



Neuer Mitarbeiter

Konrad Alexander

Wintersemester Alexander Konrad Ebook

Konrad Körner



Wintersemester Alexander Konrad Ebook:

Innerer Notstand und Revolution. Voraussetzungen, Umfang und Mittel für staatliche Organe Konrad Körner, 2013-06-20

Studienarbeit aus dem Jahr 2013 im Fachbereich Jura ffentliches Recht Staatsrecht Grundrechte Note 13 Friedrich Alexander Universität Erlangen Nürnberg Lehrstuhl für ffentliches Recht Veranstaltung Seminar Theorie und Praxis der Revolution Sprache Deutsch Abstract Ich schwöre dass ich meine Kraft dem Wohle des deutschen Volkes widmen seinen Nutzen mehren Schaden von ihm wenden das Grundgesetz und die Gesetze des Bundes wahren und verteidigen meine Pflichten gewissenhaft erfüllen und Gerechtigkeit gegen jedermann ben werde Die Eidesformel des Bundespräsidenten und der Mitglieder der Bundesregierung aus Art 56 S 1 des Grundgesetzes zeigt Kernelemente des staatlichen Schutzauftrages gegen das Volk und Verfassung auf Gerade diese Dualität des unbedingten Schutzauftrages gegen das Volk und Verfassung ist es die im Folgenden immer wieder problematisch wird Denn in außergewöhnlichen Situationen wenn der Schutz der Bevölkerung schwerer sicherzustellen ist als in der Normallage müssen sich die staatlichen Organe mit außergewöhnlichen Maßnahmen behelfen Das Grundgesetz will diese Maßnahmen regeln und begrenzen zeigt doch die deutsche Geschichte nur zu deutlich dass beim Austreiben des Teufels schnell der sprichwörtliche Beelzebub bei der Hand ist Doch wenn das eigene Volk oder zumindest Teile dessen die Verfassung und die verfassungsmäßige Rechts und Gesellschaftsordnung ablehnen Wie sollen staatliche Organe auf revolutionäre Bestrebungen in einer Ausnahmelage reagieren Gerade wenn es um den Umgang mit anderen politischen Meinungen geht um den Umgang mit der eigenen Bevölkerung ist Vorsicht geboten Das Grundgesetz will aber dennoch wehrhaft sein Die Beseitigung der Verfassung und ihrer Rechtsordnung durch revolutionäre Bestrebungen die außerhalb der vom Grundgesetz aufgezeigten Möglichkeiten agieren kann und will nicht geduldet werden Wie die Verfassung auf eine dieser außergewöhnlichen Lagen nämlich revolutionäre Bestrebungen im Inland reagiert welche Mittel sie den staatlichen Organen an die Hand gibt und welche Beschränkungen den staatlichen Organen bei der Verwendung eben dieser auferlegt sind wird in dieser Arbeit gezeigt

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