



Estado de derecho y sociedad democrática (Spanish Edition)

Elías Díaz

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Una oportuna defensa del Estado de Derecho. Una de las claves fundamentales de este libro #del que ahora presentamos una nueva edición corregida# es justamente la inescindible conexión de fondo, fáctica y prescriptiva entre Estado de Derecho y democracia. Y de ahí derivan las principales diferencias entre, por un lado, el Estado liberal (hoy neoliberal) de Derecho y, por otro #como señala nuestra Constitución#, el Estado social y democrático de Derecho. La razón de ser del Estado de Derecho radica en la protección efectiva de los derechos fundamentales. Para garantizarla, resulta imprescindible el imperio de la ley como expresión de la voluntad popular, así como la exigencia de control y de sometimiento de todos los poderes a ella (y a la Constitución). La primera edición de este libro, que tuvo que afrontar grandes obstáculos y dificultades gubernativas, se publicó en 1966, en un tiempo, en un país, en el que el régimen dictatorial pretendía enmascararse y legitimarse como «democracia orgánica» y, precisamente, como imposible Estado de Derecho. Las razones básicas del Estado democrático de Derecho que Elías Díaz propugnaba en esta obra siguen siendo un buen referente para tiempos de crisis como los actuales.

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