## CONSTITUTIONALISM

The Philosophical Dimension

Alan S. Rosenbaum

# **Constitutionalism Founding And Future**

F. E. Cameron

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Constitutionalism Alan S. Rosenbaum, 1988-09-02 An excellent sampling of current thinking in the theory and practice of constitutionalism Each essay was written specifically for this volume by well known legal and political philosophers All in all a first rate and provocative example of contemporary philosophical concerns Choice In our constitutional democracy the dissent and conflict that are the inevitable consequence of free political dialogue point to the importance of reexamining the philosophical premises on which our conceptions of society and government are based This volume of original essays reviews the foundations of constitutionalism in classical liberal thought and looks at contemporary philosophical perspectives on a wide range of constitutional issues Written by a distinguished group of philosophers and constitutional scholars it provides a deeper understanding of the U S Constitution as a political instrument and examines the idea of constitutionalism as it functions in our modern world **Constitutionalism** Kenneth W. Thompson, 1989-01-25 The present volume contains a collection of presentations and essays on basic elements of constitutionalism They run the gamut from a philosophical inquiry into the distinguishing characteristics of constitutionalism and democracy an historical analysis of the Virginia Ratification Convention of 1788 an essay on Jefferson and the language of liberty a critical paper on the presidency in relationship to the constitutional system and a concluding discussion of the living as distinct from the written constitution Such a group can prepare the way for a discussion of comparative constitutionalism by making clear the essential nature of the U S Constitution and the principles and practices that brought it into being The Limits of Constitutional Democracy Jeffrey K. Tulis, 2010-11-14 Constitutional democracy is at once a flourishing idea filled with optimism and promise and an enterprise fraught with limitations Uncovering the reasons for this ambivalence this book looks at the difficulties of constitutional democracy and reexamines fundamental questions What is constitutional democracy When does it succeed or fail Can constitutional democracies conduct war Can they preserve their values and institutions while addressing new forms of global interdependence The authors gathered here interrogate constitutional democracy s meaning in order to illuminate its future The book examines key themes the issues of constitutional failure the problem of emergency power and whether constitutions should be suspended when emergencies arise the dilemmas faced when constitutions provide and restrict executive power during wartime and whether constitutions can adapt to such globalization challenges as immigration religious resurgence and nuclear arms proliferation In addition to the editors the contributors are Sotirios Barber Joseph Bessette Mark Brandon Daniel Deudney Christopher Eisgruber James Fleming William Harris II Ran Hirschl Gary Jacobsohn Benjamin Kleinerman Jan Werner M ller Kim Scheppele Rogers Smith Adrian Vermeule and Mariah Zeisberg The Limits of Constitutional Democracy Jeffrey K. Tulis, Stephen Macedo, 2010-10-18 Constitutional democracy is at once a flourishing idea filled with optimism and promise and an enterprise fraught with limitations Uncovering the reasons for this ambivalence this book looks at the difficulties of constitutional democracy and reexamines fundamental questions What is constitutional

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South Asian states It examines the drafting nature core values and roles of the first modern constitutions during the founding of the eight modern nation states in South Asia The book looks at the constitutions of Afghanistan Bangladesh Bhutan India Maldives Nepal Pakistan and Sri Lanka It provides an explanatory description of the process and substantive inputs in the making of the first constitutions of these nations it sets out to analyse the internal and external including intra regional forces surrounding the making of these constitutions and it sets out theoretical constructions of models to conceptualise the nature and role of the first constitutions including constituent documents in the founding of the modern nation states and The American Constitution and the Administrative State Richard their subsequent impact on state building in the region J. Stillman (II), 1989 The contents of this work originally appeared in Public administrative review January February 1987 volume 47 no 1 T p verso Constitutionalism in Asia Lawrence Ward Beer, 1988 Constitutionalism, Identity, Difference, and Legitimacy Michel Rosenfeld, 1994 Interest in constitutionalism and in the relationship among constitutions national identity and ethnic religious and cultural diversity has soared since the collapse of socialist regimes in Eastern Europe and the former Soviet Union Since World War II there has also been a proliferation of new constitutions that differ in several essential respects from the American constitution These two developments raise many important questions concerning the nature and scope of constitutionalism The essays in this volume written by an international group of prominent legal scholars philosophers political scientists and social theorists investigate the theoretical implications of recent constitutional developments and bring useful new perspectives to bear on some of the longest enduring questions confronting constitutionalism and constitutional theory Sharing a common focus on the interplay between constitutional identity and individual or group diversity these essays offer challenging new insights on subjects ranging from universal constitutional norms and whether constitutional norms can be successfully transplanted between cultures to a consideration of whether constitutionalism affords the means to reconcile a diverse society s quest for identity with its need to properly account for its differences from the relation between constitution making and revolution to that between collective interests and constitutional liberty and equality This collection s broad scope and nontechnical style will engage scholars from the fields of political theory social theory international studies and law Contributors Andrew Arato Aharon Barak Jon Elster George P Fletcher Louis Henkin Arthur J Jacobson Carlos Santiago Nino Ulrich K Preuss David A J Richards Michel Rosenfeld Dominique Rousseau Andr s Saj Frederick Schauer Bernhard Schlink M M Slaughter Cass R Sunstein Ruti G Teitel Robin West **Constitutionalism and Democracy** Richard Paul Bellamy, 2006 The contributions in this volume cover five main themes centring on constitutionalism and democracy substantive views procedural views reconciling substance procedures populist constitutionalism and constitutional democracy beyond the nation state The U.S. Constitution and the Constitutions of Latin America Kenneth W. Thompson, 1991-04-15 This volume addresses a long neglected area in constitutional and international studies Latin America The book contains penetrating appraisals of the Spanish heritage as it

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