen mitgewirkt. Der Entwicklung der drei Sprachen folgend wurde der Text durch Aufnahme neuer Fachausdrücke und Wendungen bedeutend erweitert und auf den neuesten Stand gebracht. Hierbei wurden auch die im Bereich der internationalen Organisationen insbesondere der Europäischen Gemeinschaften entwickelten und gebräuchlichen Ausdrücke und Begriffe miteinbezogen. Zug Schweiz Januar 1979

Law and the Exception; Towards a New Paradigm Gian-Giacomo Fusco, This book proposes a paradigm shift in the way that the state of exception as it is usually named in legal and political theory is to be understood. Building on the assumption that the exception is a heuristic idea that is still a relevant category for a critical deconstruction of law, this book argues that it needs to be rethought outside the boundaries of its traditional understanding. To this end, the book offers two strategies. First, it develops the ideas of exceptionality and exceptionalisation in order to grasp how measures, norms and mechanisms that clearly have an exceptional character are no longer confined within the boundaries of classic institutions such as the state of exception, martial law, the state of emergency and so on. As demonstrated recently during the COVID 19 pandemic, legal systems may dissimulate the exceptional as the normal, avoiding the use of formal states of exception and adopting measures that are of exceptional nature. This book maintains that it is necessary to think of exceptionality outside of its usual legal footholds. Emergency laws are considered here as part of a more general sphere of exceptionality that must be understood as the product of a process of the accumulation of symbols, practices, notions and images that are only partially expressed through law, despite having long populated the legal imagination. Second, the book offers an analysis of the inner exceptional life of liberal constitutionalism, the subterranean authoritarian drives dissimulated by the rule of law. This book will interest scholars and researchers in legal and political theory as well as continental philosophy.

Jahrbuch des Öffentlichen Rechts der Gegenwart. Neue Folge Peter Haberle, 1997-12-31, **The Locus of Tragedy** Arthur Cools, Thomas Crombez, Johan Tael, Rosa Slegers, 2008-12-31. Ask for the tragic and Europe will answer. Leaving behind the philosophers' enthusiasm of the nineteenth century tragedy and the tragic now seem little more than vague containers.

However it appears that we still discover a tragic essence in our personal lives Time and again tragedy is being registered written down and staged This book wants to open a contemporary philosophical perspective on the tragic What is the locus of tragedy Does it relate to metaphysics the gods destiny and chance Or is it a matter of ethics of the Law and its transgression Does man himself occupy the locus of tragedy because of his unreasonable and boundless desires as many philosophers have suggested Is man today still able to account for his tragic condition Or do we locate the tragic first and foremost in the esthetic imagination Is not the theatrical genre of tragedy the locus authenticus of all things tragic Is there more to the tragic than drama and play

Historic Power Europe Davide Barile,2019-11-11 This book proposes a new theoretical framework to move beyond the traditional tenets of modern international relations theory to investigate European integration and shed light on current events Based on contemporary analyses Hegel s political philosophy and the fundamental role of historical interpretation this book addresses the institutional dynamics as well as the discursive practices behind both the Eastern enlargement and the current critical situation Looking back in particular at European integration in one of its most significant events namely the enlargement of the European Union to include former Socialist countries it offers a unique conceptualisation of the nature and limits of European integration and for understanding the current crisis between Brussels and the Visegr d countries 30 years since the revolutions of 1989 This book will be of key interest to scholars and students of European integration European politics and history and political theory and philosophy

La nécessité en droit international Sarah Cassella,2011-05-06 La Commission du droit international apr s avoir longuement h sit a inscrit l tat de n cessit dans sa codification de la responsabilit des tats en tant que circonstance excluant l illic it L objet de cette tude est de d montrer qu il s agit d un m canisme beaucoup plus diffus et fondamental du droit international intimement li ses caract ristiques propres Il a comme fonction la limitation des obligations substantielles des tats lors de la survenance d un fait condition la situation de n cessit afin d viter que l application du droit ne g n re un co t social excessif Sa r alisation requiert toujours une pond ration des int r ts en conflit Seulement lorsqu un co t social excessif ne peut tre vit l tat de n cessit intervient dans le cadre des obligations secondaires de la responsabilit internationale en tant que circonstance att nuante

After much hesitation the International Law Commission codified the state of necessity as a circumstance precluding wrongfulness in the field of State responsibility This study aims to demonstrate that it is a much wider mechanism essential to international law and strictly connected to its own characteristics It performs the function of limiting the substantial obligations of States in case of the realization of a fact condition a situation of necessity in order to avert an excessive social cost born out of law implementation It always works through a balance of conflicting interests Only when a social cost cannot be avoided the state of necessity under the features of a mitigating circumstance enters the field of secondary obligations relating to international responsibility

Public Law in a Troubled Era Katarzyna Gromek-Broc,2023-07-14 Public law which examines relations between governments and institutions and individuals has in recent years become deeply disturbed

by an erosion of the rule of law notably in some of the world's most professedly democratic nations. In this book of edited essays many of the world's leading public lawyers draw on examples from the United Kingdom, European States and the European Union (EU) to explore the alarming tensions unleashed as Europe is rocked by Brexit, the war between nations on the EU border and the worldwide phenomenon of populist resistance to globalised forces and liberal democratic aspirations. The book is dedicated to Professor Patrick Birkinshaw who until his retirement was Director of the Institute of European Public Law and Professor of Public Law at the University of Hull and widely respected as a leading authority on public law. With a focus on public law and European public law jurisprudence with hugely important global ramifications, the contributions continue his work and crucially deal with the new and troubling shape of the law-politics relationship. The essays examine these developments under four headings: Law in a World Turned Upside Down with essays on e.g. Brexit, the denial of human rights and the rule of law in Hungary, climate change governance, Law and Politics: A Shifting Boundary showing how advances in the courts have prompted reaction to curtail judicial review and human rights protection, especially evident in the fading mirage of fair trial rights and administration on the EU periphery, Law's Promise: specifying real achievements in the way of reform and higher levels of security for individuals and New Bearings: exploring initiatives and emerging problems including reform of judicial review, the European Banking Law, digitalization of public administration and institutional interactions with the Chinese 1982 Constitution. The book brings together leading university professors, public officials and judges, all experts in their respective fields. All are concerned with a central role for law in the process of governance. This unrivalled volume penetrates the contradictions, uncertainties and insecurities that plague this topic of worldwide interest and debate and will prove invaluable to practitioners, public administrators, jurists, judges and legal academics everywhere. It will also be of interest to political scientists and politicians. In its completely original and innovative discussions of the changes taking place at the interface of law and politics and of how law can enhance certainty and reliability in governance, this book provides a most detailed and insightful analysis of the new bearings in public law in Europe and worldwide.

The Security Principle Frederic Gros, 2019-08-06. The idea of security from ancient Greece to the War on Terror. In *The Security Principle* French philosopher Frédéric Gros takes a historical approach to the concept of security, looking at its evolution from the Stoics to the social network. With lucidity and rigour, Gros's approach is fourfold: looking at security as a mental state as developed by the Greeks; as an objective situation and absence of all danger as prevailed in the Middle Ages; as guaranteed by the nation state and its trio of judiciary, police and military; and finally, biosecurity, control, regulation and protection in the flux of contemporary society. In this deeply thought-provoking account, Gros's exploration of security shines a light both on its past meanings and its present uses, exposing the contemporary abuses of security and the pervasiveness of it in everyday life in the Global North.

Essays in International Law in Honour of Judge Manfred Lachs Jerzy Makarczyk, 2024-10-28

State Practice Regarding State Immunities/La Pratique des Etats

concernant les Immunités des Etats Council of Europe/Conseil de l'Europe, Gerhard Hafner, Marcelo Kohen, Susan Breau, 2006-06-01 This book is the result of the Council of Europe Pilot Project on State Practice Regarding State Immunities carried out under the auspices of the Committee of Legal Advisers on Public International Law CAHDI since 2002 It presents and analyses the material submitted by 27 Member States and one Observer State of the Council of Europe including decisions of national courts relevant legislation and other documents The analytical report was undertaken by the Department of European International and Comparative Law of the University of Vienna the British Institute of International and Comparative Law and the Graduate Institute of International Studies Geneva It compares State practice with the relevant articles of the UN Convention the European Convention on State Immunity and the draft articles prepared by academic institutions It is the first in depth analysis of European State practice in the field of State immunity Such a broad analysis is essential in particular for the ascertainment of customary international law This book is addressed to officials practitioners engaged in business relations with foreign States and academics Ce livre est le r sultat du Projet Pilote du Conseil de l Europe sur la Pratique des Etats concernant les immunit s des Etats r alis sous les auspices du Comit des Conseillers Juridiques sur le Droit International Public CAHDI depuis 2002 Il pr sente et analyse la documentation fournie par 28 Etats membres et un Etat observateur du Conseil de l Europe y compris des d cisions des juridictions nationales la l gislation pertinente et d autres documents Le rapport analytique a t labor par le D partement de droit europ en international et compar de l Universit de Vienne l Institut britannique de Droit International et Compar et l Institut des Hautes Etudes Internationales Gen ve Il compare la pratique des Etats avec les articles pertinents de la Convention des Nations Unies de la Convention europ enne sur l immunit des Etats et les projets d articles pr par s par les institutions acad miques C est la premi re analyse approfondie de la pratique des Etats europ ens en mati re d immunit des Etats Une analyse aussi large est indispensable notamment en vue de l identification du droit international coutumier Ce livre s adresse aux fonctionnaires aux praticiens entretenant des relations d affaires avec des Etats trangers et aux universitaires Congo 1964 Jules

Gerard-Libois, Benoit Verhaegen, 2015-12-08 This is the sixth in an annual series of Congolese documents that have been compiled but this is the first time that they are available in French with an English introduction Originally published in 1966 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905 **Ethics and Politics** Peter Kemp, Noriko Hashimoto, 2015 The main theme of volume 4 of Eco ethica is Ethics and Politics In the first and second part the authors examine the sometimes conflictual relationship between ethics and politics from an eco ethical perspective They investigate how our conceptions of both ethics

and politics have been shaped historically as well as by today's technological conjuncture. The third part continues the discussion of French philosopher Paul Ricoeur (1913-2005) begun in volume 3. The essays here focus on how his conception of the connections and differences between ethics and politics led him to embrace certain paradoxes in politics and forced him to become suspicious of apolitical thinking.

Virtual Freedoms, Terrorism and the Law Giovanna De Minico, Oreste Pollicino, 2021-02-14. This book examines the risks to freedom of expression particularly in relation to the internet as a result of regulation introduced in response to terrorist threats. The work explores the challenges of maintaining security in the fight against traditional terrorism while protecting fundamental freedoms particularly online freedom of expression. The topics discussed include the clash between freedom of speech and national security, the multijurisdictional nature of the internet and the implications for national sovereignty and transnational legal structures, how to determine legitimate and illegitimate association online and the implications for privacy and data protection. The book presents a theoretical analysis combined with empirical research to demonstrate the difficulty of combatting internet use by terror organizations or individuals and the range of remedies that might be drawn from national and international law. The work will be essential reading for students, researchers and policy makers in the areas of Constitutional law, Criminal Law, European and International law, Information and Technology law and Security Studies.

The Resources of Critique Alex Callinicos, 2006-04-17. Social criticism has enjoyed a renaissance in the past few years. The anti-globalization protests at Seattle and Genoa and the great marches against the war in Iraq have put contestation of capitalism and imperialism back on the political and intellectual agenda. But how does social critique situate itself philosophically today after the marginalization of Marxism and the impact of postmodernism? In *The Resources of Critique* Alex Callinicos seeks to address this question systematically. He does so in the first part by surveying some of the most influential contemporary critical theorists: Alain Badiou, Jacques Bidet, Luc Boltanski, Pierre Bourdieu, Eve Chiapello, Jürgen Habermas, Antonio Negri and Slavoj Žižek. The limitations of all these theorists' perspectives prompts Callinicos in the second part of the book to outline an alternative approach whose main elements are a critical realist ontology, a Marxist theory of social contradiction and an egalitarian conception of justice. The main thrust of his argument is to show that Marx's critique of political economy remains inescapable for anyone seeking to challenge the existing world order but only if it maintains an open but rigorous dialogue with other critical perspectives. *The Resources of Critique* is above all a contribution to this dialogue.

Droit humanitaire et droits de l'homme A. Calogeropoulos-Stratis, 2024-12-23. *Decisions and Reports* European Commission of Human Rights, 1994-01-01. Droits de l'investisseur étranger et protection de l'environnement Sabrina Robert-Cuendet, 2010-05-12. En droit international de l'investissement, le prisme de l'expropriation indirecte couvre une large catégorie de mesures telles que les réglementations qui n'impliquent pas de transfert de propriété mais aboutissent à une grave interférence avec un investissement. La définition des possessions indemnisables constitue une question extrêmement sensible située à la croisée des chemins entre la protection des

droits des investisseurs et la préservation des prérogatives de l'Etat. Cet ouvrage explore, à travers l'exemple de la réglementation environnementale, le droit applicable. Cette notion controversée. Il montre que l'approche traditionnelle reposant sur une dilution du concept d'expropriation n'est nullement appropriée et il contribue à clarifier l'étendue de la protection de l'investisseur sur le fondement du droit de la responsabilité internationale de l'Etat. In international investment law the prism of indirect expropriation includes a broad range of measures such as regulatory measures which do not involve a transfer of property but result in a serious interference with an investment. The definition of compensable taking is a very sensitive issue situated at the crossroads between the protection of investors' private rights and the safeguarding of the state's sovereign prerogatives. This book explores, through the example of environmental regulation, the law applicable to this controversial topic. It suggests that the traditional approach based on an extension of the concept of expropriation is inappropriate and it contributes to clarifying the scope of the international protection of the investor on the ground of the law of state responsibility.

The Rule of Law in Europe María Elósegui, Alina Miron, Iulia Motoc, 2021-04-20. This book discusses the nature of the challenges that have confronted European democracies in recent years. In the past decade, the rule of law in Europe has been put under strain by both external and internal factors. The term illiberal democracies is sometimes used to describe the rise of a phenomenon in which the fundamental values of the European legal order as enshrined in the European Convention of Human Rights and in the Charter of Fundamental Rights of the European Union are called into question. The preservation of the independence of the judiciary, the freedom of expression and the protection of journalists are among the values under threat. But these challenges are also present within the older democracies in which emergency regimes have become more common. As the European Union's sanctions regime shows, striking a balance between security and the rule of law, of which fundamental rights are an intrinsic part, is a constant challenge. Focusing on the European courts' responses to these threats, the book discusses how courts could provide the ultimate line of defense. The acid test of the rule of law might indeed be how it safeguards the judicial guarantees designed to protect core European values beyond the discretion of government.

Polec Harry Back, Horst Cierullies, Günter Marquard, 2020-05-18. No detailed description available for Polec.

Decoding **Etat Dexception**: Revealing the Captivating Potential of Verbal Expression

In an era characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its ability to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**Etat Dexception**," a mesmerizing literary creation penned with a celebrated wordsmith, readers embark on an enlightening odyssey, unraveling the intricate significance of language and its enduring impact on our lives. In this appraisal, we shall explore the book's central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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Table of Contents Etat Dexception

1. Understanding the eBook Etat Dexception
 - The Rise of Digital Reading Etat Dexception
 - Advantages of eBooks Over Traditional Books
2. Identifying Etat Dexception
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Etat Dexception
 - User-Friendly Interface
4. Exploring eBook Recommendations from Etat Dexception
 - Personalized Recommendations
 - Etat Dexception User Reviews and Ratings
 - Etat Dexception and Bestseller Lists

5. Accessing Etat Dexception Free and Paid eBooks
 - Etat Dexception Public Domain eBooks
 - Etat Dexception eBook Subscription Services
 - Etat Dexception Budget-Friendly Options
6. Navigating Etat Dexception eBook Formats
 - ePub, PDF, MOBI, and More
 - Etat Dexception Compatibility with Devices
 - Etat Dexception Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Etat Dexception
 - Highlighting and Note-Taking Etat Dexception
 - Interactive Elements Etat Dexception
8. Staying Engaged with Etat Dexception
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Etat Dexception
9. Balancing eBooks and Physical Books Etat Dexception
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Etat Dexception
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Etat Dexception
 - Setting Reading Goals Etat Dexception
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Etat Dexception
 - Fact-Checking eBook Content of Etat Dexception
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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