

Active Liberty Interpreting Our Democratic Constitution

Stephen G Breyer

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Clauses in Democratic Constitutionalism Judging Democracy Democracy of Expression The Student's
Guide to Stephen's New Commentaries on the Laws of England Judges on Judging The Palimpsest
Constitution Constitutions, Rights and Democracy Justice Kennedy's Jurisprudence Harvard Political
Review Stephen A. Douglas and the Dilemmas of Democratic Equality The Supreme Court Working a
Democratic Constitution The Law of Democracy Icons of Democracy Connecticut; a Study of a
Commonwealth Democracy Human Rights, Power and Civic Action St. Stephen's College Democracy
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a brilliant new approach to the constitution and courts of the united states by supreme court justice
stephen breyer for justice breyer the constitution s primary role is to preserve and encourage what
he calls active liberty citizen participation in shaping government and its laws as this book argues
promoting active liberty requires judicial modesty and deference to congress it also means
recognizing the changing needs and demands of the populace indeed the constitution s lasting
brilliance is that its principles may be adapted to cope with unanticipated situations and breyer
makes a powerful case against treating it as a static guide intended for a world that is dead and gone
using contemporary examples from federalism to privacy to affirmative action this is a vital
contribution to the ongoing debate over the role and power of our courts

offers historical philosophical legal and political insights into the first amendment religious liberty
and church state relations

comparative constitutional law has a long and distinguished history in intellectual thought and in the construction at public law political actors and the people who create or modify their constitutional orders often wish to learn from the experience and learning of others this cross fertilization and mutual interaction has only accelerated with the onset of globalization which has transformed the world into an interconnected web that facilitates dialogue and linkages across international and regional structures oxford comparative constitutionalism seeks to publish scholarship of the highest quality in constitutional law that deepens our knowledge of local national regional and global phenomena through the lens of comparative public law book jacket

in judging democracy christopher manfredi and mark rush challenge assertions that the canadian and american supreme courts have taken radically different approaches to constitutional interpretation regarding general and democratic rights three case studies compare canadian and american law concerning prisoners voting rights the scope and definition of voting rights and campaign spending these examples demonstrate that the two supreme courts have engaged in essentially the same debates concerning the franchise access to the ballot and the concept of a meaningful vote they reveal that the american supreme court has never been entirely individualistic in its interpretation and protection of constitutional rights and that there are important similarities in the two supreme courts approaches to constitutional interpretation furthermore the authors demonstrate that an astonishing convergence has occurred in the two courts thinking concerning the integrity of the democratic process and the need for the judiciary to monitor legislative attempts to regulate the political process in order to promote or ensure political equality growing numbers of justices in both courts are now wary of legislative attempts to cloak laws designed to protect incumbents through electoral reform judging democracy thus points to a new direction not only in judicial review and constitutional interpretation but also in democratic theory

drawing from multiple scholarly fields kenyon examines free speech s positive dimensions of enablement and how they can be pursued

thoroughly revised and updated for this fifth edition judges on judging offers insights into the judicial philosophies and political views of those on the bench broad in scope this one of a kind book features off the bench writings and speeches in which supreme court justices as well as lower federal and state court judges discuss the judicial process constitutional interpretation judicial federalism and the role of the judiciary engaging introductory material provides students with necessary thematic and historical context making this book the perfect supplement to present a nuanced view of the judiciary judges on judging is consistently rated by my students as their favorite book in my class no other single volume provides them with such a clear and accessible sense of what judges do what courts do and the way judges think about their roles and their courts douglas edlin dickinson college

since the mid 20th century many postcolonial states have engaged in multiple constitution making exercises with the turnover in written constitutions often due to coups or internal conflict conversely people have resisted authoritarian rule through alternative constitution making the reality that most countries have had numerous official and unofficial constitutional texts begs the question how do past constitutions matter in the present this volume explores the social life of constitutional legacies or how past constitutions matter using the case of myanmar professor crouch

demonstrates that constitutions are a palimpsest of past texts ideas and practices an accumulation of contested legacies through constitutional ethnography it traces burma myanmar s modern constitutional history from the late colonial era through its postcolonial socialist and military regimes the palimpsest constitution captures the idea that contemporary debates about constitutional reform are informed by the contested legacies of the past in myanmar the military insists on the endurance of its 2008 constitution while pro civilian actors resist military rule through alternative constitution making endeavours offering a sociological view of constitutional endurance the book demonstrates how the social life of constitutions is central to the struggle for constitutional democracy and civilian rule in myanmar

examines the judicial philosophy of supreme court justice anthony m kennedy who has been the critical swing vote on the court for the last 20 years

in this engaging new biography james l houston explores the political life of stephen a douglas and his definition and promotion of the ideal of democratic equality by placing douglas in the current historiographical controversies of the antebellum period houston updates ou

for more than two centuries the u s supreme court has provided a battleground for nearly every controversial issue in our nations history this veteran team of talented historians produces the most readable astute and up to date single volume history of this venerated institution

austin s magnum opus tells the very human story of how the social political and day to day realities of the indian people have been reflected in and directed the course of constitutional reforms since 1950

the law of democracy offers a systematic exploration of the legal construction of american democracy the book brings together a cluster of issues in law regulating the design of democratic institutions and the book employs a variety of methods historical comparative theoretical doctrinal to explore foundational questions in the theory and practice of democracy covered issues include the historical development of the individual right to vote current struggles over racial gerrymandering the relationship of the state to political parties the constitutional and policy issues surrounding campaign finance reform and the tension between majority rule and fair representation of minorities in democratic bodies

in a blend of history biography political science and political theory he offers examples of the finest democratic leadership as well as cautionary tales of prominent leaders whose styles were essentially aristocratic book jacket

human rights power and civic action examines the interrelationship between struggles for human rights and the dynamics of power focusing on situations of poverty and oppression in developing countries it is argued that the concept of power is a relatively neglected one in the study of rights based approaches to development especially the ways in which structures and relations of power can limit human rights advocacy therefore this book focuses on how local and national struggles for rights have been constrained by power relations and structural inequalities as well as the extent to which civic action has been able to challenge alter or transform such power structures and

simultaneously to enhance protection of people's basic human rights contributors examine and compare struggles to advance human rights by non governmental actors in cambodia china ghana kenya south africa and zimbabwe the country case studies analyse structures of power responsible for the negation and denial of human rights as well as how rights promoting organisations challenge such structures utilising a comparative approach the book provides empirically grounded studies leading to new theoretical understanding of the interrelationships between human rights struggles power and poverty reduction human rights power and civic action will be of interest to students and scholars of human rights politics power development and governance

st stephen college has a special niche amongst educational institutions of excellence all over india it has been an integral part of the social and structural changes that have taken place in the nation

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