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Towards a theory of militant constitutionalism

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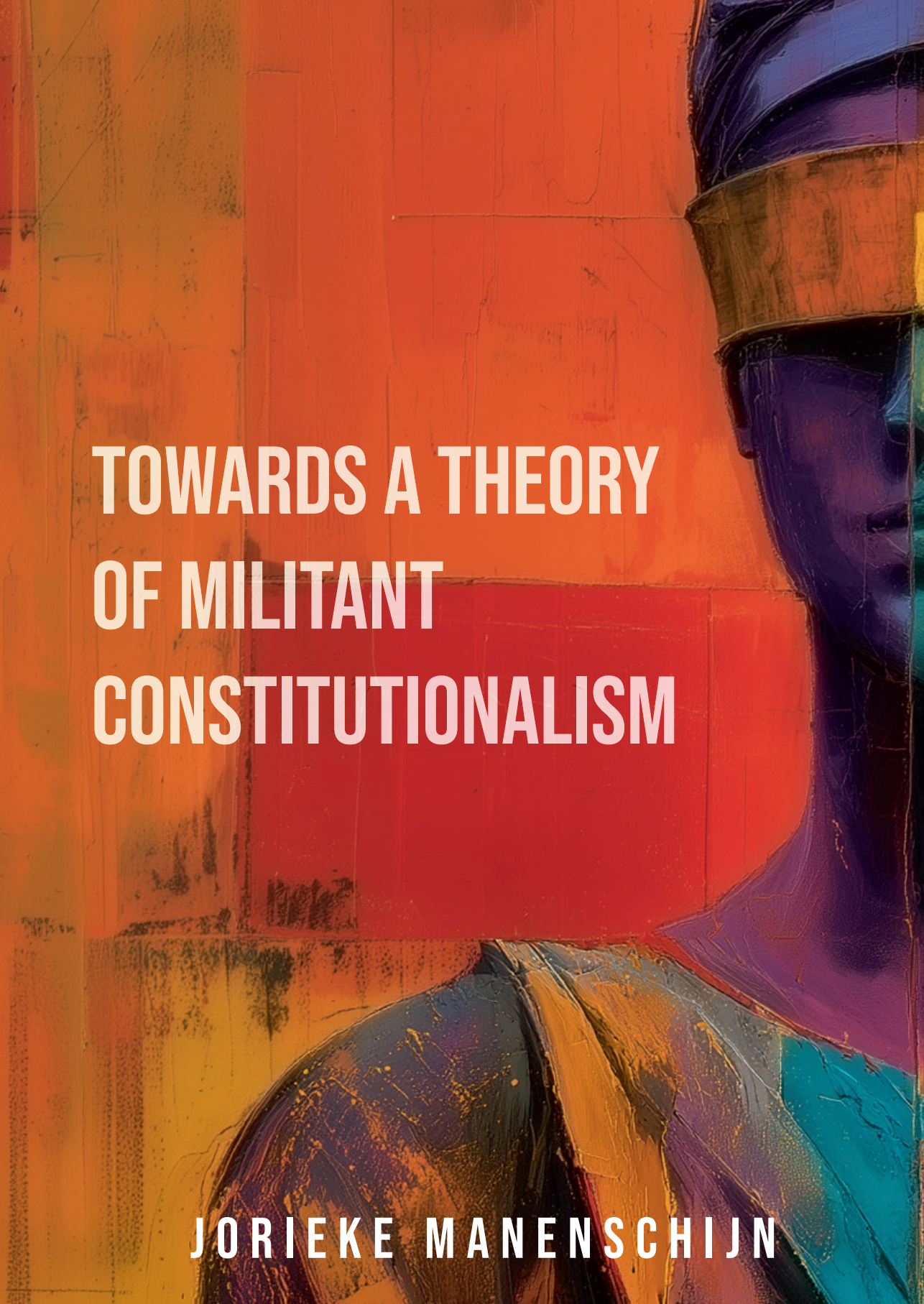
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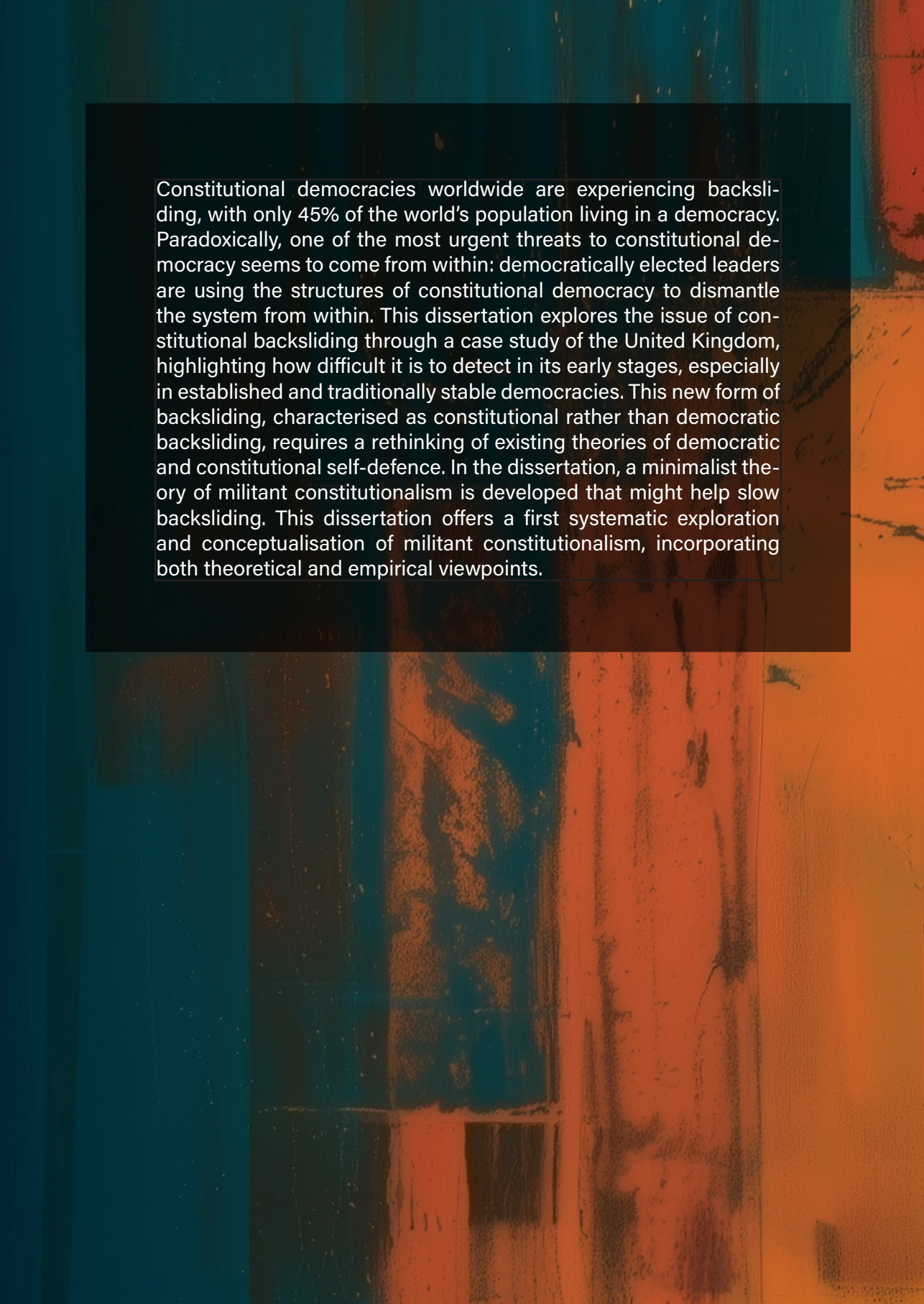
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An abstract painting featuring a profile of a face, possibly a classical statue, rendered in vibrant colors. The background is a mix of warm orange and red tones, while the face and neck are depicted in deep purple and blue. The style is expressive, with visible brushstrokes and a textured surface.

TOWARDS A THEORY OF MILITANT CONSTITUTIONALISM

JORIEKE MANENSCHIJN



Constitutional democracies worldwide are experiencing backsliding, with only 45% of the world's population living in a democracy. Paradoxically, one of the most urgent threats to constitutional democracy seems to come from within: democratically elected leaders are using the structures of constitutional democracy to dismantle the system from within. This dissertation explores the issue of constitutional backsliding through a case study of the United Kingdom, highlighting how difficult it is to detect in its early stages, especially in established and traditionally stable democracies. This new form of backsliding, characterised as constitutional rather than democratic backsliding, requires a rethinking of existing theories of democratic and constitutional self-defence. In the dissertation, a minimalist theory of militant constitutionalism is developed that might help slow backsliding. This dissertation offers a first systematic exploration and conceptualisation of militant constitutionalism, incorporating both theoretical and empirical viewpoints.