
Constitutions in Crisis

Political Violence and
the Rule of Law

JOHN E. FINN

Constitutions In Crisis

Stefan Griller, Elisabeth Lentsch



Constitutions In Crisis:

Constitutions in Crisis John E. Finn, 2023 With special reference to the experience of Britain and Germany this book examines the dilemma faced by constitutional governments in trying to draft anti terrorist laws while preserving civil liberties

Constitutions in Crisis John E. Finn, 1990-12-27 In this compelling study which unites the fields of constitutional theory and comparative politics John E Finn examines how the efforts of two western liberal democracies the United Kingdom and the Federal Republic of Germany to cope with domestic terrorism threatens their constitutional integrity Finn argues first that widespread political violence challenges the presuppositions of constitutional authority in any liberal democracy namely that reason and deliberation and not passion or will can be the basis of political community Terrorism therefore constitutes both a specific type of constitutional emergency and a challenge to the more general enterprise of constitutional maintenance He then proceeds to review the efforts of the United Kingdom and Germany to control political violence through emergency legislation and considers to what extent such measures comport with the demands of constitutionalism and the rule of law

Constitutions in the Global Financial Crisis Xenophon Contiades, 2016-05-23 This book is the first to address the multi faceted influence of the global financial crisis on the national constitutions of the countries most affected By tracing the impact of the crisis on formal and informal constitutional change sovereignty issues fundamental rights protection regulatory reforms jurisprudence the augmentation of executive power and changes in the party system it addresses all areas of the current constitutional law dialogue and aims to become a reference book with regard to the interaction between financial crises and constitutions The book includes contributions from prominent experts on Greece Hungary Iceland Ireland Italy Latvia Portugal Spain the UK and the USA providing a critical analysis of the effects of the financial crisis on the constitution The volume s extensive comparative chapter pins down distinct constitutional reactions towards the financial crisis building an explanatory theory that accounts for the different ways constitutions responded to the crisis How and why constitutions formed their reactions in the face of the financial crisis unravels throughout the book

Constitutions and Crisis Christopher J. Coyne, 2010 A crisis is an unexpected event that creates uncertainty and poses a direct or perceived threat to the goals and norms of an organization or society While crises are ubiquitous how societies respond to crises and the way crises affect societies is largely a matter of constitutional political economy Drawing on a variety of insights from Professor James Buchanan s research this paper develops the political economy of crisis Focus is placed on understanding 1 how existing rules influence how societies cope with crises 2 how crises can affect rules and 3 the potential for the reform of rules in the wake of crises

Law and the Management of Disasters Alexia Herwig, Marta Simoncini, 2016-12-01 Disasters raise serious challenges for contemporary legal orders they demand significant management but usually amidst massive disruption to the normal functioning of state authority and society When dealing with disasters law has traditionally focused on contingency planning and recovery More recently

however resilience has emerged as a key concept in effective disaster management policies and strategies aiming at minimising the impact of events so that the normal functioning of society and the state can be preserved This book analyses the contribution of law to resilience building by looking at law's role in the different phases of the disaster regulatory process risk assessment risk management emergency intervention and recovery More specifically it addresses how law can effectively contribute to resilience oriented disaster management policies and what legal instruments can support effective resilience building

YSEC Yearbook of Socio-Economic Constitutions 2021 Steffen Hindelang, Andreas Moberg, 2022-07-12

This volume addresses contemporary challenges enabled by modern technology that concern upholding freedom of speech where it conflicts with social rights such as respect for private and family life and with economic rights such as the freedom to conduct business or the right to free movement In today's networked world technological shifts happen faster than most people even realize Some of these shifts have made us all potentially powerful media powerful We used to sit in silence in front of newspapers and TV screens and the world was explained to us by just a few sources Today thanks to the Internet social media and Web 2.0 we can not only share our own thoughts with everyone in a more self-determined way but we can also take part in public debate and even co-shape it ourselves Of course the Internet is not a counter-design to the communication power structures of the past Gains in communicative self-determination are threatened due to algorithmisation platformisation and value extraction from self-created private markets At the same time the empowerment of the individual challenges the old grand speakers who are suddenly detecting fake news echo chambers and filter bubbles everywhere on the Internet Internet-based communication allegedly hinders us from the one truth as if newspaper hoaxes propaganda and narrow-mindedness were an invention of the Internet The current heated debate over fake news copyright and upload filters shows that we are unsure of how to deal with the newer and more complex phenomena of Internet-based speech This is due in no small part to the fact that an important benchmark our constitutional compass is still firmly rooted in the past Constitutions change far more slowly than technologies Societal changes can drive constitutional changes but what about normative content control Today there are already demands for old-school clarity truth filters on social media platforms horrendous sums of liability for platforms that encourage overly thorough cleaning up However it is equally true that private individuals regulate they decide what is found on the Internet and who may post on a given platform Accounting for all interests at play and striking a fair balance that avoids both a public and private over and under-regulation is a complex matter The authors of this volume not only provide reflections in their highly topical contributions but also share their understanding of what constitutes a fair balance within the larger frame of freedom of speech in a digital age

The Crisis of the Constitution Margaret Atwood Judson, 1971

Decolonizing Constitutionalism Boaventura de Sousa Santos, Sara Araújo, Orlando Aragón Andrade, 2023-07-31

The modern state law and constitution result from a legal canon that re-produces the abyssal lines dividing the world that is validated from the world whose humanity and epistemological

validity are denied This book aims to contribute to a post abyssal reflection on law and constitutionalism by considering the structural axes of power that are constitutive of modern law capitalism colonialism and heteropatriarchy alongside the legal plurality of the world Is it possible to decolonize decommodify and depatriarchalize the constitution The authors speak from multiple geographies raise different questions resort to differentiated theoretical approaches and reveal varying levels of optimism about the possibilities of transforming constitutions The readers are confronted with critical perspectives on the Eurocentric legal canon as well as with the recognition of anti capitalist anti colonial and anti patriarchal legal experiences The horizon of this publication is the expansion of the possibilities of legal and political imagination

The Crisis of the Constitution Margaret Atwood Judson,1971 , *Accountability in the Economic and Monetary Union* Menelaos Markakis,2020 The aim of this series is to publish important and original research on EU law The focus is on scholarly monographs with a particular emphasis on those which are interdisciplinary in nature Edited collections of essays will also be included where they are appropriate The series is wide in scope and aims to cover studies of particular areas of substantive and of institutional law historical works theoretical studies and analyses of current debates as well as questions of perennial interest such as the relationship between national and EU law and the novel forms of governance emerging in and beyond Europe The fact that many of the works are interdisciplinary will make the series of interest to all those concerned with the governance and operation of the EU Book jacket

Constitutionalism Under Extreme Conditions Richard Albert,Yaniv Roznai,2020-09-24 This book examines the problem of constitutional change in times of crisis Divided into five main parts it both explores and interrogates how public law manages change in periods of extraordinary pressure on the constitution In Part I Emergency Exception and Normalcy the contributors discuss the practices and methods that could be used to help legitimize the use of emergency powers without compromising the constitutional principles that were created during a period of normalcy In Part II Terrorism and Warfare the contributors assess how constitutions are interpreted during times of war focusing on the tension between individual rights and safety Part III Public Health Financial and Economic Crises considers how constitutions change in response to crises that are neither political in the conventional sense nor violent which also complicates how we evaluate constitutional resilience in times of stress Part IV Constitutionalism for Divided Societies then investigates the pressure on constitutions designed to govern diverse multi national populations and how constitutional structures can facilitate stability and balance in these states Part V titled Constitution Making and Constitutional Change highlights how constitutions are transformed or created anew during periods of tension The book concludes with a rich contextual discussion of the pressing challenges facing constitutions in moments of extreme pressure Chapter Public Health Emergencies and Constitutionalism Before COVID 19 Between the National and the International is available open access under a Creative Commons Attribution 4 0 International License via link [springer.com](https://www.springer.com)

The Monarchy and the Constitution Vernon Bogdanor,1995 In the increasingly questioning world of the 1990s the role of the monarchy in a

democracy is again coming under scrutiny Its critics argue that the monarchy is a profoundly conservative institution which serves to inhibit social change that it has outlived its usefulness that it symbolizes and reinforces deference and hierarchy and that its radical reform is therefore long overdue Rejecting these arguments Vernon Bogdanor makes a powerful case for the positive role that monarchy plays in modern democratic politics Ranging across law politics and history he argues that far from undermining democracy the monarchy sustains and strengthens democratic institutions that constitutional monarchy is a form of government that ensures not conservatism but legitimacy The first serious examination of the political role of the monarchy to appear in many years this book will make fascinating reading for all those interested in the monarchy and the future of British politics *National and International Conflicts, 1945-1995* Frank R. Pfetsch, Christoph Rohloff, 2013-10-11

The information flow about crises and conflicts is highly selective the media only focus on a few major conflicts at a time Many conflicts are neglected others soon forgotten after the fighting ends This book fills the gaps and offers a systematic overview of all crises and conflicts in and among states since 1945 and traces the global trends of conflict development Based on the broad empirical basis of the Conflict Simulation Model KOSIMO Pfetsch and Rohloff use an integrated approach to cover many forms and types of political conflicts both peaceful and violent **The Metamorphosis of the European Economic Constitution** Herwig C.H. Hofmann, Katerina Pantazatou, Giovanni Zaccaroni, 2019 Demonstrating the ways in which the micro and macro economic constitutions of Europe have reacted to legal measures enacted to counter the economic crisis of the past decade this innovative book takes an interdisciplinary approach in its attempt to understand and portray the metamorphosis of the European Economic Constitution It contains contributions from leading scholars and experts in European economic law discussing the challenges solutions found problems arising and possible approaches to embed the economic constitution in the broader constitutional framework of the EU p p1 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial **Constitution in Crisis** DJ Galligan, 2017-08-30 The debates that began at St Mary's Church Putney on 28 October 1647 pioneered the liberal democratic settlement in England a written constitution universal suffrage freedom of conscience and equality before the law Four centuries later the 2016 Brexit referendum raised fundamental questions concerning the constitution of the United Kingdom Following the High Court ruling that the government under a centuries old Royal Prerogative does not have the power to trigger Article 50 to leave the EU MPs have claimed that we are entering a full blown constitutional crisis The parallels between 1647 and 2017 are striking Government has been toppled a new leadership has emerged and the two main parties are in a state of internecine warfare Parliamentarians do not understand how to reconcile their duty to act for the common good and the result of the referendum The people are divided and the four nations comprising the United Kingdom are at odds This volume brings together some of the greatest public intellectuals of their generation to debate the constitutional crisis at the heart of today's politics Featuring contributions from A C Grayling Joshua Rozenberg Onora O'Neill Will Hutton Timothy Garton Ash and Michael Mansfield this book provides important new

perspectives on the most important political debate of the twenty first century Telecourse Guide for Government by Consent Dcccd & Lee &, Sue Lee, Dcccd Lee, 1997-07 **EMU Integration and Member States' Constitutions** Stefan Griller, Elisabeth Lentsch, 2021-02-25 In this book legal scholars from the EU Member States with the addition of the UK analyse the development of the EU Member States attitudes to economic fiscal and monetary integration since the Treaty of Maastricht The Eurozone crisis corroborated the warnings of economists that weak economic policy coordination and loose fiscal oversight would be insufficient to stabilise the monetary union The country studies in this book investigate the legal and in particular the constitutional pre conditions for deeper fiscal and monetary integration that influenced the past and might impact on the future positions in the now 27 EU Member States The individual country studies address the following issues Main characteristics of the national constitutional system and constitutional culture Constitutional foundations of Economic and Monetary Union EMU membership and related instruments Constitutional obstacles to EMU integration Constitutional rules and or practice on implementing EMU related law and The resulting relationship between EMU related law and national law Offering a comprehensive and detailed assessment of the legal and constitutional developments concerning the Economic and Monetary Union since the Treaty of Maastricht this book provides not only a study of legal EMU related measures and reforms at the EU level but most importantly sheds light on their perception in the EU Member States *The Constitution of Social Democracy* Alan Bogg, Jacob Rowbottom, Alison L Young, 2020-07-09 This book is based upon the papers written by a group of leading international scholars on the constitution of social democracy delivered at a conference to celebrate Professor Keith Ewing s scholarly legacy in labour law constitutional law human rights and the law of democracy The chapters explore the development of social democracy and democratic socialism in theory and political practice from a variety of comparative legal and disciplinary perspectives These developments have occurred against a backdrop of fragmenting traditional political parties declining collective bargaining concerns about juristocracy and the displacement of popular sovereignty the emergence of populist political movements austerity and fundamental questions about the future of the European project With this context in mind this collection considers whether legal norms can and should contribute to the constitution of social democracy It could not be more timely in addressing these fundamental constitutional questions at the intersection of law democracy and political economy **History of the United States of America, Under the Constitution** James Schouler, 1894

Adopting the Beat of Expression: An Psychological Symphony within **Constitutions In Crisis**

In a world taken by displays and the ceaseless chatter of instant connection, the melodic beauty and psychological symphony developed by the prepared term frequently diminish in to the back ground, eclipsed by the persistent sound and interruptions that permeate our lives. But, located within the pages of **Constitutions In Crisis** an enchanting literary treasure full of fresh thoughts, lies an immersive symphony waiting to be embraced. Crafted by an elegant musician of language, that captivating masterpiece conducts readers on a mental journey, skillfully unraveling the concealed songs and profound affect resonating within each carefully crafted phrase. Within the depths of the touching assessment, we shall investigate the book is main harmonies, analyze their enthralling publishing type, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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