

Philippine History With Politics Governance And Constitution

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in quantity and importance private standards are rapidly taking over the role of public norms in the international and national regulation of product safety this book provides a comprehensive overview of the rise role and status of these private product safety standards in the legal regulation of integrating markets in international and regional trade law as in european and american constitutional and administrative law tort law and antitrust law the book analyses the ways in which legal systems can and do recognise private norms as law this sociological question of law s recognition of private governance is indissolubly connected with a normative question of democratic theory can law recognize legal validity and democratic legitimacy outside the constitution without constitutional political institutions and beyond the nation state or can law constitute private transnational governance the book offers the first systematic treatment of european american and international standards law in the english language and makes a significant contribution to the study of the processes of globalization and privatization in social and legal theory for the thesis on which this book was based harm schepel was awarded the first eui alumni prize for the best interdisciplinary and or comparative thesis on european issues written at the eui in recent years

constitutions and the commons looks at a critical but little examined issue of the degree to which the federal constitution of a nation contributes toward or limits the ability of the national government to manage its domestic natural resources furthermore it considers how far the constitution facilitates the binding of constituent states provinces or subnational units to honor the conditions of international environmental treaties while the main focus is on the us there is also detailed coverage of other nations such as australia brazil india and russia after introducing the role of constitutions in establishing the legal framework for environmental management in federal systems the author presents a continuum of constitutionally driven natural resource management scenarios from local to national and then to global governance these sections describe how subnational governance in federal systems may take on the characteristics of a commons with all the attendant tragedies in the absence of sufficient national constitutional authority in turn sufficient national constitutional authority over natural resources also allows these nations to more effectively engage in efforts to manage the global commons as these nations would be unconstrained by subnational units of government during international negotiations it is thus shown that national governments in federal systems are at the center of a constitutional nested governance commons with lower levels of government potentially acting as rational herders on the national commons and national

governments potentially acting as rational herders on the global commons national governments in federal systems are therefore crucial to establishing sustainable management of resources across scales the book concludes by discussing how federal systems without sufficient national constitutional authority over resources may be strengthened by adopting the approach of federal constitutions that facilitate more robust national level inputs into natural resources management facilitating national minimum standards as a form of fail safe federalism that subnational governments may supplement with discretion to preserve important values of federalism

this book describes the nature of these changes and identifies the accountability gaps which have inevitably opened up in the absence of a written constitution or a considered administrative procedure act

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the central role that good effective and capable governance plays in the economic and social development of a country is now widely recognised using the commonwealth countries of eastern and southern africa this book analyses some of the key constitutional issues in the process of developing strengthening and consolidating the capacity of states to ensure the good governance of their peoples utilising comparative material the book seeks to draw lessons both positive and negative about the problems of

constitutionalism in the region and in doing so critically addresses the legal issues involved in seeking to make constitutions work in practice

with quiet eloquence lane sunderland argues that we must reclaim the fundamental principles of the constitution if we are to restore democratic government to its proper role in american life for far too long he contends the popular will has been held in check by an overly powerful supreme court using non constitutional principles to make policy and promote its own political agendas his work shows why this has diminished american democracy and what we can do to revive it sunderland presents a strong thoughtful challenge to the constitutional theories promoted by ronald dworkin archibald cox richard epstein michael perry john hart ely robert bork philip kurland laurence tribe mark tushnet and catharine mackinnon an enormously diverse group united by an apparent belief in judicial supremacy their theories he demonstrates undermine the democratic foundations of the constitution and the power of the majority to resolve for itself important questions of justice central to this enterprise is sunderland s reconsideration of the federalist as the first most reliable and most profound commentary on the constitution the federalist he states is crucial because it explains the underlying theory of the constitution as a whole a theory that gives meaning to its particular provisions in addition sunderland reexamines the declaration of independence and the work of hobbes locke and montesquieu in order to better define the nature and limits of their influence on the framers his reading of these works in conjunction with the federalist shows just how far afield contemporary commentators have strayed sunderland deliberately echoes and amplifies madison s wisdom in federalist no 10 that the object of the constitution is to secure the public good and private rights and at the same time to preserve the spirit and form of popular government to attain that object he persuasively argues requires that the judiciary acknowledge and enforce the constitutional limitations upon its own powers in an era loudly proclaiming the return of popular government majority rule and the will of the people that argument is especially relevant and appealing

with its detailed and wide ranging explorations in history philosophy and law this book is essential reading for anyone interested in how the constitution ought to be interpreted and what it means to live under a constitutional government book jacket

this collection studies the rise of neutral bodies as a challenge to the constitutional paradigm of the nation state administrative entities such as commissions agencies councils authorities or independent agencies as they are sometimes known are relatively autonomous from majoritarian democratic control and by their institutional design fall outside the

classical triad of powers or branches of government they may even fall outside the confines of the nation state itself as with the eu commission the book is divided into theoretical historical and empirical parts part i approaches the phenomenon through the rigorous normative conceptual lens of constitutionalism and constitutional law questioning the implications of political neutrality on inherited normative categories both at national and supranational level part ii comprises case studies reflecting the full spectrum of theoretical frameworks and concerns developed and explored by the theory oriented chapters in the first part the work explores a wide range of issues including the balance between autonomy legitimacy and accountability the taxonomy of agencies the role and limits of expertise as a paramount justification for independence agentification as a result of internationalisation and agentification as a reflex and consequence of transnational polity building within the eu

the constitution of the fifth french republic stands as a seminal collection of thought provoking works that encapsulate the sweeping changes in french governance post world war ii this anthology presents an intricate tapestry of themes surrounding democracy sovereignty and statecraft meticulously documented through a rich array of legal historical and philosophical styles with pieces ranging from incisive political analyses to reflective commentaries on the evolving notion of republicanism the collection situates readers at the confluence of historical continuity and institutional innovation its significance is further highlighted by in depth examinations of pivotal moments that reshaped the french political landscape the collective insights of michel debr and charles de gaulle both towering figures in 20th century french politics serve as the guiding force behind this anthology their contributions draw from their pivotal roles in shaping the fifth republic capturing the zeitgeist of a nation in transition debr s legal acumen paired with de gaulle s visionary leadership lends the anthology an authoritative voice that resonates with the ideological and cultural shifts endemic to this era the works align with modern movements of nationalism and the resurgence of strong state apparatuses effectively bridging france s storied past with the ambitions of its contemporary governing frameworks this anthology offers a substantive exploration for readers eager to navigate the complexities of constitutional law and political reform by engaging with the multifaceted perspectives contained within readers will not only gain a deeper understanding of france s constitutional heritage but also participate in a broader dialogue about governance and authority it is an indispensable resource for scholars students and anyone vested in comparative political studies illustrating the enduring impact of constitutional discourse on global democratic practices in this enriched edition we have carefully created added value for your reading experience a succinct introduction situates the work s timeless appeal and themes the synopsis outlines the central plot highlighting key developments without spoiling critical twists a detailed historical context immerses you in the era s events and

influences that shaped the writing a thorough analysis dissects symbols motifs and character arcs to unearth underlying meanings reflection questions prompt you to engage personally with the work s messages connecting them to modern life hand picked memorable quotes shine a spotlight on moments of literary brilliance interactive footnotes clarify unusual references historical allusions and archaic phrases for an effortless more informed read

this book provides a systematic analysis of the major structural and institutional governance mechanisms in cameroon critically analysing the constitutional and legislative texts on cameroon s semi presidential system the electoral system the legislature the judiciary the constitutional council and the national commission on human rights and freedoms the author offers an assessment of the practical application of the laws regulating constitutional institutions and how they impact on governance to lay the groundwork for the analysis the book examines the historical constitutional and political context of governance in cameroon from independence and reunification in 1960 1961 through the adoption of the 1996 constitution to more recent events including the current anglophone crisis offering novel insights on new institutions such as the senate and the constitutional council and their contribution to the democratic advancement of cameroon the book also provides the first critical assessment of the legislative provisions carving out a special autonomy status for the two anglophone regions of cameroon and considers how far these provisions go to resolve the anglophone problem this book will be of interest to scholars of public law legal history and african politics the open access version of this book available at taylorfrancis com books 9781351028868 has been made available under a creative commons attribution non commercial no derivatives 4 0 license

the chinese perspectives on human rights and good governance series reviews various aspects of human rights and good governance in china including international human rights standards specific substantive rights protection and rule of law as well as constitutionalism especially in the context of contemporary china its aim is to stimulate discussion on these and related topics with a focus on international standards whenever these are applicable and relevant to china in this first volume in the series the contributors adopt different disciplinary approaches to look at china both in the context of its internal constraints and as a global player in the overall development of human rights where is china headed in the near future does chinese culture stand in contradiction to human rights is the rule of law alien to chinese society can china move ahead without political reforms in this thought provoking volume leading chinese and western scholars offer analysis of these issues also with reference to chinese history and

contemporary culture

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