
Constitutions in Crisis

Political Violence and
the Rule of Law

JOHN E. FINN

Constitutions In Crisis

Marcus Alexander Gadson



Constitutions In Crisis:

Constitutions in Crisis John E. Finn, 1991 With special reference to the experience of Britain and Germany this book examines the dilemma faced by constitutional governments in trying to draft anti terrorist laws while preserving civil liberties , *The Constitution in Crisis Times, 1918-1969* Paul L. Murphy, 1972 Assesses fifty years of constitutional development against a background of shifting national moods and public pressures *A Constitutional Crisis* Warren Lee Grant, 2013-04-23 America is facing a constitutional crisis that threatens the continuation of the Republic as founded and structured The US Supreme Court is a primary agent in the rise expansion and promotion of this crisis By the employ of one of the amendments the Court continues its work of restructuring the governmental order established by the Constitution and of shifting the nation from its Christian foundation to one wholly secular Such actions by the Court raise very serious questions By what lawful authority does the Court engage in this work What are the driving motives behind the Courts stratagem What are some of the main consequences thus far produced Address is given to these questions as well as to the means of restoring constitutional order and limiting the powers of the Supreme Court to those specified Democratic Crisis and Global Constitutional Law Christopher Thornhill, 2021-01-28 Democratic Crisis and Global Constitutional Law explains the current weakness of democratic polities by examining antinomies in constitutional democracy and its theoretical foundations This book argues that democracy is usually analysed in a theoretical lens that is not adequately sensitive to its historical origins The author proposes a new sociological framework for understanding democracy and its constitutional preconditions stressing the linkage between classical patterns of democratic citizenship and military processes and arguing that democratic stability at the national level relies on the formation of robust normative systems at the international level On this basis he argues that democracy is frequently exposed to crisis because the normative terms in which it is promoted and justified tend to simplify its nature These terms create a legitimising space in which anti democratic movements typically with a populist emphasis can take shape and flourish **Framed** Sanford Levinson, 2012-04-03 In his widely acclaimed volume *Our Undemocratic Constitution* Sanford Levinson boldly argued that our Constitution should not be treated with sanctimonious reverence but as a badly flawed document deserving revision Now Levinson takes us deeper asking what were the original assumptions underlying our institutions and whether we accept those assumptions 225 years later In *Framed* Levinson challenges our belief that the most important features of our constitutions concern what rights they protect Instead he focuses on the fundamental procedures of governance such as congressional bicameralism the selection of the President by the electoral college or the dimensions of the President's veto power not to mention the near impossibility of amending the United States Constitution These seemingly settled and hardwired structures contribute to the now almost universally recognized dysfunctionality of American politics Levinson argues that we should stop treating the United States Constitution as uniquely exemplifying the American constitutional tradition We should be aware of the 50 state constitutions often

interestingly different and perhaps better than the national model Many states have updated their constitutions by frequent amendment or by complete replacement via state constitutional conventions California's ungovernable condition has prompted serious calls for a constitutional convention This constant churn indicates that basic law often reaches the point where it fails and becomes obsolete Given the experience of so many states he writes surely it is reasonable to believe that the U S Constitution merits its own updating Whether we are concerned about making America more genuinely democratic or only about creating a system of government that can more effectively respond to contemporary challenges we must confront the ways our constitutions especially the United States Constitution must be changed in fundamental ways

Constitutions in Times of Financial Crisis Tom Ginsburg, Mark D. Rosen, Georg Vanberg, 2022-06-30 Many constitutions include provisions intended to limit the discretion of governments in economic policy In times of financial crises such provisions often come under pressure as a result of calls for exceptional responses to crisis situations This volume assesses the ability of constitutional orders all over the world to cope with financial crises and the demands for emergency powers that typically accompany them Bringing together a variety of perspectives from legal scholars economists and political scientists this volume traces the long run implications of financial crises for constitutional order In exploring the theoretical and practical problems raised by the constitutionalization of economic policy during times of severe crisis this volume showcases an array of constitutional design options and the ways they channel governmental responses to emergency

Constitutions in the Global Financial Crisis Xenophon Contiades, 2016-05-23 This book is the first to address the multifaceted influence of the global financial crisis on the national constitutions of the countries most affected By tracing the impact of the crisis on formal and informal constitutional change sovereignty issues fundamental rights protection regulatory reforms jurisprudence the augmentation of executive power and changes in the party system it addresses all areas of the current constitutional law dialogue and aims to become a reference book with regard to the interaction between financial crises and constitutions The book includes contributions from prominent experts on Greece Hungary Iceland Ireland Italy Latvia Portugal Spain the UK and the USA providing a critical analysis of the effects of the financial crisis on the constitution The volume's extensive comparative chapter pins down distinct constitutional reactions towards the financial crisis building an explanatory theory that accounts for the different ways constitutions responded to the crisis How and why constitutions formed their reactions in the face of the financial crisis unravels throughout the book **Framed** Sanford Levinson, 2012

Crisis of the Two Constitutions Charles R. Kesler, 2021-02-16 American politics grows embittered because it is increasingly torn between two rival constitutions two opposed cultures two contrary ways of life American conservatives rally around the founders Constitution as amended and as grounded in the natural and divine rights and duties of the Declaration of Independence American liberals herald their living Constitution a term that implies that the original is dead or superseded and that the fundamental political imperative is constant change or transformation as President Obama called it toward a

more and more perfect social democracy ruled by a Woke elite Crisis of the Two Constitutions details how we got to and what is at stake in our increasingly divided America It takes controversial stands on matters political and scholarly describing the political genius of America s founders and their efforts to shape future generations through a constitutional culture that included immigration citizenship and educational policies Then it turns to the attempted progressive refounding of America tracing its accelerating radicalism from the New Deal to the 1960s New Left to today s unhappy campus nihilists Finally the volume appraises American conservatives efforts so far unavailing despite many famous victories to revive the founders Constitution and moral common sense From Ronald Reagan to Donald Trump what have conservatives learned and where should they go from here Along the way Charles R Kesler argues with critics on the left and right and refutes fashionable doctrines including relativism multiculturalism critical race theory and radical traditionalism providing in effect a one volume guide to the increasingly influential Claremont school of conservative thought by one of its most engaged and engaging thinkers Decolonizing Constitutionalism Boaventura de Sousa Santos,Sara Araújo,Orlando Aragón Andrade,2023-07-31

The modern state law and constitution result from a legal canon that re produces the abyssal lines dividing the world that is validated from the world whose humanity and epistemological validity are denied This book aims to contribute to a post abyssal reflection on law and constitutionalism by considering the structural axes of power that are constitutive of modern law capitalism colonialism and heteropatriarchy alongside the legal plurality of the world Is it possible to decolonize decommodify and depatriarchalize the constitution The authors speak from multiple geographies raise different questions resort to differentiated theoretical approaches and reveal varying levels of optimism about the possibilities of transforming constitutions The readers are confronted with critical perspectives on the Eurocentric legal canon as well as with the recognition of anti capitalist anti colonial and anti patriarchal legal experiences The horizon of this publication is the expansion of the possibilities of legal and political imagination *Constitutional Crisis in the European Constitutional Area*

Armin von Bogdandy,Pál Sonnevend,2015-03-26 The concept of a European Constitutional Area has been used in legal scholarship to describe a common space of constitutionalism where national and international constitutional guarantees interact to maintain the common constitutional values of Europe This concept has not yet been tested in a case where the constitutional order of a Member State of the European Union seems to develop systemic deficiencies The present volume aims to assess recent constitutional developments in Hungary and Romania as well as the interplay of national international and European constitutionalism which react to the loopholes in national constitutions Accordingly a core part of the volume is an in depth analysis of the situation in Hungary and Romania Based on that the volume offers an account of the different reaction mechanisms of the European Union and of the Council of Europe Beyond a detailed stock taking of these mechanisms their legal and political frameworks are explored as well as different ways to extend their reach In this way the volume contributes to a little studied aspect of European constitutionalism **Constitutional Dictatorship - Crisis**

Government in the Modern Democracies Clinton L. Rossiter, 2011-03-23 This is a book about dictatorship and democracy Its treatment of these two patterns of government is not conventional Instead of setting the one against the other it proposes to demonstrate how the institutions and methods of dictatorship have been used by the freemen of the modern democracies during periods of severe national emergency It is written in frank recognition of a dangerous but inescapable truth No form of government can survive that excludes dictatorship when the life of the nation is at stake

The Constitutional History of England Since the Accession of George the Third Thomas Erskine May, 1912

The Crisis of the Constitution Margaret Atwood Judson, 1988

Constitutions and By-laws of the Michigan State Bar Association and Proceedings of the First Meeting Michigan State Bar Association, 1919

The Legal Basis for a Moral Constitution Jenna Ellis Esq., 2015-12-22 America is in the midst of a cultural and constitutional law crisis that began more than sixty years ago and was further exacerbated by the 2015 Supreme Court same sex marriage decision How did we become a culture that lacks objective morality and embraces secular ideas hinging on the majority whim of nine justices How do we get back to being a biblically moral upright society and recognizing the U S Constitution as supreme law of the land In *The Legal Basis for a Moral Constitution* Jenna Ellis makes a compelling case for the true roots of America s Founding Documents in objective morality and how our system of government is founded upon the Christian worldview and God s unchanging law not a secular humanist worldview She provides a unique perspective of the Founding Fathers as lawyers and how they understood the legitimate authority of biblical truth and appealed directly to God s law for the foundation of America Weaving together the legal history and underpinning worldview shifts in American culture Ellis advocates how Christians must change the basic reasoning of our appeal and effectively engage our culture Finally she proposes the solution to reclaim objective biblical morality in law that the Founders themselves provided for through Article V of the U S Constitution This book is for every Christian who seeks to understand the times and our constitutional and cultural crisis

Germany's Constitutions of 1871 and 1919 Germany, 1924

Sedition Marcus Alexander Gadson, 2025-05-13 How Americans have weathered constitutional crises throughout our history Since protestors ripped through the Capitol Building in 2021 the threat of constitutional crisis has loomed over our nation The foundational tenets of American democracy seem to be endangered and many citizens believe this danger is unprecedented in our history But Americans have weathered many constitutional crises often accompanied by the same violence and chaos experienced on January 6 However these crises occurred on the state level In *Sedition* Marcus Alexander Gadson uncovers these episodes of civil unrest and examines how state governments handled them *Sedition* takes readers through six instances of constitutional crisis The Buckshot War Dorr s Rebellion Bleeding Kansas the Brooks Baxter War a successful terrorist campaign to overthrow South Carolina s government during Reconstruction and the Wilmington Insurrection of 1898 He chronicles these turbulent periods of violent anti government conflict on the state level explaining what it was like to experience coup d tats rival governments fighting in the streets and

disputed elections that gave way to violence As he addresses constitutional breakdown Gadson urges Americans to pay increased attention to the risk of constitutional instability in their home states His sweeping historical analysis provides new insights on the fight to protect democracy today As Americans mobilize to prevent future crises Sedition reminds us that our constitutional order can fail that democratic collapse is possible and offers us advice on how to save our constitutional system

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