

# A New Constitutionalism: Designing Political Institutions for a Good Society

Elkin

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# New Constitutionalism Designing Political Institutions For A Good Society

**Douglas F Morgan, Douglas F.  
Green, Richard T Green, Craig W  
Shinn, Robert K Robinson**

## **New Constitutionalism Designing Political Institutions For A Good Society:**

A New Constitutionalism Stephen L. Elkin, Karol Edward Soltan, 1993-06-15 In *The New Constitutionalism* seven distinguished scholars develop an innovative perspective on the power of institutions to shape politics and political life. Believing that constitutionalism needs to go beyond the classical goal of limiting the arbitrary exercise of political power, the contributors argue that it should and can be designed to achieve economic efficiency, informed democratic control, and other valued political ends. More broadly, they believe that political and social theory needs to turn away from the negativism of critical theory to consider how a good society should be constituted and to direct the work of designing institutions that can constitute a good polity in both the economic and civic senses. Stephen L. Elkin and Karol Edward Soltan begin with an overview of constitutionalist theory and a discussion of the new constitutionalism within the broader intellectual and historical context of political and social thought. Charles Anderson, James Ceaser, and the editors then offer different interpretations of the central issues regarding institutional design in a constitutionalist social science. Various ways of performing the task and discussing the inadequacy of recent political science to the job it ought to be doing are discussed. The book concludes with essays by Ted Lowi, Cass Sunstein, and Edwin Haefele, which apply these themes to the American regime.

**Institutions And Democratic Statecraft** Metin Heper, 2018-10-08 This volume of fifteen original essays examines the role of political institutions in establishing democratic stability around the globe. Leading scholars survey well-established democracies such as the United States, Great Britain, Canada, Australia, and France, and relatively established democracies such as Germany, Italy, India, and Israel, and newly established democracies such as Turkey, Poland, and Spain. The final chapter explores how political institutions may be connected to democracy for the best performance of the political system.

**The Other Founders** Saul Cornell, 2012-12-01 Fear of centralized authority is deeply rooted in American history. The struggle over the U.S. Constitution in 1788 pitted the Federalists, supporters of a stronger central government, against the Anti-Federalists, the champions of a more localist vision of politics. But argues Saul Cornell, while the Federalists may have won the battle over ratification, it is the ideas of the Anti-Federalists that continue to define the soul of American politics. While no Anti-Federalist party emerged after ratification, Anti-Federalism continued to help define the limits of legitimate dissent within the American constitutional tradition for decades. Anti-Federalist ideas also exerted an important influence on Jeffersonianism and Jacksonianism. Exploring the full range of Anti-Federalist thought, Cornell illustrates its continuing relevance in the politics of the early Republic. A new look at the Anti-Federalists is particularly timely given the recent revival of interest in this once neglected group. Notes Cornell. Now widely reprinted, Anti-Federalist writings are increasingly quoted by legal scholars and cited in Supreme Court decisions, clear proof that their authors are now counted among the ranks of America's founders.

Regulating Intimacy Jean L. Cohen, 2009-01-10 The regulation of intimate relationships has been a key battleground in the culture wars of the past three decades. In this bold and innovative book, Jean Cohen presents a new

approach to regulating intimacy that promises to defuse the tensions that have long sparked conflict among legislators jurists activists and scholars Disputes have typically arisen over questions that apparently set the demands of personal autonomy justice and responsibility against each other Can law stay out of the bedroom without shielding oppression and abuse Can we protect the pursuit of personal happiness while requiring people to behave responsibly toward others Can regulation acknowledge a variety of intimate relationships without privileging any Must regulating intimacy involve a clash between privacy and equality Cohen argues that these questions have been impossible to resolve because most legislators activists and scholars have drawn on an anachronistic conception of privacy one founded on the idea that privacy involves secrecy and entails a sphere free from legal regulation In response Cohen draws on Habermas and other European thinkers to present a robust constructivist defense of privacy one based on the idea that norms and rights are legally constructed Cohen roots her arguments in debates over three particularly contentious issues reproductive rights sexual orientation and sexual harassment She shows how a new legal framework reflexive law allows us to build on constructivist insights to approach these debates free from the liberal and welfarist paradigms that usually structure our legal thought This new legal paradigm finally allows us to dissolve the tensions among autonomy equality and community that have beset us A synthesis of feminist theory political theory constitutional jurisprudence and cutting edge research in the sociology of law this powerful work will reshape not only legal and political debates but how we think about the intimate relationships at the core of our own lives

**Foundations of Public Service** Douglas F Morgan, Douglas F. Green, Richard T Green, Craig W Shinn, Robert K Robinson, 2015-07-17 Designed to serve as a basic text for an introductory course in Public Administration this innovative work provides students with an understanding of the basic management functions that are covered in all standard textbooks with two important differences First it is written to address the needs of both the experienced practitioner and the entry level public servant Case examples bridge the content rich environment of practitioners with the basic principles of public administration sought by pre service students Second the discussion of basic management practices is grounded in the political and ethical tensions inherent in the American constitutional form of governance This reflects the authors belief that public administration operates as an integral part of the country s political traditions and thereby helps define the political culture The book provides a framework for understanding American political traditions and how they inform public administration as a political practice Key Changes in the Second Edition include A new introductory chapter that explains what the authors mean by a constitutional approach and why that is important An expanded discussion of the role of civil society in promoting the common good A new section in chapter 5 on New Public Governance Updated exhibits that incorporate up to date census data and revenue figures chapter 10 A new section in chapter 14 that recognises the importance of maintaining accountability in contract and networked systems of governance Significantly rewritten chapters to add emphasis on the relevance of the chapter material to nonprofit organisations A significantly revised bibliography

which incorporates new bodies of research that have appeared since the first edition      Human Rights Of, By, and For the People Keri Iyall Smith, Louis Edgar Esparza, Judith Blau, 2017-02-03 Together the US Constitution and the Bill of Rights comprise the constitutional foundation of the United States These the oldest governing documents still in use in the world urgently need an update just as the constitutions of other countries have been updated and revised Human Rights Of By and For the People brings together lawyers and sociologists to show how globalization and climate change offer an opportunity to revisit the founding documents Each proposes specific changes that would more closely align US law with international law The chapters also illustrate how constitutions are embedded in society and shaped by culture The constitution itself sets up contentious relationships among the three branches of government and between the federal government and each state government while the Bill of Rights and subsequent amendments begrudgingly recognize the civil and political rights of citizens These rights are described by legal scholars as negative rights specifically as freedoms from infringements rather than as positive rights that affirm personhood and human dignity The contributors to this volume offer positive rights instead The Universal Declaration of Human Rights UDHR written in the middle of the last century inspires these updates Nearly every other constitution in the world has adopted language from the UDHR The contributors use intersectionality critical race theory and contemporary critiques of runaway economic inequality to ground their interventions in sociological argument      **Civic Republicanism and Civic Education** A. Peterson, 2011-04-12 This book critically explores civic republicanism in light of contemporary republican political theory and the influence of republican models of citizenship in recent developments in civic education across a number of Western nations      **Democracy's Values** Ian Shapiro, Casiano Hacker-Cordón, 1999-08-19 Democracy has been a flawed hegemony since the fall of communism Its flexibility its commitment to equality of representation and its recognition of the legitimacy of opposition politics are all positive features for political institutions But democracy has many deficiencies it is all too easily held hostage by powerful interests it often fails to advance social justice and it does not cope well with a number of features of the political landscape such as political identities boundary disputes and environmental crises Although democracy is valuable it fits uneasily with other political values and is in many respects less than equal to the demands it confronts In this volume and its companion Democracy's Edges prominent political theorists and social scientists present original discussions of such central issues Democracy's Values deals with the nature and value of democracy particularly the tensions between it and such goods as justice equality efficiency and freedom      **Compound Democracies** Sergio Fabbrini, 2010-08-19 A major and broad ranging new comparison of the American and European political systems that argues provocatively that they are growing increasingly similar and offers a compelling new model for understanding them      **Constitutional Culture and Democratic Rule** John A. Ferejohn, Jack N. Rakove, Jonathan Riley, 2001-10-08 This volume investigates the nature of constitutional democratic government in the United States and elsewhere It provides comprehensive tools for analyzing and comparing different forms

of constitutional democracy The collection will be of interest to students and readers in political science law history and political philosophy

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