

Constitutional Conflicts

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Constitutional Conflicts By Bell

Gloria J. Browne-Marshall



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The Constitution in Conflict Robert A. Burt, 1992 In a remarkably innovative reconstruction of constitutional history Robert Burt traces the controversy over judicial supremacy back to the founding fathers Also drawing extensively on Lincoln's conception of political equality Burt argues convincingly that judicial supremacy and majority rule are both inconsistent with the egalitarian democratic ideal The first fully articulated presentation of the Constitution as a communally interpreted document in which the Supreme Court plays an important but not predominant role The Constitution in Conflict has dramatic implications for both the theory and the practice of constitutional law Race, Law, and American Society Gloria J.

Browne-Marshall, 2013-05-02 This second edition of Gloria Browne Marshall's seminal work tracing the history of racial discrimination in American law from colonial times to the present is now available with major revisions Throughout she advocates for freedom and equality at the center moving from their struggle for physical freedom in the slavery era to more recent battles for equal rights and economic equality From the colonial period to the present this book examines education property ownership voting rights criminal justice and the military as well as internationalism and civil liberties by analyzing the key court cases that established America's racial system and demonstrating the impact of these court cases on American society This edition also includes more on Asians Native Americans and Latinos *Race Law and American Society* is highly accessible and thorough in its depiction of the role race has played with the sanction of the U S Supreme Court in shaping virtually every major American social institution **Fascism and Constitutional Conflict** James Loughlin, 2019 The first

major assessment of the British fascist and neo fascist engagement with the Ulster question from Rotha Lintorn Orman's British Fascists in the 1920s and early 1930s Oswald Mosley's BUF in the 1930s and neo fascist Union Movement in the post war period through to the National Front and BNP during the Troubles *The Limits of Russian Democratisation* Alexander

Domrin, 2006-04-18 Written by an established scholar in the field this text examines the nature of emergency powers and their use in the Russian constitution It explores the use of such powers in Russian history comparing the Russian situation with those that exist in other countries and discussing the legal thought underpinning such powers The practicalities and theories of emergency orders are traced throughout history with Dormin arguing that the longer an emergency regime lasts the less effective the measure becomes With original research and remarkable insight this text will be of interest to scholars examining the new Russia its rulers conflicts and motives as well as its political systems *Beyond the Wire* Peter

Shirlow, Kieran McEvoy, 2008-01-20 This book provides the first detailed examination of the role played by former loyalist and republican prisoners in grass roots conflict transformation work in the Northern Ireland peace process It challenges the assumed passivity of former prisoners and ex combatants Instead it suggests that such individuals and the groups which they formed have been key agents of conflict transformation They have provided leadership in challenging cultures of violence developed practical methods of resolving inter communal conflict and found ways for communities to explore their troubled

past In analysing this the authors challenge the sterile demonisation of former prisoners and the processes that maintain their exclusion from normal civic and social life The book is a constructive reminder of the need for full participation of both former combatants and victims in post conflict transformation It also lays out a new agenda for reconciliation which suggests that conflict transformation can and should begin from the extremes The book will be of interest to students of criminology peace and conflict studies law and politics geography and sociology as well as those with a particular interest in the Northern Ireland conflict

The Anti-Oligarchy Constitution Joseph Fishkin, William E. Forbath, 2022-01-11 A bold call to reclaim an American tradition that argues the Constitution imposes a duty on government to fight oligarchy and ensure broadly shared wealth Oligarchy is a threat to the American republic When too much economic and political power is concentrated in too few hands we risk losing the republican form of government the Constitution requires Today courts enforce the Constitution as if it has almost nothing to say about this threat But as Joseph Fishkin and William Forbath show in this revolutionary retelling of constitutional history a commitment to prevent oligarchy once stood at the center of a robust tradition in American political and constitutional thought Fishkin and Forbath demonstrate that reformers legislators and even judges working in this democracy of opportunity tradition understood that the Constitution imposes a duty on legislatures to thwart oligarchy and promote a broad distribution of wealth and political power These ideas led Jacksonians to fight special economic privileges for the few Populists to try to break up monopoly power and Progressives to fight for the constitutional right to form a union During Reconstruction Radical Republicans argued in this tradition that racial equality required breaking up the oligarchy of slave power and distributing wealth and opportunity to former slaves and their descendants President Franklin Roosevelt and the New Dealers built their politics around this tradition winning the fight against the economic royalists and industrial despots But today as we enter a new Gilded Age this tradition in progressive American economic and political thought lies dormant The Anti Oligarchy Constitution begins the work of recovering it and exploring its profound implications for our deeply unequal society and badly damaged democracy

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

The Intellectual Property of Nations Laura R. Ford, 2021-05-20 This sweeping sociological analysis traces the emergence of intellectual property as a new type of legal property

International Law and Post-Conflict Reconstruction Policy Matthew Saul, James A. Sweeney, 2015-05-15 The trend for international engagement

in post conflict reconstruction has produced a host of best practice postulates on topics such as local involvement in decision making accountability for past atrocities sensitivity to context and the construction of democratic institutions of governance International law has potential relevance for many of these themes yet the question of how the implementation of best practice policy recommendations might be affected by international law remains under examined This book offers a fuller understanding of the role of international law in the practice of post conflict reconstruction It explores how international legal issues that arise in the post conflict period relate to a number of strands of the policy debate including government creation constitution making gender policy provision of security justice for past atrocities rule of law development economic recovery returning displaced persons and responsibilities of international actors The chapters of the book work to reveal the extent to which international law figures in the policy of internationally enabled post conflict reconstruction across a range of sectors They also highlight the scope for international law to be harnessed in a more effective manner from the perspective of the transition to peace and stability The book lays out a basis for future policy making on post conflict reconstruction one that is informed about the international legal parameters and more aware of how international law can be utilized to promote key objectives

The Constitutional Origins of the American Civil War Michael F. Conlin, 2019-07-18 Demonstrates the crucial role that the Constitution played in the coming of the Civil War

Selected Essays on the Conflict of Laws Friedrich Juenger, 2021-10-25 Friedrich K Juenger on the conflict of laws is always worth attending to Rejecting the conventional wisdom that prevails in the field he sees the conflict of laws not as a discipline devoid of substantive values but as a powerful catalyst for multistate justice Here is a wide ranging collection of essays on a variety of problems posed by transactions that transcend state and national borders The essays include a comparison of jurisdiction issues in the United States and the European Communities opinions on forum shopping a critique of interest analysis techniques and a plea for a comparative approach to choice of law issues Invaluable studies in the extraterritorial application of United States antitrust law recognition of foreign money judgments and divorces and regional conventions round out the collection Published under the Transnational Publishers imprint

Griffin B. Bell United States. Congress. Senate. Committee on the Judiciary, 1977

The Founding Fathers, Pop Culture, and Constitutional Law Susan Burgess, 2008 This volume explores the representation of law and legitimacy in various sites of popular culture To this end soap operas romance novels tabloid newspapers reality television and coming out narratives provide alternative ways to understand the relationship between paternal power and law from the bottom up

A Conflict-of-laws Anthology Gene R. Shreve, 1997

The Constitution of Freedom András Sajó, Renáta Uitz, 2017 Informed by a life lived under the oppressions of communism ECtHR Judge Andr s Saj examines the fundamentals of constitutional systems of government protection from tyranny and promotion of freedom in this timely and important book

Building Peace, Creating Conflict? Hanne Fjelde, Kristine Höglund, 2012-01-03 One of the most significant challenges facing the international community today is how to stabilize and rebuild societies emerging from civil

wars and this book which includes both theoretical discussions and empirical applications considers the various factors of peacebuilding As it addresses several pertinent academic debates relating to international interventions and local ownership international and local conceptions of gender equality and the legal aspects of peace implementation this account demonstrates how some postwar countries have made significant strides towards peace and democracy while others have experienced a return to war A policy relevant topic Building Peace Creating Conflict will appeal to students and scholars of international relations and peace studies as well as to practitioners involved in peacebuilding efforts in war affected countries

Criminal Law Series ,2002 Petitions and briefs filed with the U S Supreme Court Father, Son, and Constitution Alexander Wohl,2013-04-30 When Supreme Court Justice Tom Clark resigned his seat on the bench at the youthful age of 67 after 18 years his decision was unique in the annals of Court history he was leaving so that his son Ramsey just nominated as Attorney General could assume the job Clark himself had once held without conflict of interest As Alexander Wohl shows Tom and Ramsey Clark had a profound impact on American law and society For nearly three quarters of a century they influenced presidents policies and legal rulings during careers that tracked closely with some of the most significant and controversial episodes in modern American history Highlighting their consistent effort to balance individual liberties with government power Wohl examines how their work reflected the tensions that continue to resonate in today s legal and policy battles The two men however evolved quite differently As a young government lawyer Tom Clark was a key figure in enforcing the relocation of Japanese Americans and as Attorney General he was vilified by civil liberties advocates for the Cold War policies he implemented even as he promoted a progressive strategy on civil rights Ramsey began his career to the ideological left of his father was intimately involved in enforcement of civil rights laws during the turbulent 1960s as Attorney General fought to expand protections of individual rights and as a private attorney represented clients on the farthest reaches of the individual rights government power spectrum A unique approach for understanding our nation s history during the second half of the twentieth century Wohl s study addresses such salient issues as civil rights free speech government surveillance and rights of privacy presidential power and the role of judges in interpreting the Constitution The Clarks lives and careers also offer a veritable who s who of 20th century American law and policy from Tom s close relationships with Harry Truman Lyndon Johnson Sam Rayburn and Earl Warren to Ramsey s connections with Robert Kennedy LBJ and Martin Luther King Jr Both men befriended and battled J Edgar Hoover and both were targets of political attack twenty years apart by Richard Nixon At its fundamental core however Wohl s book presents a moving and intimate portrait of a unique father son relationship that endured through triumph and tribulation and that should appeal to anyone interested in how the personal and the political intertwine in a highly public setting The Origin and Growth of the English Constitution Hannis Taylor,1898 **The after-growth of the constitution** Hannis Taylor,1898

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