

**Fostering Constitutional Resilience:
The Concept of Defensive Democracy in the Basic Law**

Invitation:

**Online lecture and discussion on 01.08.2024, 15:00 - 16:30 within the
CPG Constitutional Law Series on the occasion of the 75th anniversary of the German Basic Law**

Democracy is in decline worldwide. In most democratic countries anti-democratic populist movements and parties have risen, who try to destroy democracy from within. There is a pattern of transformation of democracies into authoritarian systems, once the radical parties have won the elections. It often turns out to be easier than expected.

Germany has experienced this already with the rise of the totalitarian national-socialist regime in 1933. Following the concept of defensive (or "militant") democracy, the Basic Law of 1949 tries to protect democracy proactively by a wide range of precautions and instruments. They include, among others, the prohibition of political parties and associations, the declaration of forfeiture of certain fundamental rights, the duty of civil servants to be loyal to the constitution, the defence of the constitution by specialised domestic intelligence services and even a fundamental right to resist against attempts to abolish the free and democratic order. These means are sensitive, since their abuse can threaten democracy itself. On the other hand, they must be used sufficiently or they will have little effect and democracy will perish anyway.

The lecture will present the individual precautions and instruments, how they are utilised and how abuse is prevented. It will also raise the question of the limits of a national approach to preserve democracy and the need to complement it by robust international mechanisms, in particular at European level.

Thursday, 01.08.2024, 13:00 - 14.30 Kazakh time (= 15:00 - 16:30 Bangkok time). The online event (via Zoom) is organised by the German-Southeast Asian Center of Excellence for Good Governance and Public Policy (CPG) at the Faculty of Law of Thammasat University in Bangkok within its CPG Constitutional Law Series on the occasion of the 75th anniversary of the German Basic Law. The lecture materials will be available for download from the day of the event at my website.

All those interested are welcome. Please register at <https://forms.office.com/r/phyyvusANt?origin=lprLink>.

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