

The Constitution Of Risk

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The Constitution of the Indian Republic
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the constitution of risk is the first book to combine constitutional theory with the theory of risk regulation it argues that constitutional rulemaking is best understood as a means of managing political risks constitutional law structures and regulates the risks that arise in and from political life such as an executive coup or military putsch political abuse of ideological or ethnic minorities or corrupt self dealing by officials the book claims that the best way to manage political risks is an approach it calls optimizing constitutionalism in contrast to the worst case thinking that underpins precautionary constitutionalism a mainstay of liberal constitutional

theory drawing on a broad range of disciplines such as decision theory game theory welfare economics political science and psychology this book advocates constitutional rulemaking undertaken in a spirit of welfare maximization and offers a corrective to the pervasive and frequently irrational distrust of official power that is so prominent in american constitutional history and discourse

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no detailed description available for international privatisation

for reasons of effectiveness efficiency and equity australian law reform should be planned carefully academics can and should take the lead in this process this book collects over 50 discrete law reform recommendations encapsulated in short digestible essays written by leading australian scholars it emerges from a major conference held at the australian national university in 2016 which featured intensive discussion among participants from government practice and the academy the book is intended to serve as a national focal point for australian legal innovation it is divided into six main parts commercial and corporate law criminal law and evidence environmental law private law public law and legal practice and legal education in addition indigenous perspectives on law reform are embedded throughout each part this collective work the first of its kind will be of value to policy makers media law reform agencies academics practitioners and the judiciary it provides a bird s eye view of the current state and the future of law reform in australia

is the judiciary the ultimate authority on constitutional questions susan burgess says no basing her argument on the theory of departmental review burgess contends that each branch of government has the right to interpret the constitution and that no branch has final authority through close study of the abortion and war powers debates burgess illustrates that the practice of departmental review improves the quality of constitutional debate deepens constitutional consciousness and enhances respect for the rule of law first she investigates the constitutional issues relating to the debates over roe v wade and in its wake the 1981 human life bill the 1985 abortion funding restriction act and contemporaneous court cases she follows with a comparative analysis of the constitutional debates that focused on the infamous 1964 gulf of

tonkin resolution and the persian gulf crisis of the late 1980s one before and the other after the passage of the 1973 war powers act burgess demonstrates the considerable potential and possible drawbacks of departmental review for creating a common constitutional language that transcends the polemical impass characterizing much current debate for recapturing active and thoughtful citizen participation and for renewing our faith in the authority of the constitution

surveys the history of the constitution its origins ratification adaptation and possible future

this time honored casebook explores civil liberty problems through a study of leading judicial decisions primarily those of the united states supreme court and assesses the overall political social context in which the formulation and implementation of civil liberties policies take place it features new cases and commentaries to enhance understanding of rights and liberties in historical and long range perspective

a collection of seminal writings on the history and meaning of the ninth amendment reflecting a diverse cross section of scholarly opinion from the introduction by randy e barnett i suggest that the failure to find a general right of freedom in the constitution is connected to a general inabi

vols 65 96 include central law journal s international law list

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