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Constitutional Dialogues

Interpretation as Political Process



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Constitutional Dialogues

S. Kenney, W. Reisinger, J. Reitz



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Constitutional Dialogue Geoffrey Sigalet, Grégoire Webber, Rosalind Dixon, 2019-05-02 Identifies how and why dialogue can describe and evaluate institutional interactions over constitutional questions concerning democracy and rights

Constitutional Dialogues in Comparative Perspective S. Kenney, W. Reisinger, J. Reitz, 1999-01-28 From Russia and Hungary to the United States and Canada including Britain France and Germany courts are increasingly recognised as political institutions that are important players in political systems In addition transnational courts such as the European Court of Justice and European Court of Human Rights are extending their reach and affecting more than ever the politics of member states The book contains essays written by scholars of law and political science exploring in interdisciplinary fashion the relationship between law and politics in cross national perspective focusing principally on contemporary Europe

Political Dialogue, 2021-09-20 *Democratic Dialogue and the Constitution* Alison L. Young, 2017 Focusing on the protection of rights in the UK this book establishes a framework for interactions to better protect rights facilitate deliberation engage citizens and provide for checks and balances It further evaluates how well these values are achieved in the UK constitution now and in light of a British Bill of Rights and Brexit

Constitutional Change in the Contemporary Socialist World Ngoc Son Bui, 2020 Comparative constitutional law has a long and distinguished history in intellectual thought and in the construction of public law As political actors and the people who create or modify their constitutional orders they often wish to learn from the experience and learning of others This cross fertilization and mutual interaction has only accelerated with the onset of globalization which has transformed the world into an

interconnected web that facilitates dialogue and linkages across international and regional structures Oxford Comparative Constitutionalism seeks to publish scholarship of the highest quality in constitutional law that deepens our knowledge of local national regional and global phenomena through the lens of comparative public law Book jacket **European Yearbook of Constitutional Law 2021** Jurgen de Poorter, Gerhard van der Schyff, Maarten Stremmer, Maartje De Visser, 2022-06-06 The European Yearbook of Constitutional Law EYCL is an annual publication devoted to the study of constitutional law It aims to provide a forum for in depth analysis and discussion of new developments in the field both in Europe and beyond This third volume of the EYCL focuses on constitutional advice an underexplored topic of legal scholarship today and addresses this situation by looking beyond constitutional law s familiar focus on the classic separation of powers and the main legislative executive and judicial bodies implied by this construct The attention is shifted to mapping and analysing the advisory bodies and functions grouped around and in support of the legislators administrators and judges at the frontline of the constitutional edifice which is accomplished through national comparative and transnational perspectives on constitutional advice from Europe and beyond Addressing the topic of constitutional advice is necessary to broaden and deepen not only our understanding of advice as a field in its own right but also as a way of rendering a fuller account of contemporary constitutionalism Also the increasing political polarisation across many societies today underscores the need to study constitutional advice on topics of significance in an attempt to bridge divides and end gridlock This book will be of special interest to constitutional scholars and legal scholars more generally as well as to political scientists In addition government officials judges and policy makers wishing to better understand the legal mechanisms and avenues when it comes to rendering or receiving advice in the contemporary constitutional context will find much of relevance Jurgen de Poorter is professor at Tilburg Law School Department of Public Law and Governance Gerhard van der Schyff is associate professor at Tilburg Law School Department of Public Law and Governance Maarten Stremmer is assistant professor at Maastricht University Faculty of Law Department of Public Law Maartje De Visser is associate professor at Yong Pung How School of Law Singapore Management University Singapore *Politics and Constitutionalism* Robert J. Spitzer, 2000-05-18 Examines the work of Louis Fisher renowned scholar of constitutional law and politics *The Oxford Handbook of the U.S. Constitution* Mark V. Tushnet, Mark A. Graber, Sanford Levinson, 2015 The Oxford Handbook of the U S Constitution offers a comprehensive overview and introduction to the U S Constitution from the perspectives of history political science law rights and constitutional themes while focusing on its development structures rights and role in the U S political system and culture This Handbook enables readers within and beyond the U S to develop a critical comprehension of the literature on the Constitution along with accessible and up to date analysis Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U S constitutionalism today **Boundaries of State, Boundaries of Rights** Tsvi Kahana, Anat Scolnicov, 2016-10-20 The book

explores the various and sometimes unexpected ways in which states human rights and private actors intersect

Constitutional Interpretation Keith E. Whittington, 1999 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** **Conflicts of Rights in the European Union**

Aida Torres Pérez, 2009 Underlying the protection of human rights in Europe is a complex network of overlapping legal systems domestic EU and ECHR This book focuses on the potential for conflict to emerge between the systems where rights overlap and interpretations in different courts begin to diverge From the perspective of EU law where the interpretation of rights differs national courts are asked to renounce the constitutional scope of protection in favour of the scope defined by the European Court of Justice This work presents a theory of supranational judicial authority to confront this problem grounded in an ideal of judicial dialogue It represents the first attempt to provide a thorough theoretical account of the value of judicial dialogue and its potential for legitimating judicial decision making at a supranational level Combining theoretical rigour with attention to the practicalities of European human rights law the book will be accessible to a broad readership of legal theorists EU lawyers and judges involved in building inter judicial dialogue *Zimbabwe in Transition* Timothy Murithi, Aquilina Mawadza, 2011 Zimbabwe s Transition to Democracy in the post independence era has been a very difficult one To date there have been a number of sustained efforts by various local regional and international actors to move Zimbabwe towards democracy as well as attempts to find a lasting solution to the political and economic crises that seriously affected the country s progress from the late 1990s However these attempts have been less successful mainly because Zimbabwe has complex political and economic problems with interlocking national regional and international political and economic dimensions rooted in both historical and contemporary factors and developments To understand the complexities of the challenges to Zimbabwe s transition to democracy as well as prospects for political change and democracy in the country Zimbabwe in Transition critically examines both the historical and contemporary dynamics shaping political and economic developments in the country taking into account voices from a broad spectrum of Zimbabwean society including civil society faith based communities the diaspora women community leaders the media youth and regional actors such as SADC and the AU **Book jacket** *General Reports of the XXth General Congress of the International Academy of Comparative Law - Rapports généraux du XXème Congrès général de l'Académie internationale de droit comparé* Katharina Boele-Woelki, Diego P. Fernández Arroyo, Alexandre Senegacnik, 2020-12-17 This book explores convergences of legal doctrine despite jurisdictional cultural and political barriers as well as divergences due to such barriers examining topics that are of vital importance to contemporary legal scholars Written by leading experts from all continents its 26 chapters present a comparative analysis of cutting edge legal issues of the 21st century While each of the countries covered stands alone as a sovereign state in a technologically advanced world their disparate systems nonetheless show comparable strategies in

dealing with complex legal issues Several of the chapters show how in addition to state normative production and state adjudication a growing panoply of non state instruments and non state adjudication are becoming more and more central to the legal field This book is a key addition to the library of any scholar wanting to keep abreast of the major trends in contemporary law Representing the current state of law in a vast range of areas it covers each topic from a comparative perspective Cet ouvrage en examinant des sujets d'une importance vitale pour les juristes contemporains traite des convergences de la doctrine juridique malgré les barrières juridictionnelles culturelles et politiques ainsi que des divergences dues ces barrières crits par d'importants universitaires de tous les continents ses 26 chapitres présentent une analyse comparative de sujets juridiques majeurs du 21^e siècle Dans un monde technologiquement avancé bien que chaque pays analysé dans cet ouvrage demeure autonome en tant qu'état souverain l'ensemble des systèmes disparates présente néanmoins des stratégies comparables pour traiter des questions juridiques complexes En outre plusieurs chapitres montrent comment en plus de la production normative et de la résolution des différends juridiques la panoplie croissante de différents types d'instruments non juridiques et de résolution non juridique des différends devient de plus en plus centrale dans la sphère juridique Cet ouvrage est un ajout essentiel à la bibliothèque de tout universitaire souhaitant se tenir au courant des principales tendances du droit contemporain Il couvre un vaste domaine de sujets traités d'un point de vue comparatif et représente l'état actuel du droit dans chaque domaine

In the Court We Trust Rob van Gestel, Jurgen de Poorter, Jurgen Constantinus Abraham Poorter, 2019-12-19 Explains the lack of dialogue between the CJEU and Supreme Administrative Courts offering scenarios for fruitful co-actorship between them Constitution-Making and Transnational Legal Order Gregory Shaffer, Tom Ginsburg, Terence C. Halliday, 2019-04-18 Constitutions are no longer exclusively national projects but increasingly result from broader transnational processes that form a transnational legal order

Sovereignty and the Law Richard Rawlings, Peter Leyland, Alison Young, 2013-11 Grounded firmly in the disciplines of law this collection explores the twin elements of continuity and change in conceptions of sovereignty in recent times The collection as a whole illuminates the enduring strength of sovereignty as a foundational concept and the continuing widespread appeal of sovereignty as an idea Constitutionalising Europe Michael Andrew Longo, 2006 The European Union EU is in a state of transformation with its constitutional future the subject of much heated debate This book provides a durable authoritative and comprehensive account of constitutional development examining the pivotal roles of law and judicial politics in establishing the EU constitutional edifice Michael Longo demonstrates and substantiates the arguments for and against constitutionalisation through the development of a theoretical framework drawing on theories and empirical research in both law and political science to understand this new process of European Integration

A New Introduction to American Constitutionalism Mark A. Graber, 2015 A New Introduction to American Constitutionalism is the first truly interdisciplinary study of the American constitutional regime Mark A Graber explores the fundamental elements of the American constitutional order with particular

emphasis on how constitutionalism in the United States is a form of politics and not a means of subordinating politics to law
Congress, the Court, and the Constitution United States. Congress. House. Committee on the Judiciary. Subcommittee on
the Constitution, 1999

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