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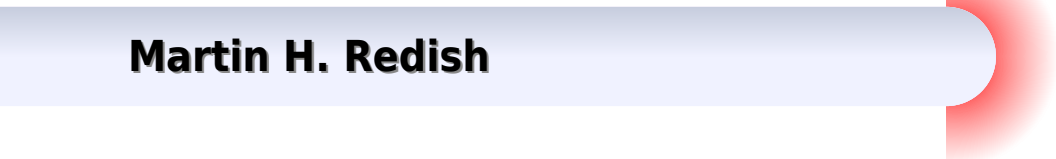
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Political Theory Of The Constitution

Martin H. Redish



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Thompson, 1990-02-16 Originally prepared as lectures arranged by the Miller Center **The Constitution as Political Structure** Martin H. Redish, 1995 Over the last forty years modern constitutional scholarship has concentrated on an analysis of rights while principles of constitutional law concerning the structure of government have been largely down played The irony of this interpretive emphasis is that the body of the Constitution contains relatively little dealing directly with rights Rather it is primarily a blueprint for the establishment of a complex form of federal democratic structure The Constitution as Political Structure emphasizes the central role served by the structural portions of the Constitution Redish argues that these structural values were designed to provide the framework in which our rights based system may flourish and that judicial abandonment of these structural values threatens the very foundations of American political theory In its exposition of the textual and theoretical rationales for judicial enforcement of the structural values embodied in the Constitution this book presents a principled alternative to the extremes of judicial abdication articulated by certain scholars and Justices on the one hand and the result oriented ideological involvement advocated in some quarters on the other This work will be of great interest to scholars of law and political science **The Political Theory of a Compound Republic**

Vincent Ostrom, Barbara Allen, 2007-11-29 The Political Theory of a Compound Republic examines the foundation of American constitutional design expressed in the Federalist Through meticulous textual analysis the logical principles of federalism the extended and compound republic envisioned by James Madison and Alexander Hamilton are revealed as thirteen propositions broadly applicable to any effort to design the institutions of a self governing polity The final chapters expanded and revised by Vincent Ostrom and Barbara Allen turn to the American experiment in constitutional choice at the threshold of the twenty first century In this revised edition Ostrom and Allen consider the continuing story of federal institutional development by focusing on two current concerns the imperial presidency and the ideal of universal human rights This third revised and expanded edition of The Political Theory of a Compound Republic continues to be of interest to scholars of federalism institutional analysis and development political economy and public choice and students of the American founding It is also

useful in undergraduate and graduate courses on American government and political thought *Politics, Democracy, and the Supreme Court* Arthur Selwyn Miller, 1985-09-17 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 **The Political Theory of a Compound Republic** Vincent Ostrom, 2008-01-01 The Political Theory of a Compound Republic examines the foundation of American constitutional design expressed in the *Federalist* Through meticulous textual analysis the logical principles of federalism the extended and compound republic envisioned by James Madison and Alexander Hamilton are revealed as thirteen propositions broadly applicable to any effort to design the institutions of a self governing polity The final chapters expanded and revised by Vincent Ostrom and Barbara Allen turn to the American experiment in constitutional choice at the threshold of the twenty first century In this revised edition Ostrom and Allen consider the continuing story of federal institutional development by focusing on two current concerns the imperial presidency and the ideal of universal human rights This third revised and expanded edition of *The Political Theory of a Compound Republic* continues to be of interest to scholars of federalism institutional analysis and development political economy and public choice and students of the American founding It is also useful in undergraduate and graduate courses on American government and political thought **Constitutions and Political Theory** Jan-Erik Lane, 2011-08-15 Since constitutional arrangements are what make politics work they are a central concern of political theory This book now completely updated is the first comprehensive exploration of the political theory of constitutions Jan Erik Lane begins by examining the origins and history of constitutionalism and answers key questions such as What is a constitution Why are there constitutions From where does constitutionalism originate How is the constitutional state related to democracy and justice Constitutions play a major role in domestic and international politics in the early 21st century and an updated version of this classic textbook will introduce students to a number of different areas theoretical empirical and moral which will aid their understanding of this important topic **Constitutional and Political Theory** Ernst-Wolfgang Böckenförde, 2017 In this comprehensive edition of Ernst Wolfgang Böckenförde's definitive work in constitutionalism law and politics readers have access to the legal discourse of one of Germany's leading contemporary theorists and former judge of the federal constitutional court available in the English language for the first time *Constitutional and Political Theory* Ernst-Wolfgang Böckenförde, 2017-02-16 Ernst Wolfgang B

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Classics of American Political and Constitutional Thought Scott J. Hammond, Kevin R. Hardwick, Howard Leslie Lubert, 2007 This two volume set is a comprehensive collection of primary source readings in American political theory and constitutional thought

Democratic Theories and the Constitution Martin Edelman, 1985-06-30 Although the government of the United States is traditionally viewed as a democracy there is considerable disagreement about what democracy means and implies In a comprehensive study Professor Edelman examines the three democratic paradigms most prevalent in America today natural rights contract and competition Theories based on these paradigms lead to different ideas of democracy each of which yields variant interpretations of the Constitution This close relationship between democratic theories and constitutional interpretations is analyzed in an extensive historical introduction which focuses on some of the major thinkers in American history Edelman s discussion shows that neither the Constitution nor the development of American political thought can serve as an authoritative basis for any one theory of democracy Instead of a particular theory the historical constant was an appeal to reason inherent in our basic charter In his methodological section Edelman argues that we must use reason to clarify the latent values inherent in the differing concepts of democracy and the consequences that flow from them He analyzes judicial ideas in the light of three concepts deemed central to any democratic theory citizenship political participation and political freedom and concludes with a balanced account of contemporary democratic theories the

constitutional theories related to them and a critique of both The political theory of the Irish Constitution Eoin Daly, Tom Hickey, 2015-07-01 The political theory of the Irish Constitution considers Irish constitutional law and the Irish constitutional tradition from the perspective of Republican theory It analyses the central devices and doctrines of the Irish Constitution popular sovereignty constitutional rights and judicial review in light of Republican concepts of citizenship and civic virtue The Constitution it will argue can be understood as a framework for promoting popular participation in government as much as a mechanism for protecting individual liberties It will be of interest to students and researchers in Irish politics political theory and constitutional law and to all those interested in political reform and public philosophy in Ireland **Political Theory and the European Constitution** Lynn Dobson, Andreas Follesdal, 2004-08-02 In June 2003 the Convention on the Future of Europe released what may become the Constitution of the European Union This timely volume provides one of the first critical assessments of the draft Constitution from the vantage point of political theory The work combines detailed institutional analysis with normative political theory bringing theoretical analysis to bear on the pressing issues of institutional design answered or bypassed by the draft Constitution It addresses several themes that play out differently in federal arrangements than in unitary political orders European values especially the legitimate role of alleged common values liberty and powers how does the draft Constitution address competing normative preferences the European interest the noble words regarding common European objectives and values are often muddled or conflated different actors intending quite different things Several chapters contribute to clarifying the different senses of these terms **Law, Politics, and the Constitution** Antonia Geisler, Michael Hein, Siri Hummel, 2014 The fourth Yearbook of the Central and Eastern European Forum of Young Legal Political and Social Theorists reassesses central concepts of modern constitutionalism between the poles of law and politics separation of powers constitutional review and constitutional rights and obligations Fourteen legal scholars and political scientists from the region contribute to interrelated debates in both disciplines Two questions are particularly raised How can the aforementioned concepts be understood And Which role do they play in current national and supra national institutions With regard to the second question an essential part of the chapters focuses on current developments within the European Union and in post socialist states of Central and Eastern Europe **The American Constitution and the Debate over Originalism** Dennis J. Goldford, 2005-04-25 Located at the intersection of law political science philosophy and literary theory this book explores the nature of American constitutional interpretation through a reconsideration of the long standing debate between the interpretive theories of originalism and nonoriginalism It traces that debate to a particular set of premises about the nature of language interpretation and objectivity premises that raise the specter of unconstrained unstructured constitutional interpretation that has haunted contemporary constitutional theory Political Science (+2 Stage) Vol. I D. K. Sarmah, 2007 This Volume Consisting Of Political Theory Part I And The Constitution Of India Part Ii Practically Covers The Syllabi Prescribed By The Higher Secondary Councils Boards Of The

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