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James A. Gardner, Jim Rossi



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Mo, Guoqiang Zhai, 2019-11-29 This volume presents an overview of the evolution of the current Chinese Constitution 1982 and the characteristics of constitutional studies since 1978 Readers are introduced to the basic principles of constitutional system in China and gain insights into the real state of Chinese law allowing them to form their own opinions It will also aid commercial communications with Chinese legal professionals as well as enterprises The book covers a number of topics including the history of constitutional communication between Chinese constitutionalists and the International Association of Constitutional Law since 1981 the most important academic contributions to international conferences concerning constitutional law by Chinese constitutionalists the main characteristics of the current Chinese Constitution in the field of constitutional studies in China the key issues of constitutional practice and implementation in China the challenges of running the fundamental political system of the People's Representative Congress and the characteristics of rule of law specific to China **The Practice of Constitutional Development** Filippo Sabetti, Barbara Allen, Mark

Sproule-Jones, 2009-01-01 This edited collection further expands our knowledge about what comprises a successful constitution in both theory and application Building on the research and analysis of Vincent Ostrom who as one of America's leading scholars on constitutions has spent a lifetime writing about constitutions in America and overseas Each chapter shows how particular countries governments and organizations devise constitutions to reflect their visions of governance and sets of rules for their leaders On a higher theoretical level the contributors emphasize the importance of choosing the rules of the political game in order to determine the nature of the game itself Extending Ostrom's intellectual quest to solve constitutional dilemmas the scholars gathered here discuss a wide variety of issues ranging from the problems of water scarcity and local public economies in Africa to the prospect of a new political order in the European North Book jacket

Europe's Second Constitution Markus W. Gehring, 2020-09-24 European constitutionalisation has met with scepticism this book analyses the steps necessary to move to EU's Second Constitution An Historical Introduction to Western Constitutional Law R. C. van Caenegem, 1995-03-23 Professor van Caenegem's new book addresses fundamental questions of constitutional organization democracy versus autocracy unitary versus federal organization pluralism versus intolerance by analyzing different models of constitutional government through a historical perspective The approach is chronological constitutionalism is explained as the result of many centuries of trial and error through a narrative that begins in the early

Middle Ages and concludes with contemporary debates focusing on Europe the United States and the Soviet Union The Cambridge Constitutional History of the United Kingdom: Volume 2, The Changing Constitution Peter Cane,H.

Kumarasingham,2023-08-17 Featuring contributions from leading scholars of history law and politics this path breaking work traces the development of the United Kingdom s constitution from Anglo Saxon times and explores its role in the creation exercise and control of public power Essays in Volume Two entitled The Changing Constitution examine the development of the constitution from the departure of the Romans up to the present day and beyond Together the two volumes form the first wide ranging history of the constitution to be published for more than 50 years By its cross disciplinary approach taking account of the latest legal political and historical scholarship on the constitution it fills a large gap in the literature of the constitution and in political thought and British history Crossing Borders: Constitutional Development and

Internationalisation Florian Grotz,Th. A. J. Toonen,2009-03-13 This book is dedicated to Joachim Jens Hesse a scholar whose multi faceted work may be characterised as an attempt at crossing borders in several respects These primarily include fostering interdisciplinary cooperation between law economics and social sciences analysing public sector developments in an international and intercultural perspective as well as bridging the gap between academia and practical politics Therefore the volume deals with a subject that covers these features in an exemplary manner the interrelationship between nation state constitutions and their international environments In this context ongoing processes of transnationalisation have not only contributed to blurring the formerly clear cut boundaries between these two domains but also provoked a growing interest in and demand for comparative interdisciplinary and applied research on constitutional developments The authors of this Festschrift include eminent lawyers economists and political scientists from Europe the United States and East Asia who worked together with Joachim Jens Hesse in various contexts *Human Rights from a Comparative and International Law*

Perspective Joan Church,Christian Schulze,Hennie Strydom,2007 In terms of the South African Constitution of 1996 there is a general need for an introduction to comparative law and one that covers what is technically known as applied comparative law more particularly applied comparative law that involves a study of the bills of rights in other countries The

Constitutional Development of India Amiya Chatterji,1958 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 **New Frontiers of State Constitutional Law** James A. Gardner,Jim Rossi,2011-10-24 Chapters

featured in this title include Dual Enforcement of Constitutional Norms Cool Federalism and the Life Cycle of Moral Progress Why Federalism and Constitutional Positivism Don't Mix and Interjurisdictional Enforcement of Rights in a Post-erie World amongst others

Constitutional Politics in a Conservative Era Austin Sarat, 2008-05-05 Aims to bring together the work of leading scholars of Constitutionalism Constitutional law and politics in the United States to take stock of the field to chart its progress and point the way for its future development

The Rule of Law History, Theory and Criticism Pietro Costa, Danilo Zolo, 2007-05-06 Authors Costa and Zolo share the conviction that a proper understanding of the rule of law today requires reference to a global problematic horizon This book offers some relevant guides for orienting the reader through a political and legal debate where the rule of law and the doctrine of human rights is a concept both controversial and significant at the national and international levels

Questions of Order Peter Price, 2021 Canadian Confederation has long been assessed as a political moment that created a new national entity This book breaks new ground by arguing that Confederation was an imperial event that generated new questions and ideas about the future of global political order

European Union Law for the Twenty-First Century: Volume 2 Τάκης Τριδίας, Paolisa Nebbia, 2004-10 This book assesses the state of EU law fifty years after the Communities were established contributing to the debate on the European Constitution

How Many Judges Does it Take to Make a Supreme Court? John V. Orth, 2006 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

Interpreting Constitutions Charles J. G. Sampford, Kim Preston, 1996 Constitutions can be viewed as the road map of liberal democracies And like any road map they need to be constantly reconsidered and redrawn as the territory develops and changes The contributors undertake this re-interpretation on a number of levels They examine first the theoretical approaches to constitutional interpretation and then move on to implied rights There then follows a consideration of the role of the judiciary and parliament in constitutional interpretation drawing upon a number of examples from around the world

The Dual System of Privacy Rights in the United States Mary McThomas, 2013-03-05 Theoretically the right to privacy is an individual's right to space away from the public gaze to make life choices that are best for her or him regardless of the beliefs of the majority Yet the right to privacy in the United States has proven problematic for both political theorists and constitutional scholars as it does not conform to theoretical conceptions of privacy or to existing theories of constitutional development Mary McThomas provides a new model that helps us to think about both the right to privacy as well as constitutional development She first divides privacy issues into two categories and then illustrates how the two categories are treated differently The first category proprietary privacy covers such issues as medical records and wiretapping The second category decisional privacy involves making decisions about intimate matters such as the right to die same sex

marriage and abortion McThomas tracks and assesses higher court cases in conversational privacy representative of proprietary privacy and court cases in marital privacy representative of decisional privacy She concludes that the most notable difference between the different types of privacy is that decisional privacy has evolved more slowly towards constitutionalization and so is much more likely to be limited by community standards and social norms This book brings the theoretical conceptions and the practice of privacy rights together explaining what has happened in the area up until this point and offering ways to predict how the courts will handle some of today s most contentious issues The Alabama State Constitution William H. Stewart, 2016-03-15 The Alabama State Constitution provides extensive analysis on American s longest state constitution with an emphasis on the impact of recent court decisions declaring several of its most recently adopted provisions as in conflict with the U S Constitution and thus invalid Since entering the Union in 1819 Alabama has had six constitutions While the original constitution was regarded as one of the most progressive in the nation its current constitution adopted in 1901 is one of the most restrictive especially from the perspective of the limits it imposes on local governments The second edition updates and expands the previous edition providing new analysis with citations to court decisions and relevant scholarly commentary This edition provides important accompanying explanations on newly added provisions including gay marriage immigration environmental protection energy and taxation and the court decisions interpreting them The Oxford Commentaries on the State Constitutions of the United States is an important series that reflects a renewed international interest in constitutional history and provides expert insight into each of the 50 state constitutions Each volume in this innovative series contains a historical overview of the state s constitutional development a section by section analysis of its current constitution and a comprehensive guide to further research Under the expert editorship of Professor G Alan Tarr Director of the Center on State Constitutional Studies at Rutgers University this series provides essential reference tools for understanding state constitutional law Books in the series can be purchased individually or as part of a complete set giving readers unmatched access to these important political documents

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