CONTENTS

Acknowledgements page viii A note on the texts ix
A note on the texts IX
Introduction 1
Kelsen on the nature and development of constitutional adjudication 22
The guardian of the constitution: Schmitt's argument against constitutional review 79
The guardian of the constitution: Schmitt on pluralism and the president as the guardian of the constitution 125
Who ought to be the guardian of the constitution? Kelsen's reply to Schmitt 174
Prussia contra <i>Reich</i> : Schmitt's closing statement in Leipzig 222
Kelsen on the judgment of the <i>Staatsgerichtshof</i> of 25 October 1932 228
Notes 254 Bibliography 266 Index 274