

Regulation, the Constitution, and the Economy

The Regulatory
Road to Serfdom

JAMES ROLPH EDWARDS

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Regulation, The Constitution, and the Economy James Rolph Edwards, 1998-12-03 Regulation The Constitution and the Economy demonstrates the constitutionally degraded and inherently dictatorial character of regulation its ineffectiveness in curing social ills and its use as a tool of special interests seeking personal gain in the form of money or power Regulation became prominent in the late medieval mercantile rent seeking societies but was little used in the United States until after the Civil War The author demonstrates the nature of regulation as antithetical to constitutional forms of law and an antidemocratic franchising of legitimate legislative authority to unelected persons He provides a history of industry regulation using transportation and public utilities that belies the public interest justification for such regulation and makes its rent seeking origins clear The history of social regulation proves less clear but shows the public harmed more than helped by it as exhibited through its enormous negative effect on productivity growth and economic activity **Regulation** Jerry Brito, Susan E. Dudley, 2012-08-13 Federal regulations affect nearly every area of our lives and interest in them is increasing However many people have no idea how regulations are developed or how they have an impact on our lives Regulation A Primer by Susan Dudley and Jerry Brito provides an accessible overview of regulatory theory analysis and practice The Primer examines the constitutional underpinnings of federal regulation and discusses who writes and enforces regulation and how they do it Published by the Mercatus Center at George Mason University it also provides insights into the different varieties of regulation and how to analyze whether a regulatory proposal makes citizens better or worse off Each chapter discusses key aspects of regulation and provides further readings for those interested in exploring these topics in more detail

The Triumph of Ignorance and Bliss James Polk, 2008 James Polk explores the mundane symbols interests and power structures that increasingly permeate and define American society [Free Market Revolution](#) Yaron Brook, Don Watkins, 2012-09-18 NATIONAL BESTSELLER A look at how our current crises are caused by too much government and how Ayn Rand's bold defense of free markets can help us change course The rise of the Tea Party and the 2010 election results revealed that tens of millions of Americans are alarmed by Big Government but skeptical that anything can or will be done to stop the growth of the state In Free Market Revolution the keepers of Ayn Rand's legacy argue that the answer lies in her pioneering philosophy of capitalism and self interest a philosophy that more and more people are turning to for answers In the past few years Rand's works have surged to new peaks of popularity as politicians like Paul Ryan media figures like John Stossel and businessmen like John Mackey routinely name her as one of their chief influences Here Brook and Watkins explain how her ideas can solve a host of political and economic ills including the debt crisis inflation overregulation and the swelling welfare state And most important they show how Rand's philosophy can enable defenders of the free market to seize the moral high ground in the fight to limit government This is a fresh and urgent look at the ideas of one of the most controversial figures in modern history ideas that may prove the only hope for the future **Back on the Road to Serfdom**

Thomas E. Woods, 2023-09-26 Leviathan is back The threat of statism has reemerged in force The federal government has radically expanded its power through bailouts stimulus packages a trillion dollar health care plan jobs bills massive expansions of the money supply and much more But such interventionism did not suddenly materialize with the recent economic collapse The dangerous trends of government growth debt increases encroachments on individual liberty and attacks on the free market began years earlier and continued no matter which political party was in power This shift toward statism will not end happily declares bestselling author Thomas E Woods In Back on the Road to Serfdom Woods brings together ten top scholars to examine why the size and scope of government has exploded and to reveal the devastating consequences of succumbing to the statist temptation Spanning history economics politics religion and the arts Back on the Road to Serfdom shows How government interventionism endangers America s prosperity and the vital culture of entrepreneurship The roots of statism from the seminal conflict between Thomas Jefferson and Alexander Hamilton to the vast expansion of federal power in the twentieth century Why the standard explanation for the recent economic crisis is so terribly wrong and why the government s frenzied responses to the downturn only exacerbate the problems Why the European welfare state is not a model to aspire to but a disaster to be avoided How an intrusive state not only harms the economy but also imperils individual liberty and undermines the role of civil society The fatal flaws in the now common arguments against free markets and free trade How big business is helping government pave the road to serfdom Why the Judeo Christian tradition does not demand support for the welfare state but in fact values the free market How the arrogance of government power extends even to the cultural realm and how central planning is just as inefficient and destructive there It s been more than sixty five years since F A Hayek published his seminal work The Road to Serfdom Now this impeccably timed book provides another desperately needed warning about and corrective to the dangers of statism Constitutional Theory Michael J. Gerhardt, Stephen M. Griffin, Thomas D. Rowe, 2007 *American Book Publishing Record Cumulative 1998*

R R Bowker Publishing, 1999-03 **British Government and the Constitution** Colin Turpin, Adam Tomkins, 2011-09-01 Like the immensely successful previous edition of this highly respected work this new edition has been jointly prepared and thorough updated by Colin Turpin and Adam Tomkins It takes fully into account constitutional developments under the coalition government and examines the most recent case law of the Supreme Court the European Court of Justice and the European Court of Human Rights While it includes extensive material and commentary on contemporary constitutional practice the book covers the historical traditions and the continuity of the British constitution as well as the current tide of change Designed principally for law students the book includes substantial extracts from parliamentary and other political sources as well as from legislation and case law making it ideal for politics and government students With its fresh design it provides a full yet accessible account of the British constitution at a fascinating moment in its ongoing development

British Government and the Constitution Alison L. Young, 2021-04 Places constitutional law in its legal historical and

political context using contemporary examples European International Law Traditions Peter Hilpold, 2020-11-20 International Law is usually considered at least initially to be a unitary legal order that is not subject to different national approaches. Ex definition it should be an order that transcends the national and one that merges national perspectives into a higher understanding of law. It gains broad recognition precisely because it gives expression to a common consensus transcending national positions. The reality however is quite different. Individual countries approaches to International Law and the meanings attached to different concepts often diverge considerably. The result is a lack of comprehension that can ultimately lead to outright conflicts. In this book several renowned international lawyers engage in an enquiry directed at sorting out how different European nations have contributed to the development of International Law and how various national approaches to International Law differ. In doing so their goal is to promote a better understanding of theory and practice in International Law. **Chapter What Are and to What Avail Do We Study European International Law Traditions** is available open access under a Creative Commons Attribution 4.0 International License via link.springer.com

Conservatives and the Constitution Ken I. Kersch, 2019-03-28 Recovers a contested evolving tradition of conservative constitutional argument that shaped the past and is bidding to make the future **Current Publications in Legal and Related Fields**, 1999 **Civil Courts and the European Polity** Chantal Mak, Betül Kas, 2023-07-13 The chapters collected in this book explore the place and role of judge made private law in an emerging European polity. Examining case law from the perspective of different theories and viewpoints scholars and judges assess and reflect on the role of judges in civil cases for polity building in Europe. The chapters thus present a kaleidoscopic view on the dynamics of private law adjudication against a European backdrop. The book aims to add a private legal perspective to existing discourses in European constitutional law on Europe's political constellation. It aspires to enrich two debates: the first on the influence of fundamental rights in private legal relations and the second on the constitutional dimension of European private law. The contributions are placed within a framework of five sub categories or dimensions of judge made European private law: politics of European private law adjudication, rights, remedies, representation and reflections of judges on specific cases. *Constitutionalism and a Right to Effective Government?* Vicki C. Jackson, Yasmin Dawood, 2022-10-27 Nations around the world are facing various crises of ineffective government. Basic governmental functions protecting rights, preventing violence and promoting material well being are compromised leading to declines in general welfare, in the enjoyment of rights and even in democracy itself. This innovative collection featuring analyses by leaders in the fields of constitutional law and politics highlights the essential role of effective government in sustaining democratic constitutionalism. The book explores effective government as a right, principle, duty and interest, situating questions of governance in debates about negative and positive constitutionalism. In addition to providing new conceptual approaches to the connections between rights and governance, the volume also provides novel insights into government institutions including courts, legislatures, executives and administrative bodies as well as the

media and political parties This is an essential volume for anyone interested in constitutionalism comparative law governance democracy the rule of law and rights *Ideas on Liberty*, 2000

Multilevel Constitutionalism for Multilevel Governance of Public Goods Ernst Ulrich Petersmann, 2017-01-12 This is the first legal monograph analysing multilevel governance of global aggregate public goods PGs from the perspective of democratic republican and cosmopolitan constitutionalism by using historical legal political and economic methods It explains the need for a new philosophy of international law in order to protect human rights and PGs more effectively and more legitimately Constitutional approaches are justified by the universal recognition of human rights and by the need to protect human rights rule of law democracy and other principles of justice that are used in national regional and UN legal systems as indeterminate legal concepts The study describes and criticizes the legal methodology problems of disconnected governance in UN GATT and WTO institutions as well as in certain areas of the external relations of the EU like transatlantic free trade agreements Based on 40 years of practical experiences of the author in German European UN GATT and WTO governance institutions and of simultaneous academic teaching this study develops five propositions for constituting limiting regulating and justifying multilevel governance for the benefit of citizens and their constitutional rights as constituent powers democratic principals and main republican actors who must hold multilevel governance institutions and their limited constituted powers legally democratically and judicially more accountable

Research Handbook on Austrian Law and Economics Todd J. Zywicki, Peter J. Boettke, 2017-12-29 The original contributions to the Research Handbook provide an introduction to the application of Austrian economics to law The book begins with chapters on the methodology of law and economics Further chapters discuss key concepts in Austrian economics dynamic competitive processes spontaneous order subjective value entrepreneurship and the limited nature of individual knowledge as they relate to topics in evolutionary law social rules self governance dispute resolution and basic law torts antitrust civil procedure business and family law

The Rule of Nobody Philip K. Howard, 2014-04-07 The secret to good government is a question no one in Washington is asking What's the right thing to do What's wrong in Washington is deeper than you think Yes there's gridlock polarization and self dealing But hidden underneath is something bigger and more destructive It's a broken governing system From that comes wasteful government rising debt failing schools expensive health care and economic hardship Rules have replaced leadership in America Bureaucracy regulation and outmoded law tie our hands and confine policy choices Nobody asks What's the right thing to do here Instead they wonder What does the rule book say There's a fatal flaw in America's governing system trying to decree correctness through rigid laws will never work Public paralysis is the inevitable result of the steady accretion of detailed rules America is now run by dead people by political leaders from the past who enacted mandatory programs that churn ahead regardless of waste irrelevance or new priorities America needs to radically simplify its operating system and give people officials and citizens alike the freedom to be practical Rules can't accomplish our goals Only humans can get

things done In *The Rule of Nobody* Philip K Howard argues for a return to the framers vision of public law setting goals and boundaries not dictating daily choices This incendiary book explains how America went wrong and offers a guide for how to liberate human ingenuity to meet the challenges of this century

Social Citizenship in the Shadow of Competition

Bronwen Morgan,2017-11-30 *Social Citizenship in the Shadow of Competition* explores how economic concepts and tools are reshaping regulatory law Building on studies that link law both institutionally and discursively to the legitimization of economic neo liberalism the book charts lawmakers attempts to justify social welfare regulation in the language imposed by economic theory It presents new qualitative findings from an ambitious regulatory reform programme targeting over 1 700 pieces of legislation Bronwen Morgan argues that the interplay between economic discourse and lawmaking does not destroy the possibility of social citizenship however the subsequent regulatory conversations frequently silence or weaken the claims of vulnerable groups Thus even when vulnerable groups secure instrumental success economic conceptions of bureaucratic rationality impoverish their capacity to express certain kinds of intangible values and aspirations To expand or retain social citizenship requires that we learn to conceive of what matters in political economy without relying on the logic of utility or other instrumental rationalities

Fifty Major Political Thinkers Ian Adams,R.W. Dyson,2007-04-18 An easy to use A Z guide to the ideas lives and works of some of the most influential thinkers in political thought this is essential reading for politics and philosophy students Up to date summaries of some of the most influential and controversial thinkers from the ancient world to the present day including new essays on such figures as Frantz Fanon and Cicero The current edition of *Fifty Major Political Thinkers* has sold 4 465 copies since 2003 Includes an alphabetical table of contents and guides to further reading for those looking to take their studies further

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