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is the judiciary the ultimate authority on constitutional questions susan burgess says no basing her argument on the theory of departmental review burgess contends that each branch of government has the right to interpret the constitution and that no branch has final authority through close study of the abortion and war powers debates burgess illustrates that the practice of departmental review improves the quality of constitutional debate deepens constitutional consciousness and enhances respect for the rule of law first she investigates the constitutional issues relating to the debates over roe v wade and in its wake the 1981 human life bill the 1985 abortion funding restriction act and contemporaneous court cases she follows with a comparative analysis of the constitutional debates that focused on the infamous 1964 gulf of tonkin resolution and the persian gulf crisis of the late 1980s one before and the other after the passage of the 1973 war powers act burgess demonstrates the considerable potential and possible drawbacks of departmental review for creating a common constitutional language that transcends the polemical impasses characterizing much current debate for recapturing active and thoughtful citizen participation and for renewing our faith in the authority of the constitution

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