

Sovereign Immunity Or The Rule Of Law

New

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an interdisciplinary work on regional integration and the rule of law in asean and

the emergence of a soft regulatory regime

the rule of law is frequently invoked in political debate yet rarely defined with any precision some employ it as a synonym for democracy others for the subordination of the legislature to a written constitution and its judicial guardians it has been seen as obedience to the duly recognised government a form of governing through formal and general rule like laws and the rule of principle given this diversity of view it is perhaps unsurprising that certain scholars have regarded the concept as no more than a self congratulatory rhetorical device this collection of eighteen key essays from jurists political theorists and public law political scientists aims to explore the role law plays in the political system the introduction evaluates their arguments the first eleven essays identify the standard features associated with the rule of law these are held to derive less from any characteristics of law per se than from a style of legislating and judging that gives equal consideration to all citizens the next seven essays then explore how different ways of separating and dispersing power contribute to this democratic style of rule by forcing politicians and judges alike to treat people as equals and regard none as above the law

the secret to good government is a question no one in washington is asking what s the right thing to do what s wrong in washington is deeper than you think yes there s gridlock polarization and self dealing but hidden underneath is something bigger and more destructive it s a broken governing system from that comes wasteful government rising debt failing schools expensive health care and economic hardship rules have replaced leadership in america bureaucracy regulation and outmoded law tie our hands and confine policy choices nobody asks what s the right thing to do here instead they wonder what does the rule book say there s a fatal flaw in america s governing system trying to decree correctness through rigid laws will never work public paralysis is the inevitable result of the steady accretion of detailed rules america is now run by dead people by political leaders from the past who enacted mandatory programs that churn ahead regardless of waste irrelevance or new priorities america needs to radically simplify its operating system and give people officials and citizens alike the freedom to be practical rules can t accomplish our goals only humans can get things done in the rule of nobody philip k howard argues for a return to the framers vision of public law setting goals and boundaries not dictating daily choices this incendiary book explains how america went wrong and offers a guide for how to liberate human ingenuity to meet the challenges of this century

a commentary on parts of the rule of st benedict prologue and chapters 53 58 72 and 73 provided by publisher

through six accessible essays the author invites students of the law to look beyond accepted american legal practices one learns why appellate courts always have an odd number of judges why the power of judges depends partly on accurate court reporting and unitary opinions of the court how common law rules can be unconstitutional and many other pressing legal issues

vols 65 96 include central law journal s international law list

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