

BIBLIOGRAFÍA

ACKERMAN, BRUCE A:

- ↑ 'The Storrs Lectures: Discovering the Constitution' en *Yale Law Journal*, 93 (1984)
- ↑ 'Beyond Carolene Products' en *Harvard Law Review*, 98 (1985), 713-746.
- ↑ 'Constitutional Politics/Constitutional Law' en *Yale Law Journal*, 99 (1989).
- ↑ *We The People. Vol. I: Foundations* (Cambridge, Mass., Harvard University Press, 1991)

ACKERMAN, BRUCE Y ROSENKRANTZ, CARLOS:

- ↑ 'Tres concepciones de la democracia constitucional' en *Fundamentos y alcance del control judicial de constitucionalidad* (Madrid: Centro de Estudios Constitucionales, 1991)

ALEXY, ROBERT:

- ↑ *Teoría de los derechos fundamentales*, trad. de E. Garzón Valdés (Madrid: Centro de Estudios Constitucionales, 1993)

ALLAN, JAMES:

- ↑ 'Bill of Rights and Judicial Power- A Liberal's Quandary' en *Oxford Journal of Legal Studies*, 16 (1996), 337-352.

ARROW, KENNETH J.:

- ↑ *Social Choice and Individual Values* (New Haven: Yale University Press, 1963)

BARRY, BRIAN:

↑ 'Is Democracy Special?', en Peter Laslett y James Fishkin (1979), 155-196.

BAYÓN, JUAN CARLOS:

↑ *La normatividad del Derecho: deber jurídico y razones para la acción* (Madrid: Centro de Estudios Constitucionales, 1991)

↑ 'Principios y reglas: legislación y jurisdicción en el Estado constitucional' en *Jueces para la democracia*, 27 (noviembre/ 1996), 41-49.

↑ 'Derechos, democracia y constitución' Manuscrito. Ponencia inédita presentada en una conferencia el 26 de agosto de 1996 en la Universidad de Palermo, Buenos Aires (Argentina)

BEITZ, CHARLES R:

↑ *Political Equality. An Essay in Democratic Theory*, (Princeton, NJ: Princeton University Press, 1989).

BENTHAM, JEREMY:

↑ 'Anarchical Fallacies', en *The Works of Jeremy Bentham*, vol. II, John Bowring (ed.) (Edinburgo: William Tait, 1838-1843)

↑ 'Pannomial Fragments' en Jeremy Bentham, *The Works of Jeremy Bentham*, vol. III, John Bowring (ed.) (Edinburgo: William Tait, 1838-1843)

↑ 'Supply without Burden; or Escheat vice Taxation' en Jeremy Bentham, *Economic Writings*, vol. I, William Stark (ed.) (Londres: George Allen & Unwin, 1952-1954)

BICKEL, ALEXANDER M.:

↑ *The Least Dangerous Branch* (New Haven: Yale University Press, 1962)

BLACKSTONE, WILLIAM:

↑ *Commentaries on the Laws of England*, 3 vol. (Londres, Dawsons of Pall Mall, ([1765-1769] 1966).

BULYGIN, EUGENIO:

- ↑ 'Sobre el status ontológico de los derechos humanos' en *Doxa*, 4 (1987)

BURKE, EDMUND:

- ↑ *Reflections on the Revolution in France*, Conor C. O'Brien (ed.) (Harmondsworth: Penguin, 1969)

BUTLER, ANDREW S.:

- ↑ 'The Bill of Rights Debate: Why the New Zealand Bill of Rights Act 1990 is a Bad Model for Britain' en *Oxford Journal of Legal Studies*, 17 (1997), 323-345..

CARACCILO, RICARDO:

- ↑ 'Derecho y decisiones colectivas' en *Revista del Centro de Estudios Constitucionales*, 10 (1991)

DAHL, ROBERT A.:

- ↑ *A Preface to Democratic Theory*, (Chicago: University of Chicago Press, 1956).
- ↑ *Democracy and Its Critics* (New Haven: Yale University Press, 1989)

DWORKIN, RONALD:

- ↑ *Taking Rights Seriously* (Londres: Duckworth, 1977).
- ↑ *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985).
- ↑ *Law's Empire* (Cambridge, Mass., Harvard University Press, 1986)
- ↑ *A Bill of Rights for Britain* (Londres, Chatto & Windus, 1990).
- ↑ *Life's Dominion* (Londres, Harper Collins, 1993)
- ↑ *Freedom's Law. The Moral Reading of the American Constitution* (Cambridge, Mass: Harvard University Press, 1996)

ELSTER, JON:

↑ *Ulysses and the Sirens: Studies In Rationality and Irrationality* (Cambridge: Cambridge University Press, 1979)

ELY, JOHN H.:

↑ *Democracy and Distrust. A Theory of Judicial Review* (Cambridge, Mass.: Harvard University Press, 1980)

FERRAJOLI, LUIGI:

↑ *Diritto e ragione. Teoria del garantismo penale*, 2ª edición revisada (Roma/Bari: Laterza, 1990)

FERRERES COMELLA, VÍCTOR:

↑ *Justicia constitucional y democracia* (Madrid: Centro de Estudios Políticos y Constitucionales, 1997)

FISHKIN, JAMES:

↑ "Tyranny and Democratic Theory", en Peter Laslett y James Fishkin, *Philosophy, Politics and Society. 5th series* (Oxford: Blackwell, 1979)

FREEMAN, SAMUEL:

↑ 'Constitutional Democracy and the Legitimacy of Judicial Review', *Law and Philosophy*, 9 (1990)..

FREGE, GOTTLIB:

↑ *Selections from the Philosophical Writings of Gottlob Frege*, trad. de P. Geach y M. Black, (Oxford: Basil Blackwell, 1970)

GALLIE, W. .B:

↑ 'Essentially Contested Concepts' en *Proceedings of Aristotelian Society*, 56 (1955-1956)

GARGARELLA, ROBERTO:

- ↑ *La justicia frente al gobierno. Sobre el carácter contramayoritario del poder judicial*, (Barcelona: Ariel, 1996)

GARZON VALDES, ERNESTO:

- ↑ 'Representación y democracia' en Ernesto Garzón Valdés, *Derecho, Ética y Política*, (Madrid: Centro de Estudios Constitucionales, 1993)

GAUS, GERALD F.:

- ↑ *Justificatory Liberalism. An Essay on Epistemology and Political Theory* (Oxford/New York:, Oxford University Press, 1996).

GUASTINI, RICARDO:

- ↑ 'Diritti' en *Distinguendo. Studi di teoria e metateoria del diritto* (Torino: Giappichelli, 1996)

GUTMANN, AMY y THOMPSON, DENNIS:

- ↑ 'Moral Disagreement in a Democracy', *Social Philosophy and Policy*, 12 (1995)

HART, HERBERT L. A.:

- ↑ *The Concept of Law* (Oxford: Oxford University Press, 1961)
- ↑ 'Natural Rights: Bentham and John Stuart Mill' en *Essays on Bentham. Jurisprudence and Political Theory* (Oxford: Oxford University Press, 1982)
- ↑ 'Are there Any Natural Rights' en Jeremy Waldron, *Theories of Rights*, Jeremy Waldron, editor (Oxford: Oxford University Press, 1984)
- ↑ *The Concept of Law*, 2nd. ed., P.A. Bulloch and J. Raz (Oxford: Oxford University Press, 1994)

HOHFELD, WESLEY N:

- ↑ *Fundamental Legal Conceptions as Applied in Judicial Reasoning* (New

Haven: Yale University Press, 1919)

HOLMES, STEPHEN:

- ↑ 'Precommitment and the Paradox of Democracy' en Jon Elster y Rune Slagstad (eds.), *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988)
- ↑ *Passions and Constraint. On the Theory of Liberal Democracy* (Chicago: University of Chicago Press, 1995)
- ↑ 'Gag Rules or the Politics of Omission' en Jon Elster y Rune Slagstad (eds.), *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988)

HUME, DAVID:

- ↑ *A Treatise of Human Nature*, L.A. Selby-Bigge (ed.) (Oxford: Oxford University Press, 1978)

HUTCHINSON, ALLAN C.:

- ↑ *Waiting for CORAF. A Critique of Law and Rights* (Toronto: University of Toronto Press, 1995)

HURLEY, SUSAN:

- ↑ *Natural Reasons* (Oxford: Oxford University Press, 1989).

KANT, IMMANUEL:

- ↑ *La metafísica de las costumbres*, trad. de A. Cortina Ors y J. Conill Sancho (Madrid: Tecnos, 1989)

KELSEN, HANS:

- ↑ ([1928] 1988): «La garantía jurisdiccional de la Constitución (la justicia constitucional)», en H. Kelsen, *Escritos sobre la democracia y el socialismo*, selección y presentación a cargo de J. Ruiz Manero, Madrid,

Debate, pp. 109-155 [ed. original: «La garantie juridictionnelle de la Constitution (La justice constitutionnelle)», *Revue du Droit Publique et de la Science Politique en France et à l'étranger*, XXXV].

- ↑ *¿Quién debe ser el defensor de la Constitución?* trad. de R.J. Brie (Madrid: Tecnos, 1925)

KLIEMT, HARTMUT:

- ↑ 'Acerca de la coherencia de un liberalismo individualista estricto' en Ernesto Garzón Valdés (ed.), *Derecho y filosofía*, trad. de C. De Santiago (Barcelona: Alfa, 1985)

LANE, JAN-ERIK:

- ↑ *Constitutions and Political Theory* (Manchester/New York: Manchester University Press, 1996)

LAPORTA, FRANCISCO J:

- ↑ 'Sobre el concepto de derechos humanos' en *Doxa*, 4 (1987), 23-46.
- ↑ 'Acotaciones del trampolín: Respuesta a Roberto Vernengo' en *Doxa*, 7 (1990)

LASLETT, PETER y FISHKIN, JAMES:

- ↑ *Philosophy, Politics and Society. 5th series* (Oxford: Blackwell, 1979)

LIJPHART, AREND:

- ↑ *Democracies* (New Haven, Yale University Press, 1984)

LINCOLN, ABRAHAM:

- ↑ "First Inaugural Address (March 4, 1861)", en Don E. Fehrenbacher (ed.), *Abraham Lincoln: Speeches and Writings, 1859-1865* (New York, The Library of America, ([1861] 1989)

LYONS, DAVID:

↑↑ 'Rights, Claimants, and Beneficiaries' en *American Philosophical Quarterly*, 6 (1969)

MACCORMICK, NEIL:

↑↑ 'Legal Rights' en P.M.S. Hacker y J. Raz (eds.), *Law, Morality, and Society. Essays in Honour of H.L.A. Hart* (Oxford: Oxford University Press, 1978)

MACINTYRE, ALASDAIR:

↑↑ *After Virtue* (Notre Dame: University of Notre Dame, 1984)

MACKIE, J.L.:

↑↑ *Ethics. Inventing Right and Wrong* (Harmondsworth: Penguin, 1977)

↑↑ 'Can There Be A Right-Based Moral Theory?' en Jeremy Waldron (ed.), *Theories of Rights* (Oxford: Oxford University Press, 1984)

MARX, KARL:

↑↑ 'On the Jewish Question' en *Karl Marx: Selected Writings*, David McLellan (ed.) (Oxford: Oxford University Press, 1977)

MAY, KENNETH:

↑↑ "A Set of Independent Necessary and Sufficient Conditions for Simple Majority Decision", *Econometrica*, 20 (1952) 680-684.

MILL, JOHN STUART:

↑↑ *Utilitarianism* en *Collected Works of John Stuart Mill, vol 10*, J.M Robson (ed.) (Toronto: University of Toronto Press, 1969)

MILLER, NICHOLAS R.:

↑↑ 'Majority Rule and Minority Interests', en I. Shapiro y R. Hardin (eds.),

Political Order. Nomos XXXVIII (New York/Londres: New York University Press, 1996)

MORESO, JOSÉ JUAN:

↑ *La teoría del Derecho de Bentham* (Barcelona: P.P.U., 1992)

↑ *La indeterminación del Derecho y la interpretación de la Constitución* (Madrid: Centro de Estudios Políticos y Constitucionales, 1997)

NELSON, WILLIAM N.:

↑ *On Justifying Democracy* (Londres, Routledge & Kegan Paul, 1980)

NINO, CARLOS S.:

↑ *Ética y Derechos Humanos Un ensayo de fundamentación* (Barcelona: Ariel, 1989)

↑ 'La filosofía del control judicial de constitucionalidad' en *Revista del Centro de Estudios Constitucionales*, 4 (1989)

↑ 'Sobre los derechos morales' en *Doxa*, 7(1990)

↑ *Fundamentos de Derecho Constitucional* (Buenos Aires: Astrea, 1992)

PARFIT, DEREK:

↑ *Reasons and Persons* (Oxford: Oxford University Press, 1984)

PARKER, RICHARD D.:

↑ *"Here, the People Rule". A Constitutional Populist Manifesto* (Cambridge, Mass./London, Harvard University Press, 1994)

RAE, DOUGLAS W.:

↑ 'Decision Rules and Individual Values in Constitutional Choice', *American Political Science Review*, 63 (1969) 40-56

RAWLS, JOHN:

- ↑↑ *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971)
- ↑↑ *Political Liberalism* (New York: Columbia University Press, 1993)

RAZ, JOSEPH:

- ↑↑ *The Morality of Freedom* (Oxford: Oxford University Press, 1986)
- ↑↑ 'Rights and Politics' en *Indiana Law Journal*, 71 (1995)

ROSS, ALF:

- ↑↑ *On Law and Justice* (Londres, Stevens & Sons, 1958)

SANDEL, MICHAEL:

- ↑↑ *Liberalism and the Limits of Justice* (Cambridge, Cambridge University Press, 1982)

SCHAUER, FREDERICK:

- ↑↑ 'Judicial Review of the Devices of Democracy', *Columbia Law Review*, 94 (1994) 1326-1347

SCHELLING, THOMAS C:

- ↑↑ 'Ethics, Law and the Exercise of Self-Command', en S. McMurrin (ed.), *The Tanner Lectures on Human Values: vol. IV* (Salt Lake City: University Of Utah Press/Cambridge, Cambridge University Press, 1983)
- ↑↑ 'Ethics, Law and the Exercise of Self-Command' en *Choice and Consequence. Perspectives of An Errant Economist* (Cambridge, Mass.; Harvard University Press, 1984)

SEN, AMARTYA:

- ↑↑ 'The Impossibility of Paretian Liberal' en *Journal of Political Economy*, 78 (1970) *Collective Choice and Social Welfare* (San Francisco: Holden-Day, 1979)

SUMNER, L. W.:

↑ *The Moral Foundation of Rights* (Oxford: Oxford University Press, 1987)

SUNSTEIN, CASS R.:

↑ *The Partial Constitution* (Cambridge, Mass./Londres: Harvard University Press, 1993)

TAYLOR, CHARLES:

↑ *Sources of the Self* (Cambridge: Cambridge University Press, 1989)

TRIBE, LAURENCE H.:

↑ 'The Puzzling Persistence of Process-Based Constitutional Theories' en *Yale Law Journal*, 89 (1980)

VERNENGO, ROBERTO J:

↑ 'Los derechos humanos como razones morales justificatorias' en *Doxa*, 7 (1990)

WALDRON, JEREMY:

↑ *Theories of Rights*, Jeremy Waldron, editor (Oxford: Oxford University Press, 1984)

↑ *Nonsense upon Stilts. Bentham, Burke and Marx of the Rights of Man*, Jeremy Waldron editor (Londres: Methuen, 1987)

↑ 'A Right-Based Critique of Constitutional Rights', *Oxford Journal of Legal Studies*, 13 (1993) 18-51.

↑ 'Freeman's Defense of Judicial Review', *Law and Philosophy*, 13 (1994) 27-41.

↑ 'Vagueness in Law and Language: Some Philosophical Issues' en *California Law Review*, 82 (1994)

↑ 'Legislation, Authority and Voting', *Georgetown Law Journal*, 84 (1996) 2185-2214.

WALZER, MICHAEL:

↑ *Spheres of Justice* (New York: Basic Books, 1983)

WILLIAMS, BERNARD:

↑ *Ethics and the Limits of Philosophy* (Londres, Fontana Press, 1985)

ZAGREBELSKY, GUSTAVO:

↑ *Il diritto mite: legge, diritti, giustizia* (Turín: Einaudi, 1992)