

Georgia State Politics The Constitutional Foundation

Constitutional Democracy Politics, Democracy, and the Supreme Court Constitutions and Political Theory Constitutional Government in the United States Politics and the Constitution Constitutional Government in the United States Research Handbook on the Politics of Constitutional Law Constitutional Politics Politics, the Constitution, and the Supreme Court The Politics of Constitutional Change in Industrial Nations Why the Constitution Matters Constitutional Politics in a Conservative Era A Community Built on Words A More Perfect Constitution The Rise and Growth of American Politics The Cycles of Constitutional Time In Defense of the United States Constitution Constitutionalism and Democracy The Spirit of American Government Constitutional Self-Government Walter F. Murphy Arthur Selwyn Miller Jan-Erik Lane Woodrow Wilson Judith A. Baer Woodrow Wilson Mark Tushnet Sotirios A. Barber Loren P. Beth Richard Simeond Mark Tushnet Austin Sarat Jefferson Powell Larry Sabato Henry Jones Ford J. M. Balkin Robert S. Singh Jon Elster James Allen Smith Christopher L. Eisgruber

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publisher description

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

jan erik lane begins by examining the origins and history of constitutionalism the doctrine that the state must be regulated by means of a set of institutions that guarantee citizen rights and procedural accountability he then examines the structure of the state in order to identify the essential elements that constitutional institutions regulate lane asks why constitutions exist and how they matter for society finally he seeks out the requirements for a fair and democratic constitution by referring to three key concepts in political theory justice equality and the rule of law the book also offers a comparative survey of formal constitutional arrangements in different countries and an analysis of how constitutions develop in practice through the implementation of constitutional and administrative law in a country s courts

a study and re thinking of government in states and federal organizations such as congress the courts executive agencies and the presidency written as a series of lectures this book proposes a dramatic shift to the american perception of the constitutions role and the three branches of united states government

first published in 1908 constitutional government in the united states offers woodrow wilson s thoughts on the us political system including his famous theories regarding constitutional interpretation this classic volume presents woodrow wilson s criticism of the us founding fathers and cements him as a thought leader during the progressive era in it wilson discusses the various branches of the us government including the constitution courts party leaders and presidencies based on a series of speeches given by wilson before he won the presidential election in 1912 this classic of american political science literature is still shaping thoughts around the subject today chapters in this book include what is constitutional government the place of the united states in constitutional development the president of the united states the house of representatives the senate the courts the states and the federal government party government in the united states constitutional government in the united states is an essential read for anyone interested in the evolution of political thought and the history of the us constitution

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

what does it mean to have a constitution scholars and students associated with walter murphy at princeton university have long asked this question in their exploration of constitutional politics and judicial behavior these scholars concerned with the making maintenance and deliberate change of the constitution have made unique and significant contributions to our understanding of american constitutional law by going against the norm of court centered and litigation minded research beginning in the late 1970s this new wave of academics explored questions ranging from the nature of creating the u s constitution to the philosophy behind amending it in this collection sotirios a barber and robert p george bring together fourteen essays by members of this princeton group some of the most distinguished scholars in the field these works consider the meaning of having a constitution the implications of particular choices in the design of constitutions and the meaning of judicial supremacy in the interpretation of the constitution the overarching ambition of this collection is to awaken a constitutionalist consciousness in its readers to view themselves as potential makers and changers of constitutions as opposed to mere subjects of existing arrangements in addition to the editors the contributors are walter f murphy john e finn christopher l eisgruber james e fleming jeffrey k tulius suzette hemberger stephen macedo sanford levinson h n hirsch wayne d moore keith e whittington and mark e brandon

during the last two decades serious attempts to alter basic constitutional structures have taken place in many industrial nations even in those often thought to have highly stable political institutions in some cases such as belgium and spain far reaching constitutional changes have been put in place in others advocates of reform have achieved only partial victories or have been entirely frustrated in all cases controversy over the constitution has been intense involving basic conceptions of legitimacy representation sovereignty and the purposes of the state constitutional politics often reveals much about political life of modern societies that is obscured in day to day events the results of constitutional changes can significantly affect the distribution of power the ability to manage conflict and the outcomes of policy debates this book

explores the dynamics of constitutional politics through case studies of Spain, Belgium, Canada, the United Kingdom, the United States, West Germany, and Eastern Europe including Poland prepared by leading students of these countries. Other chapters draw out the more general patterns of constitutional politics highlighting the pressures which lead to change and the formidable obstacles confronting them.

A major legal scholar presents an empowering reassessment of our nation's most essential document in this surprising and highly unconventional work. Harvard Law Professor Mark Tushnet poses a seemingly simple question that yields a thoroughly unexpected answer: the Constitution matters, he argues, not because it structures our government but because it structures our politics. He maintains that politicians and political parties, not Supreme Court decisions, are the true engines of constitutional change in our system. This message will empower all citizens who use direct political action to define and protect our rights and liberties as Americans. Unlike legal scholars who consider the Constitution only as a blueprint for American democracy, Tushnet focuses on the ways it serves as a framework for political debate. Each branch of government draws substantive inspiration and procedural structure from the Constitution but can effect change only when there is the political will to carry it out. Tushnet's political understanding of the Constitution therefore does not demand that citizens pore over the specifics of each Supreme Court decision in order to improve our nation. Instead, by providing key facts about Congress, the President, and the nature of the current constitutional regime, his book reveals not only why the Constitution matters to each of us but also—and perhaps more important—how it matters.

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 to point the way for its future development.

Jefferson Powell offers a powerful new approach to one of the central issues in American constitutional thinking today: the problem of constitutional law's historicity or the many ways in which constitutional arguments and outcomes are shaped both by historical circumstances and by the political goals and commitments of various actors. Including judges, the presence of such influences is often considered highly problematic. If constitutional law is political and historical, through and through, then what differentiates it from politics per se, and what gives it integrity and coherence? Powell argues that constitutional theory has, as its sometimes hidden agenda, the ambition of showing how constitutional law can escape from history and politics. While much constitutional history seeks to identify an historically true meaning of the constitutional text that, once uncovered, can serve as a corrective to subsequent deviations from that truth, combining history and theory, Powell analyzes a series of constitutional controversies from 1790 to 1944 to demonstrate that constitutional law from its very beginning has involved politically charged and ideologically divisive arguments. Nowhere in our past can one find the golden age of apolitical constitutional thinking that a great deal of contemporary scholarship seeks or presupposes. Viewed over time, American constitutional law is a history of political dispute couched in constitutional terms. Powell then takes his conclusions one step further, claiming that it is precisely this historical tradition of argument that has given American constitutional law a remarkable coherence and integrity over time. No matter what the particular political disputes of the day might be, constitutional argument has provided a shared language through which our political community has been able to fight out its battles without ultimately fracturing a community built on words. Will be a must reading for any student of constitutional history, theory, or law.

The Political Book of the Year from the acclaimed founder and director of the Center for Politics at the University of Virginia.

The Cycles of Constitutional Time shows where American democracy has been and projects where it is going. Jack Balkin explains why our politics seems so dysfunctional and why fights over the courts seem so bitter and unhinged. He portrays our present troubles in terms of longer constitutional trends. In doing so, he also offers a message of hope for the future: the same trends that put us in this predicament are slowly changing our political system. Can it get better if Americans mobilize to change it?

constitutional reform is a topic of perennial academic debate perhaps now more than ever amid sharp polarization in the electorate and government at once a cogent new contribution to the scholarly literature and appropriate for american politics and government students this book mounts a provocative nonideological defense of the us constitution directly engaging proposals for reform and providing a rare systematic argument for continuity our politics may be broken but our system is not writing from an international perspective with an array of fascinating data the author draws on theory law and history to defend the republican order under political stress and intellectual challenge

the eleven essays in this volume supplemented by an editorial introduction centre around three overlapping problems first why would a society want to limit its own sovereign power by imposing constitutional constraints on democratic decision making second what are the contributions of democracy and constitutions to efficient government third what are the relations among democracy constitutionalism and private property this comprehensive discussion of the problems inherent in constitutional democracy will be of interest to students in a variety of social sciences it illuminates particularly the current efforts of many countries especially in latin america to establish stable democratic regimes

eisgruber focuses directly on the constitution s seemingly undemocratic features locating the constitution s value in its capacity to sustain an array of institutions that render self government meaningful for a large and diverse people

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Introduction

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