

The Politics Of Constitutional Review In Germany

Research Handbook on the Politics of Constitutional Law Politics, Democracy, and the Supreme Court Constitutional Democracy The Constitutional and Political History of the United States: 1850-1854. Compromise of 1850-Kansas-Nebraska bill.

1885 Constitutionalization of Politics in Comparative Perspective Constitutional Rights and Powers of the People The Constitutional and Political History of the United States: 1854-1856. Kansas-Nebraska bill. Buchanan's election. 1885 The Law and Politics of Constitution Making The Science of Politics Politics The Wharton school annals of political science The Constitution and the Flag: The flag salute cases The Saturday Review of Politics, Literature, Science and Art Constitutionalism, Identity, Difference, and Legitimacy Political Letters and Speeches of George, XIIIth Earl of Pembroke and Montgomery Briefs for debate on current political, economic, and social topics, ed. by W. Du Bois Brookings and R.C. Ringwalt Annual Report of the President of the University on Behalf of the Regents to His Excellency the Governor of the State of California Political Constitution of the Republic of Chile Major Political & Constitutional Documents of the United States Virgin Islands, 1671-1991 The Nation: the Foundations of Civil Order and Political Life in the United States Mark Tushnet Arthur Selwyn Miller Walter F. Murphy Hermann Von Holst Paweł Laidler Wayne D. Moore Hermann Von Holst Eduardo Alemán Sheldon Amos William Watrous Crane Pennsylvania univ, Wharton sch. of finance and econ Michael Kent Curtis Michel Rosenfeld George Robert Charles Herbert Pembroke (13th Earl of) Briefs University of California, Berkeley Chile Paul M. Leary Elisha Mulford

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constitutional law is a semi autonomous discipline where texts and doctrines are completely and complexly intertwined with the political systems within which constitutional law is found this timely research handbook develops the idea that understanding constitutional law means understanding constitutional politics as well using both comparative and political analysis this forward looking reference work deals with the politics of constitutional law around the world delivering global treatment of the politics of constitutional law across issues regions and legal systems the chapters are meticulously organised around foundations structures rights and futures providing a well rounded overview of the topic and noting the key recent developments in the field the distinction between law and politics is of course a contested one and the selection of prominent established and emerging scholars and contributors to this handbook implicitly offer varying perspectives on it offering an innovative critical approach to an array of key concepts and topics this book will be a key resource for both legal scholars and political science scholars students with interests in law and politics constitutions legal theory and public policy will also find this a beneficial companion

miller proposes that we focus our energies on the question of how the constitution is to function in an era of rapid and fundamental social change he introduces this provocative collection of essays with the observation that american constitutional theory has arrived at a dead end largely because it has been perceived as constitutional law rather than a form of political theory he puts this view into sharp perspective by looking at what are in effect three constitutions the political the economic and the emergent corporate instrument he analyzes important issues that confront the supreme court policymakers and theorists such as the expansion of government control the court as a political mechanism the power of corporations politics and the first amendment the challenge of nuclear weapons and questions relating to social justice including equal protection and the right to employment

publisher description

scholars from political science and law examine the latest research on the constitutionalization of politics in comparative perspective the scope includes both inter country and intra country perspectives institutional and systemic analyses common and civil law systems focusing on historical and contemporary case studies there are chapters limited to a concrete legal and political system analyzing the tools and processes guarding constitutionalization of politics in such countries as the united states germany france italy poland finland and bulgaria as well as studies offering comparative analysis of various institutions representing different countries and different legal and political systems taken together this book uncovers a wide variety of legal and political cultures systems of governments and forms of territorial organization once uncovered this approach makes it easier to determine repetitive patterns which may be observed in constitutional review and constitutional interpretation or significant differences occurring in the models of constitutionalization of politics around the world constitutionalization of politics in comparative perspective tackles important debates among academics interested in the theoretical and practical aspects of constitutions and constitutionalism and will appeal to social scientists including sociologists philosophers security studies and international relations experts but also cultural studies scholars the publication is a result of a research project constitutionalization of politics as an element of checks and balances system in comparative perspective funded by the polish national science center ncn 2018 31 b hs5 02637

american constitutionalism rests on premises of popular sovereignty but serious questions remain about how the people and their rights and powers fit into the constitutional design in a book that will radically reorient thinking about the constitution and its place in the polity wayne moore moves away from an exclusive focus on courts and judges and considers the following queries who is included among the people how are the people politically configured how may the people act and how do the people relate to government and other representative structures going beyond though not excluding relevant discussions of specific constitutional texts such as the preamble articles v and vii and the ninth tenth and fourteenth amendments moore examines historical material from the antebellum period such as the opinions of u s supreme court justices in the notorious dred scott case and significantly different perspectives from the writings and speeches of frederick douglass he also looks at influential thinking from the founding period and examines precedents set during prominent controversies involving the establishment of a national bank regulations of the economy and efforts to limit sexual and reproductive choices the penultimate chapter explores issues raised by claims of state interpretive autonomy and the conclusion models various dimensions of the constitutional order as a whole the book offers fresh insights into central problems

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this collection examines chile s two recent efforts to replace its constitution both of which ultimately failed despite broad initial support drawing global media and scholarly attention these high profile processes offer critical lessons for understanding the challenges of democratic constitution making the book features contributions from constitutional lawyers political scientists and other experts including seven constitution writers providing both academic analysis and firsthand accounts it explores the institutional design of the constitution making bodies the influence of chile s political context the substantive proposals advanced in key policy areas and the behavior of political actors and voters it also offers insider evaluations of institutional and procedural choices that either supported or undermined the process this volume is a key resource for scholars and policymakers interested in constitutional design institutional reform and latin american politics readers in political science constitutional law and latin american studies will find its analysis of chile s process both informative and timely its interdisciplinary approach blending comparative legal and empirical perspectives with practitioner insight ensures broad relevance and appeal

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interest in constitutionalism and in the relationship among constitutions national identity and ethnic religious and cultural diversity has soared since the collapse of socialist regimes in eastern europe and the former soviet union since world war ii there has also been a proliferation of new constitutions that differ in several essential respects from the american constitution these two developments raise many important questions concerning the nature and scope of constitutionalism the essays in this volume written by an international group of prominent legal scholars philosophers political scientists and social theorists investigate the theoretical implications of recent constitutional developments and bring useful new perspectives to bear on some of the longest enduring questions confronting constitutionalism and constitutional theory sharing a common focus on the interplay between constitutional identity and individual or group diversity these essays offer challenging new insights on subjects ranging from universal constitutional

norms and whether constitutional norms can be successfully transplanted between cultures to a consideration of whether constitutionalism affords the means to reconcile a diverse society's quest for identity with its need to properly account for its differences from the relation between constitution making and revolution to that between collective interests and constitutional liberty and equality this collection's broad scope and nontechnical style will engage scholars from the fields of political theory social theory international studies and law contributors andrew arato aharon barak jon elster george p fletcher louis henkin arthur j jacobson carlos santiago nino ulrich k preuss david a j richards michel rosenfeld dominique rousseau andrás sajó frederick schauer bernhard schlink m m slaughter cass r sunstein ruti g teitel robin west

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