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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.

Axial Shift Benjamen Gussen, 2019-05-17 This book uses historical analysis, constitutional economics, and complexity theory to furnish an account of city subsidiarity as a legal, ethical, political, and economic principle. The book contemplates subsidiarity as a constitutional principle, where cities would benefit from much wider local autonomy. Constitutional economics suggests an optimal limit to jurisdictional footprints (territories). This entails preference for political orders where sovereignty is shared between different cities rather states where capital cities dominate. The introduction of city subsidiarity as a constitutional principle holds the key to economic prosperity in a globalizing world. Moreover, insights from complexity theory suggest subsidiarity is the only effective response to the 'problem of scale.' It is a fitness trait that prevents highly complex systems from collapsing. The nation-state is a highly complex system within which cities function as 'attractors.' The collapse of such systems would ensue if there were strong coupling between attractors. Such coupling

obtains under legal monism. Only subsidiarity can make the eventuality of collapse improbable. The emergent and self-organizing properties of subsidiarity entail a shift in policy emphasis towards cities with a wide margin of autonomy.

The Max Planck Handbooks in European Public Law Armin von Bogdandy, Peter Huber, Christoph Grabenwarter, 2020-03-12 The Max Planck Handbooks in European Public Law describe and analyse public law of the European legal space, an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and, importantly, the domestic public laws of European states. Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners, the series aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law. The first volume of the series began this enterprise with an appraisal of the evolution of the state and its administration, offering both cross-cutting contributions and specific country reports. The third volume (the second in chronological terms) continues this approach with an in-depth appraisal of constitutional adjudication in various and diverse European countries. Fourteen country reports and two cross-cutting contributions investigate the antecedents, foundations, organization, procedure, and outlook of constitutional adjudicators throughout the Continent. They include countries with powerful constitutional courts, jurisdictions with traditional supreme courts, and states with small institutions and limited ex ante review. In keeping with the focus on a diverse but unified legal space, each report also details how its institution fits into the broader association of constitutional courts that, through dialogue and conflict, brings to fruition the European legal space. Together, the chapters of this volume provide a strong and diverse foundation for this dialogue to flourish.

The Polity & Governance Compendium for IAS Prelims General Studies CSAT Paper 1, UPSC & State PSC 2nd Edition
Disha Experts, 2017-07-05 CSAT, UPSC, State PSC, UPSC Prelims, CAPF, CDS, NDA

Parliamentary Reform 1640-1832 John Cannon, 1973-02-15

Italian Populism and Constitutional Law Giacomo Delledonne, Giuseppe Martinico, Matteo Monti, Fabio Pacini, 2020-02-25 This edited volume explores the relationship between constitutionalism and populism in the Italian context. Italian populism is of interest to comparative lawyers for many reasons. Firstly, the country has a long-lasting tradition of anti-parliamentarism over the course of its history as a unitary state. After the 2018 general election, it has turned into the first European country in which two self-styled populist parties formed a coalition government. Although it collapsed in August 2019, many issues that it had raised remain. Secondly, as Italy is a founding member of the European Communities, the constitutional implications of populist politics have to be considered not only within the national framework but also in a wider context. This book argues that the relationship between populism and constitutionalism should not be seen in terms of mutual exclusion and perfect opposition. Indeed, populism frequently relies on concepts and categories

belonging to the language of constitutionalism (majority, democracy, people), offering a kind of constitutional counter-narrative.

The Post Office London Directory ,1847

The Human Right to Science Cesare P. R. Romano,Andrea Boggio,Professor of Legal Studies Andrea Boggio,2024 The Human Right to Science offers a thorough and systematic analysis of the right to science in all of its critical aspects. Authored by experts in international law and science policy, the book meticulously explores the right's origins, development, and normative content. In doing so, it uncovers previously unarticulated entitlements and obligations, offering new insights on human rights interconnections.

The Round Table ,1868

Round Table ,1868

Constitutional History and Political Development of the United States Simon Sterne,1888

Bulletin des lois de la République française ,1848

View of the Constitution of the United States St. George Tucker,1999 St. George Tucker's View of the Constitution, published in 1803, was the first extended, systematic commentary on the United States Constitution after its ratification. Generations learned their Blackstone and their understanding of the Constitution through Tucker. Clyde N. Wilson is Professor of History and editor of The Papers of John C. Calhoun at the University of South Carolina. Please note: This title is available as an ebook for purchase on Amazon, Barnes and Noble, and iTunes.

Understanding State Constitutions G. Alan Tarr,2018-06-05 For many Americans, the word constitution means just one thing: the national Constitution. According to a recent survey, almost half do not know that individual states also have constitutions. Scholars have also paid little attention to state constitutions, favoring the apparently more dynamic and significant federal scene. G. Alan Tarr seeks to change that in this landmark book. A leading authority on state legal issues, he combines history, law, and political science to present a thorough and long-needed account of the distinct and important role of state constitutions in American life. Tarr shows that state constitutional politics are dominated by three crucial issues with little salience at the national level: the distribution of power among groups and regions within states, the scope of state and local governmental authority, and the relation of the state to economic activity. He explains how state constitutions differ from the national Constitution in treating not only matters of high principle but also such mundane subjects as ski trails and motor vehicle revenues. He also explores why state constitutions, unlike their federal counterpart, have been so frequently amended and replaced. Tarr concludes that the United States not only has a system of dual constitutionalism but also has dual constitutional cultures. Powerfully argued and meticulously researched, the book fills an important gap in political and legal studies and finally gives state constitutions the scholarly attention they richly deserve.

The Constitutional Value of Sunset Clauses Antonios Emmanouil Kouroutakis,2016-10-04 In recent years, sunset clauses have mostly been associated with emergency legislation introduced in the wake of terrorist attacks. However, as this book demonstrates, they have a long history and a substantial constitutional impact on the separation of powers and the rule of law. In addition, the constitutional value of such clauses is examined from certain neglected normative aspects pertaining to concepts such as deliberative and consensus democracy, parliamentary sovereignty and constitutional dialogue. The work is an amalgam of three perspectives: the historical, the positive and the normative. All three are intertwined and each subsequent part builds upon the findings of the previous one. The historical perspective investigates the historical development of sunset clauses since the first Parliaments in England. The positive perspective examines the legal effect and the contemporary utility of sunset clauses. Finally, the normative perspective analyses their interaction with several models of separation of powers, and their influence on the dialogue between various institutions as it values their impact on the rule of law, formal and substantive. The detailed examination of this topical subject will be a valuable resource for academics, researchers and policy makers.

Technical Abstract Bulletin ,1980

Constitutional Construction Keith E. Whittington,William Nelson Cromwell Professor of Politics and the Director of Graduate Studies in the Department of Politics Keith E Whittington,2009-06-01 This book argues that the Constitution has a dual nature. The first aspect, on which legal scholars have focused, is the degree to which the Constitution acts as a binding set of rules that can be neutrally interpreted and externally enforced by the courts against government actors. This is the process of constitutional interpretation. But according to Keith Whittington, the Constitution also permeates politics itself, to guide and constrain political actors in the very process of making public policy. In so doing, it is also dependent on political actors, both to formulate authoritative constitutional requirements and to enforce those fundamental settlements in the future. Whittington characterizes this process, by which constitutional meaning is shaped within politics at the same time that politics is shaped by the Constitution, as one of construction as opposed to interpretation. Whittington goes on to argue that ambiguities in the constitutional text and changes in the political situation push political actors to construct their own constitutional understanding. The construction of constitutional meaning is a necessary part of the political process and a regular part of our nation's history, how a democracy lives with a written constitution. The Constitution both binds and empowers government officials. Whittington develops his argument through intensive analysis of four important cases: the impeachments of Justice Samuel Chase and President Andrew Johnson, the nullification crisis, and reforms of presidential-congressional relations during the Nixon presidency.

Bulletin des lois de la République Française France,1848

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