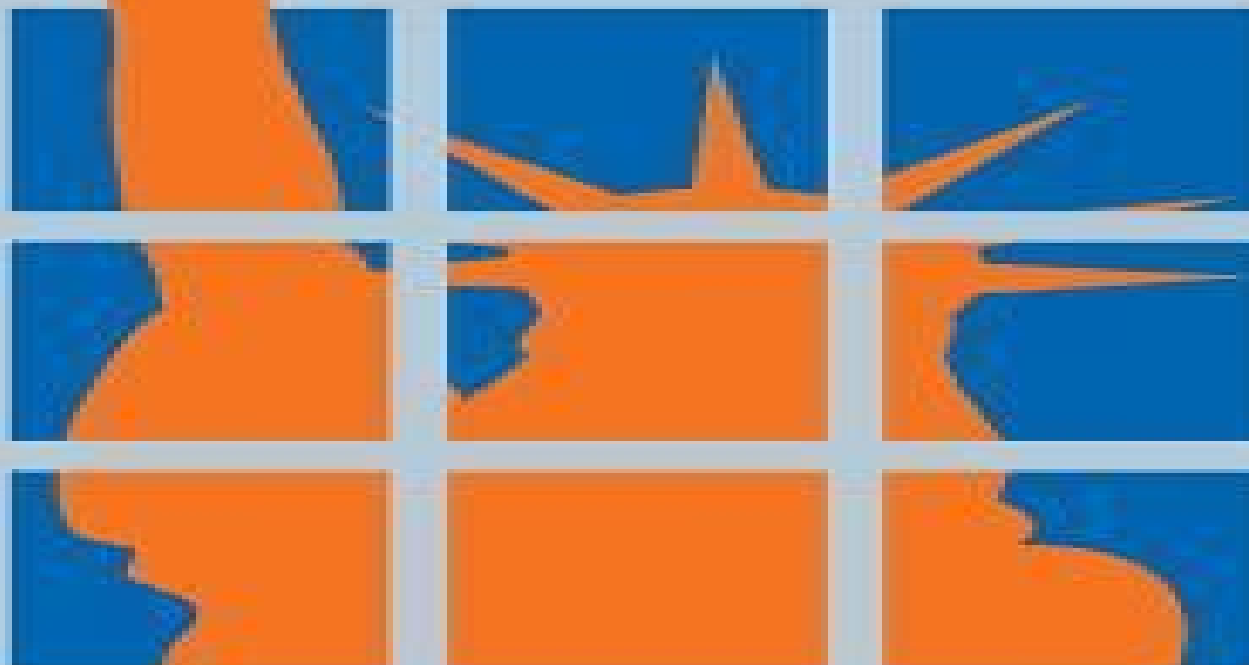


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A Constitutional History
of New York



Peter J. Galie

Ordered Liberty A Constitutional History Of New York

Gerald Benjamin



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Ordered Liberty Peter Galie,1995 The impending 1997 mandate to place before the voters the question on whether to convene a convention to revise and amend the New York Constitution becomes increasingly important and deserving of careful attention *Ordered Liberty* provides a comprehensive chronicle of the constitutional history of New York state There exists no single or multi volumed work in print which examines this crucial history This volume bringing all previously published studies up to date uses as its organizational frame the nine constitutional conventions in New York history and the constitutions each produced Each convention is placed in its political legal and economic context the work of the convention is examined and the political theory reflected in each is explained Finally an assessment of each convention s accomplishments is presented Subsequent sections of the volume examine appropriate methods to achieve that reform An extensive bibliographical essay of primary and secondary sources on the state s constitutional history is provided

Governing New York State Robert F. Pecorella,Jeffrey M. Stonecash,2006-02-16 Essays on New York State government and politics *Ordered Liberty* Peter J. Galie,1996 The impending 1997 mandate to place before the voters the question of whether to convene a convention to revise and amend the New York Constitution becomes increasingly important and deserving of careful attention *Ordered Liberty* provides for the first time a comprehensive chronicle of the constitutional history of New York state from its colonial roots to the present This volume uses as its organizational frame the nine constitutional conventions in New York history Each convention is placed in its political legal and economic context the work of the convention is examined and the political theory reflected in each is explained Finally an assessment of each convention s accomplishments is presented Subsequent sections of the volume examine possibilities for future reform An extensive bibliographical essay of primary and secondary sources on the state s constitutional history is provided **The Oxford**

Handbook of New York State Government and Politics Gerald Benjamin,2012-09-20 The Oxford Handbook of New York State Government and Politics brings together top scholars and former and current state officials to explain how and why the state is governed the way that it is The book s thirty one chapters assemble new scholarship in key areas of governance in New York document the state s record in comparison to other U S states and identify directions for future research *New York's Broken Constitution* Peter J. Galie,Christopher Bopst,Gerald Benjamin,2016-11-15 Examines the significant gaps between what New York State s constitution says and how the state is actually governed and offers ideas for reform On its face New York State s constitution is an elaborate and impressive aggregation of processes powers mandates and limits But many of these are inoperative and New Yorkers who read the document and believe what it says will come away with a massive misunderstanding of the realities of state government The essays in *New York s Broken Constitution* seek to clarify the realities by bringing attention to the gaps between what the constitution says and how the state is actually governed and they provide a disquieting picture of the state of the state s constitution Among the topics addressed are state debt and

budgeting practices legislative redistricting local government gambling conservation and the process of amending the constitution Written by knowledgeable professionals the chapters explain the constitutional provisions in question including the reasons for their constitutional status how they have been used and interpreted and the extent of the gaps between the constitutional provisions and practice Various proposals for reform are also examined This is an impressive volume teeming with invaluable insights It presents a compelling message since many of the dysfunctions in state governance are inextricably tied to the organizational structures and policies detailed and sometimes followed sometimes disregarded in the state constitution constitutional reform is imperative Anyone concerned about the operation and current dysfunction of New York State government should read this book Vincent M Bonventre Albany Law School This book will be enormously useful in guiding the public and scholarly debate in the lead up to the November 2017 vote on the question of whether to hold a state constitutional convention John J Dinan author of *The American State Constitutional Tradition* *New York State: Peoples, Places, and Priorities* Joanne Reitano, 2024-04-30 Now in its second edition *New York State Peoples Places and Priorities* is an accessibly written book that explores the ever shifting dynamics of New York State history in a single volume The text is organized both chronologically and topically balancing political economic social and cultural history It discusses key figures groups movements and controversies upstate and downstate Each chapter is divided into teachable digestible sections that examine the major developments and challenges of that period with timelines and lists of online resources to aid student understanding The new edition brings New York State s history into the present with coverage of recent political and economic developments the Covid 19 pandemic immigration and global warming Throughout the book material was added concerning the American Revolution the Civil War women s rights and environmental justice Artwork maps charts and textboxes illuminate the state s rich history Analytical questions accompanying figures and texts encourage deeper engagement with the past Designed for undergraduates this book is a concise and updated account of New York State s history over the centuries with a wealth of resources to benefit students and instructors alike *New York Politics* Edward V Schneier, Brian Murtaugh, 2015-01-28 Most New Yorkers have very little knowledge of how influence is wielded in Albany This acclaimed book offers a chance to look behind those closed doors The authors an Albany based political scientist and a former State Assembly member now joined by an expert on political blogging and networking infuse their discussion of institutions and processes with the drama and significance of real power politics Completely revised and updated with extensive new material the book covers recent political developments and electoral contests as well as all the basics constitutional issues historical economic social and demographic factors the functioning of executive legislative and judicial institutions urban local and special district governments parties interest groups and bureaucracies and finance budgets health education and welfare programs Throughout the authors are attentive to the many paradoxes and dualities that distinguish political social and economic life in the Empire State **Gibbons v. Ogden, Law, and Society in the Early**

Republic Thomas H. Cox, 2009-08-25 *Gibbons v Ogden* Law and Society in the Early Republic examines a landmark decision in American jurisprudence the first Supreme Court case to deal with the thorny legal issue of interstate commerce Decided in 1824 *Gibbons v Ogden* arose out of litigation between owners of rival steamboat lines over passenger and freight routes between the neighboring states of New York and New Jersey But what began as a local dispute over the right to ferry the paying public from the New Jersey shore to New York City soon found its way into John Marshall's court and constitutional history The case is consistently ranked as one of the twenty most significant Supreme Court decisions and is still taught in constitutional law courses cited in state and federal cases and quoted in articles on constitutional business and technological history *Gibbons v Ogden* initially attracted enormous public attention because it involved the development of a new and sensational form of technology To early Americans steamboats were floating symbols of progress cheaper and quicker transportation that could bring goods to market and refinement to the backcountry A product of the rough and tumble world of nascent capitalism and legal innovation the case became a landmark decision that established the supremacy of federal regulation of interstate trade curtailed states rights and promoted a national market economy The case has been invoked by prohibitionists New Dealers civil rights activists and social conservatives alike in debates over federal regulation of issues ranging from labor standards to gun control This lively study fills in the social and political context in which the case was decided the colorful and fascinating personalities the entrepreneurial spirit of the early republic and the technological breakthroughs that brought modernity to the masses

Discretionary Justice Carolyn Strange, 2016-12-20 The pardon is an act of mercy tied to the divine right of kings Why did New York retain this mode of discretionary justice after the Revolution And how did governors use of this prerogative change with the advent of the penitentiary and the introduction of parole This book answers these questions by mining previously unexplored evidence held in official pardon registers clemency files prisoner aid association reports and parole records This is the first book to analyze the histories of mercy and parole through the same lens as related but distinct forms of discretionary decision making It draws on governors public papers and private correspondence to probe their approach to clemency and it uses qualitative and quantitative methods to profile petitions for mercy highlighting controversial cases that stirred public debate Political pressure to render the use of discretion more certain and less personal grew stronger over the nineteenth century peaking during constitutional conventions and reaching its height in the Progressive Era Yet New York's legislators left the power to pardon in the governor's hands where it remains today Unlike previous works that portray parole as the successor to the pardon this book shows that reliance upon and faith in discretion has proven remarkably resilient even in the state that led the world toward penal modernity

Reluctant Reformer Ann Sandford, 2017-11-21 Tells the untold story of the life and career of Nathan Sanford a New York State lawyer politician who capitalized on opportunities created by the new politics of the early Republic to achieve social mobility Set in the tumultuous decades of post revolutionary America *Reluctant Reformer* brings to light the long

neglected New York lawyer politician Nathan Sanford As a lawyer Sanford contributed to modern property law In the United States Senate he dealt with central banking struggled against slavery and supported popular voting for presidential electors He was a major designer of the program to rationalize the nation s currency Against a backdrop of European wars and the War of 1812 he capitalized on opportunities for upward social mobility in a period of nation building and commercial expansion At the New York State Constitutional Convention of 1821 he fought for universal manhood suffrage Educated in history and government at Clinton Academy on Long Island and at Yale and a student at the Litchfield School of Law Sanford rose quickly to prominence as the federal attorney appointed by President Jefferson to serve all of New York State Fueled by ambition he navigated a career among Republican factional leaders DeWitt Clinton Aaron Burr and Martin Van Buren first in New York City and then in the state and the nation In 1824 he ran for vice president on the ticket with Henry Clay Attuned to his familial ties to eastern Long Island but beyond the bounds of the rural community of his youth Sanford faced decisions about whom to trust with a militia s gun and a citizen s vote He could shift from his principles toward political compromise as in restricting black male suffrage and in the removal of Indians from their ancestral lands In this book Sanford is revealed as a wealth seeking lawyer and officeholder who contributed to the expansion of democratic rights and responsive government in the Early Republic In doing so he proved to be a reluctant reformer who deserves a place in our public memory With this accessible biography historian Ann Sandford rescues the public life of an influential New York politician in the days of Thomas Jefferson and Andrew Jackson We now know why Nathan Sanford deserves a valued place in the history books of the nation Alair Townsend former deputy mayor City of New York Ann Sandford s lively and fascinating biography of her distant cousin provides significant insight into the social and political environment that established New York as the center of nineteenth century commerce and intellectual ferment Reluctant Reformer is an extremely good read for anyone interested in New York s rich history Hon Helen E Freedman retired New York Supreme Court Justice New Yorkers played a major role in politics after the American Revolution They helped to establish many of the traditions and institutions which are the foundation of today s Republic We know many of these New Yorkers from our history books Alexander Hamilton Aaron Burr Dewitt Clinton and Martin Van Buren In her riveting biography Reluctant Reformer Ann Sandford reminds us that American history is not just the result of these well known figures but the effort of an entire generation of leaders She tells us the unsung story of Nathan Sanford her cousin a lawyer politician from Bridgehampton She recounts his service as US Attorney State Legislator US Senator and Vice Presidential candidate in the nineteenth century We see issues such as slavery and a citizen s right to vote through the eyes of a politician who had to confront them in America s formative years This book provides great insights not only into Nathan Sanford the leader but also politics in early America New York State Assemblyman Fred W Thiele **The Law of American State Constitutions** Robert F. Williams, Lawrence Friedman, 2023 The second edition of The Law of American State Constitutions provides complete coverage of the legal doctrines

surrounding applying to and arising from American state constitutions and their judicial interpretation Drawing on examples from specific states Professors Williams and Friedman analyze the nature and function of state constitutions in contrast to the federal Constitution including rights separation of powers issues of interpretation and the processes for amendment and revision In this edition Williams and Friedman focus on recent developments including the state constitutional dimensions of same sex marriage and the reaction of state courts to U S Supreme Court decision making This edition of *The Law of American State Constitutions* remains an important analytical tool that explains the unique character and the range of interpretive approaches to these constitutions It covers the structure of state governments under state constitutions as well as the distribution of powers among the legislative executive and judicial branches Like the first edition this edition presents a complete picture of state constitutional law and the attributes and features that make this body of law so distinctive

The Irish and the Making of American Sport, 1835-1920 Patrick R. Redmond, 2014-02-10 Jerrold Casway coined the phrase The Emerald Age of Baseball to describe the 1890s when so many Irish names dominated teams rosters But one can easily agree and expand that the period from the mid 1830s well into the first decade of the 20th century and assign the term to American sports in general This book covers the Irish sportsman from the arrival of James Deaf Burke in 1836 through to Jack B Kelly s rejection by Henley regatta and his subsequent gold medal at the 1920 Olympics It avoids recounting the various victories and defeats of the Irish sportsman seeking instead to deal with the complex interaction that he had with alcohol gambling and Sunday leisure pleasures that were banned in most of America at some time or other between 1836 and 1920 This book also covers the Irish sportsman s close relations with politicians his role in labor relations his violent lifestyle and by contrast his participation in bringing respectability to sport It also deals with native Irish sports in America the part played by the Irish in Team USA s initial international sporting ventures and in the making and breaking of amateurism within sport

The Battle Over Bilingual Ballots James Thomas Tucker, 2016-03-23 In recent years few federal requirements have been as controversial as the mandate for what critics call bilingual ballots The Voting Rights Act of 1965 included a permanent requirement for language assistance for Puerto Rican voters educated in Spanish and ten years later Congress banned English only elections in certain covered jurisdictions expanding the support to include Alaska Natives American Indians Asian language voters and Spanish language voters Some commentators have condemned the language assistance provisions underlying many of their attacks with anti immigrant rhetoric Although the provisions have been in effect for over three decades until now no comprehensive study of them has been published This book describes the evolution of the provisions examining the evidence of educational and voting discrimination against language minorities covered by the Act Additional chapters discuss the debate over the 2006 amendments to the Voting Rights Act analysis of objections raised by opponents of bilingual ballots and some of the most controversial components of these requirements including their constitutionality cost and effectiveness Featuring revealing case studies as well as analysis of key data this volume makes a

persuasive and much needed case for bilingual ballots presenting a thorough investigation of this significant and understudied area of election law and American political life

Public Prosecutors in the United States and Europe Gwladys Gilliéron, 2014-04-14 This research examines the role of prosecutors within the United States and in Switzerland and is completed by an overview of the prosecution institutions in France and Germany The research recognizes that despite seemingly very different legal traditions and structures prosecutors in these systems are similar enough that each system might learn from the others Drawing upon the experiences of other nations this research proposes solutions to the problems identified in connection with the position and powers of public prosecutors in the United States Furthermore it outlines the problems related to the increase of prosecutorial power and the lessons the European criminal justice systems surveyed can draw from the experience in the US In terms of methodology this research not only considers formal legal provisions but also systematic structural factors academic literature and statistics revealing how the law and governing principles actually work in practice

The Right to Vote Alexander Keyssar, 2009-06-30 Originally published in 2000 The Right to Vote was widely hailed as a magisterial account of the evolution of suffrage from the American Revolution to the end of the twentieth century In this revised and updated edition Keyssar carries the story forward from the disputed presidential contest of 2000 through the 2008 campaign and the election of Barack Obama The Right to Vote is a sweeping reinterpretation of American political history as well as a meditation on the meaning of democracy in contemporary American life

The Encyclopedia of New York State Peter Eisenstadt, 2005-05-19 The Encyclopedia of New York State is one of the most complete works on the Empire State to be published in a half century In nearly 2 000 pages and 4 000 signed entries this single volume captures the impressive complexity of New York State as a historic crossroads of people and ideas as a cradle of abolitionism and feminism and as an apex of modern urban suburban and rural life The Encyclopedia is packed with fascinating details from fields ranging from sociology and geography to history Did you know that Manhattan s Lower East Side was once the most populated neighborhood in the world but Hamilton County in the Adirondacks is the least densely populated county east of the Mississippi New York is the only state to border both the Great Lakes and the Atlantic Ocean the Erie Canal opened New York City to rich farmland upstate and to the west Entries by experts chronicle New York s varied areas politics and persuasions with a cornucopia of subjects from environmentalism to higher education to railroads weaving the state s diverse regions and peoples into one idea of New York State Lavishly illustrated with 500 photographs and figures 120 maps and 140 tables the Encyclopedia is key to understanding the state s past present and future It is a crucial reference for students teachers historians and business people for New Yorkers of all persuasions and for anyone interested in finding out more about New York State

What Should Constitutions Do? Ellen Frankel Paul, Fred D. Miller, Jr, Jeffrey Paul, 2011-01-31 The essays in this volume written by prominent philosophers political scientists and legal scholars address the basic purposes of constitutions and their status as fundamental law Some deal with specific constitutional provisions they ask for example

which branches of government should have the authority to conduct foreign policy or how the judiciary should be organized or what role a preamble should play in a nation's founding document Other essays explore questions of constitutional design they consider the advantages of a federal system of government or the challenges of designing a constitution for a pluralistic society or they ask what form of constitution best promotes personal liberty and economic prosperity

The Paradox of Power Ballard C. Campbell, 2021-11-22 America's political history is a fascinating paradox The United States was born with the admonition that government posed a threat to liberty This apprehension became the foundation of the nation's civic ideology and was embedded in its constitutional structure Yet the history of public life in the United States records the emergence of an enormously powerful national state during the nineteenth century By 1920 the United States was arguably the most powerful country in the world In *The Paradox of Power* Ballard C Campbell traces this evolution and offers an explanation for how it occurred Campbell argues that the state in America is rooted in the country's colonial experience and analyzes the evidence for this by reviewing governance at all levels of the American polity local state and national between 1754 and 1920 Campbell poses five critical causal references war geography economic development culture and identity including citizenship and nationalism and political capacity This last factor embraces law and constitutionalism

administration and political parties *The Paradox of Power* makes a major contribution to our understanding of American statebuilding by emphasizing the fundamental role of local and state governance to successfully integrate urban state and national governments to create a composite and comprehensive portrait of how governance evolved in America

An Exemplary Whig David M. Gold, 2012-07-06 Historians have paid surprisingly little attention to state level political leaders and judges Edward Kent 1802-77 was both He served three terms as a state legislator two as mayor of Bangor two as governor and two as a judge of the state supreme court He represented Maine in the negotiations that resolved the long running northeastern border dispute between the United States and Great Britain and served for four years as the American consul in Rio de Janeiro The foremost Whig in Maine state politics and later a Republican judge Kent articulated classic Whig political views and carried them forward into his Whig Republican jurisprudence In examining Kent's career as Maine's quintessential Whig *An Exemplary Whig* reveals his characteristically conservative Whig outlook including an aversion toward disorder and a deep respect for law for existing institutions and for the wisdom of experience Kent brought his conservative disposition into the Republican Party He had no use for radical abolitionism preferring moderation and compromise to measures that endangered social order or the integrity of the Union Kent saw the slave power not abolitionism as the disrupter of the Union and he urged the fusion of all antislavery elements into a new Republican party In 1859 Maine's Republican governor appointed Kent to the state supreme court During his fourteen year tenure Kent adopted a Whiggish jurisprudence pragmatic and commonsensical and displayed a reverence for the common law and a distrust of theoretic speculation After his retirement he chaired a constitutional revision commission admonishing his fellow

commissioners to bear in mind the practical wisdom that kept dangerous innovation in check As a politician during the Jacksonian era Kent exemplified Whig leadership at the local and state levels In his jurisprudence he carried the Whig persuasion into the Republican ascendancy and the beginnings of the Gilded Age **Hidden Laws** Robinson Woodward-Burns,2021-06-29 How state constitutional reform guides and stabilizes American constitutional and political development State constitution reform guides and stabilizes American constitutional and political development Using data sets and historical case studies Robinson Woodward Burns shows how the federal government has repeatedly deferred to state constitutional reform to manage or address difficult national constitutional controversies including conflicts over the regulation of slavery banking and taxation women s suffrage labor and welfare rights voting and civil rights and gender discrimination

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