

Philippine History With Politics Governance And Constitution

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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

in quantity and importance private standards are rapidly taking over the role of public norms in the international and national regulation of product safety this book provides a comprehensive overview of the rise role and status of these private product safety standards in the legal regulation of integrating markets in international and regional trade law as in european and american constitutional and administrative law tort law and antitrust law the book analyses the ways in which legal systems can and do recognise private norms as law this sociological question of law s recognition of private governance is indissolubly connected with a normative question of democratic theory can law recognize legal validity and democratic legitimacy outside the constitution without constitutional political institutions and beyond the nation state or can law constitute private transnational governance the book offers the first systematic treatment of european american and international standards law in the english language and makes a significant contribution to the study of the processes of globalization and privatization in social and legal theory for the thesis on which this book was based harm schepel was awarded the first eui alumni prize for the best interdisciplinary and or comparative thesis on european issues written at the eui in recent years

constitutions and the commons looks at a critical but little examined issue of the degree to which the federal constitution of a nation contributes toward or limits the ability of the national government to manage its domestic natural resources furthermore it considers how far the constitution facilitates the binding of constituent states provinces or subnational units to honor the conditions of international environmental treaties while the main focus is on the us there is also detailed coverage of other nations such as australia brazil india and russia after introducing the role of constitutions in establishing the legal framework for environmental management in federal systems the author presents a continuum of constitutionally

driven natural resource management scenarios from local to national and then to global governance these sections describe how subnational governance in federal systems may take on the characteristics of a commons with all the attendant tragedies in the absence of sufficient national constitutional authority in turn sufficient national constitutional authority over natural resources also allows these nations to more effectively engage in efforts to manage the global commons as these nations would be unconstrained by subnational units of government during international negotiations it is thus shown that national governments in federal systems are at the center of a constitutional nested governance commons with lower levels of government potentially acting as rational herders on the national commons and national governments potentially acting as rational herders on the global commons national governments in federal systems are therefore crucial to establishing sustainable management of resources across scales the book concludes by discussing how federal systems without sufficient national constitutional authority over resources may be strengthened by adopting the approach of federal constitutions that facilitate more robust national level inputs into natural resources management facilitating national minimum standards as a form of fail safe federalism that subnational governments may supplement with discretion to preserve important values of federalism

upsc is considered to be the most prestigious and toughest examination in the country in order to crack these exams one need to do heavy preparations thorough practice and clear concepts about each and every subject ias mains general studies paper 2 the most updated study material incorporated with detailed information and supported by up to date facts and figures the complete coverage on each topic of the syllabus have been divided into 4 important units in this book it gives the complete depiction of governance constitutional polity social justice and international relations this book facilitates by giving the deep coverage on all topics of the syllabus at one place with the conceptual clarity to fulfil the need and demands of the aspirants special exam oriented structure has been given according to the upsc syllabus discussion of the theoretical concepts with the contemporary examples are given solved papers from solved papers 2019 17 and 16 and

upsc practice papers that helps in raising up level of preparation this book acts as a great help in achieving the success for the upcoming exam table of contents solved papers 2019 17 unit 1 constitutional framework unit 2 indian government and political dynamics unit 3 governance unit 4 international relations upsc solved paper 2016 upsc practice papers

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

recalling toqueville s exhortation for the french to look to america for a better understanding of their own government john

rohr returns the favor by revealing how much we can learn about american constitutionalism from a close study of french governance the french and american republics both emerged from the same revolutionary era and share a common commitment to separation of powers rule of law and republicanism even so the two constitutional traditions are quite different france after all has replaced its constitution at least thirteen times since 1789 while the american constitution has endured essentially intact yet as rohr shows french constitutionalism merits our careful attention focusing upon the founding of the french fifth republic and the drafting of its constitution rohr compares the nations divergent approaches to executive legislative and judicial power independent administrative authority and discretion and the relation of administrative law to statutory law his analysis of france s divided versus our unified executive the two presidents exceptional powers and their influence on the legislative process provides particularly fresh insights into how the two constitutional traditions promote and inhibit the capacity for administrative action rohr shows that french administrative institutions are much more thoroughly developed than their american counterparts due to recurrent presidential and constitutional crises without such a strong public administration daily life in france would likely be extremely unstable if not quite chaotic the proper role of the french institutions he suggests is largely determined by their relationship to elected officials whereas their american counterparts are essentially shaped by the constitutional order a model for future comparative work in constitutional law and public administration rohr s study should help us see that the constitutional path we ve pursued wasn t the only possibility and why we ve chosen that route nevertheless as such it should have great appeal for students teachers and practitioners in u s and french law politics and public administration

the constitution of the fifth french republic stands as a seminal collection of thought provoking works that encapsulate the sweeping changes in french governance post world war ii this anthology presents an intricate tapestry of themes surrounding democracy sovereignty and statecraft meticulously documented through a rich array of legal historical and philosophical styles with pieces ranging from incisive political analyses to reflective commentaries on the evolving notion of

republicanism the collection situates readers at the confluence of historical continuity and institutional innovation its significance is further highlighted by in depth examinations of pivotal moments that reshaped the french political landscape the collective insights of michel debr and charles de gaulle both towering figures in 20th century french politics serve as the guiding force behind this anthology their contributions draw from their pivotal roles in shaping the fifth republic capturing the zeitgeist of a nation in transition debr s legal acumen paired with de gaulle s visionary leadership lends the anthology an authoritative voice that resonates with the ideological and cultural shifts endemic to this era the works align with modern movements of nationalism and the resurgence of strong state apparatuses effectively bridging france s storied past with the ambitions of its contemporary governing frameworks this anthology offers a substantive exploration for readers eager to navigate the complexities of constitutional law and political reform by engaging with the multifaceted perspectives contained within readers will not only gain a deeper understanding of france s constitutional heritage but also participate in a broader dialogue about governance and authority it is an indispensable resource for scholars students and anyone vested in comparative political studies illustrating the enduring impact of constitutional discourse on global democratic practices in this enriched edition we have carefully created added value for your reading experience a succinct introduction situates the work s timeless appeal and themes the synopsis outlines the central plot highlighting key developments without spoiling critical twists a detailed historical context immerses you in the era s events and influences that shaped the writing a thorough analysis dissects symbols motifs and character arcs to unearth underlying meanings reflection questions prompt you to engage personally with the work s messages connecting them to modern life hand picked memorable quotes shine a spotlight on moments of literary brilliance interactive footnotes clarify unusual references historical allusions and archaic phrases for an effortless more informed read

this two volume book published open access brings together leading scholars of constitutional law from twenty nine european countries to revisit the role of national constitutions at a time when decision making has increasingly shifted to

the european and transnational level it offers important insights into three areas first it explores how constitutions reflect the transfer of powers from domestic to european and global institutions secondly it revisits substantive constitutional values such as the protection of constitutional rights the rule of law democratic participation and constitutional review along with constitutional court judgments that tackle the protection of these rights and values in the transnational context e g with regard to the data retention directive the european arrest warrant the esm treaty and eu and imf austerity measures the responsiveness of the ecj regarding the above rights and values along with the standard of protection is also assessed thirdly challenges in the context of global governance in relation to judicial review democratic control and accountability are examined on a broader level the contributors were also invited to reflect on what has increasingly been described as the erosion or twilight of constitutionalism or a shift to a thin version of the rule of law democracy and judicial review in the context of europeanisation and globalisation processes the national reports are complemented by a separately published comparative study which identifies a number of broader trends and challenges that are shared across several member states and warrant wider discussion the research for this publication and the comparative study were carried out within the framework of the erc funded project the role and future of national constitutions in european and global governance the book is aimed at scholars researchers judges and legal advisors working on the interface between national constitutional law and eu and transnational law the extradition cases are also of interest to scholars and practitioners in the field of criminal law anneli albi is professor of european law at the university of kent united kingdom samo bardutzky is assistant professor of constitutional law at the university of ljubljana slovenia

in experiments in government and the essentials of the constitution by elihu root the author delves into the intricacies of american government and examines the foundational principles of the constitution root employs a meticulous and scholarly style of writing referencing historical events and legal precedents to illustrate his points this book is a notable contribution to the study of political science providing readers with a thorough analysis of the structure and function of government

institutions root s insights offer valuable perspectives on the evolution of democracy in the united states as a former secretary of state and secretary of war root brings a wealth of experience and knowledge to his exploration of governmental practices his expertise lends credibility to his arguments and enhances the overall credibility of the book experiments in government and the essentials of the constitution is highly recommended for readers interested in american history political theory and constitutional law

the ebook edition of this title is open access and freely available to read online family firms and family constitution delves deeply into topics as diverse as ownership succession governance justice and more all from a managerial and legal perspective from around the world

the central role that good effective and capable governance plays in the economic and social development of a country is now widely recognised using the commonwealth countries of eastern and southern africa this book analyses some of the key constitutional issues in the process of developing strengthening and consolidating the capacity of states to ensure the good governance of their peoples utilising comparative material the book seeks to draw lessons both positive and negative about the problems of constitutionalism in the region and in doing so critically addresses the legal issues involved in seeking to make constitutions work in practice

our constitution democracy or one man rule is prefaced by a summary chronology of significant historical politico constitutional events which predated the promulgation of the country s independence constitution it investigates the extent to which the critical principle of democratic practice namely governance of a country by a majority of its people is enshrined in the independence constitution of the commonwealth of dominica against the background of the fundamental rights and freedoms guaranteed to the citizenry the powers invested in the leading institutions of governance are examined the study submits that the constitution fails to provide for governance by a parliament of representatives of the electorate or even for

governance by cabinet instead it enshrines prime ministerial government that is to say one man rule although our constitution democracy or one man rule analyses a particular constitution the substance of the study taking account of the historical evolution of the british empire is hugely relevant to the constitutional realities of the commonwealth caribbean if not the english speaking ex colonial now independent nations of africa and asia

this book provides a systematic analysis of the major structural and institutional governance mechanisms in cameroon critically analysing the constitutional and legislative texts on cameroon s semi presidential system the electoral system the legislature the judiciary the constitutional council and the national commission on human rights and freedoms the author offers an assessment of the practical application of the laws regulating constitutional institutions and how they impact on governance to lay the groundwork for the analysis the book examines the historical constitutional and political context of governance in cameroon from independence and reunification in 1960 1961 through the adoption of the 1996 constitution to more recent events including the current anglophone crisis offering novel insights on new institutions such as the senate and the constitutional council and their contribution to the democratic advancement of cameroon the book also provides the first critical assessment of the legislative provisions carving out a special autonomy status for the two anglophone regions of cameroon and considers how far these provisions go to resolve the anglophone problem this book will be of interest to scholars of public law legal history and african politics the open access version of this book available at taylorfrancis.com/books/9781351028868 has been made available under a creative commons attribution non commercial no derivatives 4.0 license

in a time when american politics has become a spectator sport often viewed with a cynical eye by the people it is needful to be reminded that our freedom entails a civic responsibility to preserve the legal document that gives us that freedom the united states constitution the constitution is a contract to which all citizens are parties and upon which they have a right to rely the people have as well the right to protect themselves from interpretations that go unreasonably beyond the original

intent of the framers it is clear that in the past the constitution has been abused to justify decisions made by the legislative and judicial branches of government as in the dred scott case that have since been overturned decisions that extend the powers of the federal government beyond the expressly stated limits declared in the constitution continue to occur today and remain subjects of intensely debated contention this book gives detailed examples of where congress and the supreme court have gone outside the people s mutual contract and have in effect amended the constitution the last chapter outlines a procedure by which citizens voting directly can overrule or repeal amendments made by elements of their government

examining the foundations of development shivakumar describes how societies can reconstitute themselves to improve their developmental well being he argues that the unitary state focus in theory and practice limits the creative potential of individuals to improve their mutual well being through crafting capabilities for self governance this is a significant contribution to current discussions on institutional foundations of development providing practical guidance on what it means to constitute a government that facilitates rather than impedes progress

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