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In the mid-summer of 1989 the German Democratic Republic-- known as the GDR or East Germany--was an autocratic state led by an entrenched Communist Party. A loyal member of the Warsaw Pact, it was a counterpart of the Federal Republic of Germany (West Germany), which it confronted with a mixture of hostility and grudging accommodation across the divide created by the Cold War. Over the following year and a half, dramatic changes occurred in the political system of East Germany and culminated in the GDR's "accession" to the Federal Republic itself. Yet the end of Germany's division evoked its own new and very bitter constitutional problems. The Imperfect Union discusses these issues and shows that they are at the core of a great event of political, economic, and social history. Part I analyzes the constitutional history of eastern Germany from 1945 through the constitutional changes of 1989-1990 and beyond to the constitutions of the re-created east German states. Part II analyzes the Unification Treaty and the numerous problems arising from it: the fate of expropriated property on unification; the unification of the disparate

eastern and western abortion regimes; the transformation of East German institutions, such as the civil service, the universities, and the judiciary; prosecution of former GDR leaders and officials; the "rehabilitation" and compensation of GDR victims; and the issues raised by the fateful legacy of the files of the East German secret police. Part III examines the external aspects of unification.

Constitutional Structure: Cases in Context, Second Edition places primary emphasis on how constitutional law has developed since the Founding, its key foundational principles, and recurring debates. By providing both cases and context, it conveys the competing narratives that all lawyers ought to know and all constitutional practitioners need to know. Teachable, manageable, class-sized chunks of material are suited to one-semester courses or reduced credit configurations. Generous case excerpts make the text flexible for most courses. Cases are judiciously supplemented with background readings from various sources. Innovative study guide questions presented before each case help students focus on the salient issues, challenging them to consider the court's opinions from various perspectives, and suggesting comparisons or connections with other cases. Key

Benefits: Revised doctrinal areas with newer cases. Updated background contextual material to reflect current scholarship. A highly accessible and engaging structure that examines the competing narratives that pervade the development of American constitutional law since the founding. Related cases are grouped together into "assignments" and make for a reasonable amount of reading for each topic. A wealth of photographs, maps, and primary documents to bring the cases to life. This is a collection of essays from leading constitutional lawyers and theorists, examining the philosophical foundations of constitutional law and the issues that arise from the fundamental philosophical issues raised by the idea of a constitution. From war powers to health care, freedom of speech to gun ownership, religious liberty to abortion, practically every aspect of American life is shaped by the Constitution. This vital document, along with its history of political and judicial interpretation, governs our individual lives and the life of our nation. Yet most of us know surprisingly little about the Constitution itself, and are woefully unprepared to think for ourselves about recent developments in its long and storied history. **The Constitution: An Introduction** is the definitive modern primer on the US Constitution. Michael Stokes Paulsen, one of the nation's most provocative and accomplished scholars of the Constitution, and his son Luke Paulsen, a gifted young writer and lay scholar, have combined to write a lively introduction to the supreme law of the United States, covering the Constitution's history and meaning in clear, accessible terms.

Beginning with the Constitution's birth in 1787, Paulsen and Paulsen offer a grand tour of its provisions, principles, and interpretation, introducing readers to the characters and controversies that have shaped the Constitution in the 200-plus years since its creation. Along the way, the authors provide correctives to the shallow myths and partial truths that pervade so much popular treatment of the Constitution, from school textbooks to media accounts of today's controversies, and offer powerful insights into the Constitution's true meaning. A lucid and engaging guide, **The Constitution: An Introduction** provides readers with the tools to think critically and independently about constitutional issues—a skill that is ever more essential to the continued flourishing of American democracy. **Voting Rights and Election Law** is a law school text book covering the law surrounding the electoral system. Coverage begins with voting qualifications and barriers to exercise of the franchise. The book covers the authority of the courts to remedy violations of the right to vote. Other topics include the One-Person/One Vote Doctrine under the Federal Constitution and the

effects of the Voting Rights Act. The book also covers the role of political parties and term limits for federal and state office. Campaign finance and political speech each receive treatment. The book concludes with a chapter on methods for remedying errors in elections. In Chapter 1 students examine questions surrounding the constitutional right to vote and legislatures' power to restrict the classes of persons entitled to the franchise. The remainder of the text proceeds chronologically through the electoral process, from districting, with its issues of one person, one vote and the role of race under the Constitution and the Voting Rights Act; to the place of political parties in the electoral and constitutional structure; to limitations on ballot access; to the First Amendment's protection of political speech, including an in-depth treatment of campaign finance; to rules governing the voting process itself; to vote-counting; to remedies for elections that have gone wrong. Compared to other casebooks in the field, Voting Rights and Election Law emphasizes the texts of leading court opinions rather than commentary and political-science research. The book focuses on the legal principles and language adopted by courts in deciding election cases, rather than competing political theories about elections and democracy. Students are, however, encouraged through notes and questions to examine and question the empirical assumptions and theoretical premises behind the opinions. The eBook versions of this title feature links to Lexis Advance for further legal research options. Christian Reus-Smit addresses this problem by presenting an alternative, "constructivist" theory of international institutional development, one that emphasizes the relationship between the social identity of the state and the nature and origin of basic institutional practices."--BOOK JACKET. The 2022 Supplement contains excerpts from cases decided during the October 2021 Term. New to the 2022 Edition: *City of Austin, Texas v. Reagan National Advertising of Austin, LLC*, *Shurtleff v. Boston*, *United States v. Jose Luis Vaello Madero*, *New York State Rifle & Pistol Association Inc v. Bruen*, *Dobbs v. Jackson Women's Health Organization*, *Kennedy v. Bremerton School District*. This book considers the distribution of power in the national government and explores how the constitutional scheme of separation of powers and checks and balances grants and controls power. It examines how the American Constitution and its amendments oblige the national and state governments. Contributors include Ignatius Ayua Akaayar (Nigeria), Raoul Blindenbacher (Switzerland), Dakas C.J. Dakas (Nigeria), Kris Deschouwer (Belgium), Juan Marcos Guti é rrez Gonz á lez (Mexico), John Kincaid (USA), Rainer Knopff (Canada), Jutta Kramer (Germany), Akhtar Majeed (India), Marat S. Salikov (Russia), Cheryl Saunders (Australia), Anthony M. Sayers (Canada), Nicolas Schmitt (Switzerland), Celina Sousa (Brazil), Nico Steytler (South Africa), and G. Alan Tarr (USA). For years the public has become increasingly disillusioned and cynical about its governmental institutions. In the face of alarming problems--most notably the \$400 billion budget deficit--the government seems deadlocked, reduced to partisan posturing and bickering, with the president and Congress blaming each other for failure. And neither party can be held accountable. The public tendency is to blame individual leaders- or politicians as a class--but an insistent and growing number of experienced statesmen and political scientists believe that much of the difficulty can be traced to the governmental structure itself, designed in the eighteenth century and essentially unchanged since then. Is that inherited constitutional system adequate to meet the challenges of the twenty-first century, or has the time come for fundamental change? Should we adopt an electoral system that encourages unified control of the presidency, the Senate and the House? Lengthen terms of office? Limit congressional terms? Abolish or modify the electoral college? Introduce a mechanism

for calling special elections? Permit legislators to hold executive offices? Redistribute the balance of powers within the governmental system? In this revised edition of his highly acclaimed 1986 volume, James Sundquist reviews the origins and rationale of the constitutional structure and the current debate about whether reform is needed, then raises practical questions about what changes might work best if a consensus should emerge that the national government is too prone to stalemate to meet its responsibilities. Analyzing the main proposals advanced to adapt the Constitution to current conditions, he attempts to separate the workable ideas from the unworkable, the effective from the ineffective, the possibly feasible from the wholly infeasible, and finally arrives at a set of recommendations of his own. This study uses basic economic analysis as a technique to comment critically on the original meaning and the interpretation of those clauses of the Constitution that have particular bearing on the economy. Many new conclusions are markedly different from those of the Supreme Court and earlier commentators. Conant's view is that the commerce clause and the equal protection clause, if they had been construed consistently with their comprehensive original meanings, would have given much greater federal protection against state laws that impair free markets. Economic policy for the nation was vested in Congress. To the extent that special interests could buy congressional favor for their anticompetitive activities, free markets were impaired within constraints as interpreted by the court. These decisions have been criticized for their failure to incorporate the antimonopoly tradition in the Ninth Amendment and their failure to recognize equal protection of laws incorporated into the Fifth Amendment. Conant holds that statutory controls of the economy are justifiable in economic theory if they are designed to remedy market failures and thereby increase efficiency. If statutes are passed to interfere with markets and create market inefficiencies for the benefit of special interest groups, they should be condemned under the standards of normative microeconomics. There are four main classes of market failure: monopoly, externalities, public goods, and informational asymmetry. This masterful analysis examines all four reasons for market failure in depth. Litigation costs are analogous to transaction costs. If legal principles and rules are clearly and precisely defined by the Supreme Court when they are first appealed, litigation and its costs should be minimized. Conant claims that if legal principles or rules are uncertain because they lack definable standards, the number of legal actions filed and litigation costs will be much greater. This promotes additional litigation challenging the many statutes enacted to remedy asserted market failures in an expanding industrial economy. This work brilliantly addresses the danger to the economy in court rulings seeking to legislate standards of reasonableness. This casebook is designed to reflect more accurately the way that Constitutional Law is generally taught in contemporary law schools. Most schools no longer attempt to offer a comprehensive survey course; rather, they offer an introduction to the subject that omits topics like the First Amendment and frequently focuses on issues of constitutional structure. The basic idea of this book is to conform the casebook more closely to the subjects actually covered in most introductory constitutional law courses. The book also tries to capture the best of both topical and historical arrangements. This book makes no attempt at comprehensive coverage. It combines a historical approach in the first half of the book with a very thorough doctrinal treatment of structural questions in the second. The book departs from most other casebooks in the field by offering longer cuts of fewer key cases, rather than trying to treat every significant case. The underlying theory is that the justices are considerably less cryptic when one includes a greater proportion of their explanations,

and that the extra reading load is more than offset by the decrease in confusion. This book is divided into two principal parts. The first offers a general survey of judicial review, arranged as a history of the U.S. Supreme Court from Marbury to Bush v. Gore. This history accomplishes several goals: It presents an overall picture of the institution of judicial review as it has evolved over our history; it introduces the basics of a number of rights issues (e.g., equal protection and race, due process and privacy) not covered elsewhere in the course; and it exposes students to different theoretical approaches to constitutional interpretation. The second half of the book presents an in-depth doctrinal study of federalism and separation of powers, "This book offers an overview of federalism, the separation of powers, and related matters of constitutional structure. It covers such topics as: the lawmaking powers of the national government (including those powers conferred by the Commerce Clause, the Taxing and Spending Clause, the Necessary and Proper Clause, the Enforcement Clauses of the Reconstruction Amendments, and other sources of federal legislative authority); federalism-based "external" constraints on congressional power (including those provided by the anti-commandeering principle, the "equal sovereignty" principle, and principles of state-sovereign immunity); federalism-based limits on state authority (including those imposed by the dormant Commerce Clause, the Article IV Privileges and Immunities Clause, and statutory preemption doctrine); structural constitutional principles concerning governmental entities other than the states (including Native nations, overseas territories, and the District of Columbia); and the horizontal allocation of power across the three branches of the federal government (including with respect to foreign and military affairs, the federal administrative state, the appointment and removal of executive-branch officials, impeachment, presidential and legislative immunities from judicial process, and the powers of the federal courts)." --Publisher. Highlighting major recent changes in the way government organises itself and controls the action of its departments this book shows how the executive government's place in our constitution is changing. Our Constitution speaks in general terms of liberty and property, of the privileges and immunities of citizens, and of the equal protection of the laws--open-ended phrases that seem to invite readers to reflect in them their own visions and agendas. Yet, recognizing that the Constitution cannot be merely what its interpreters wish it to be, this volume's authors draw on literary and mathematical analogies to explore how the fundamental charter of American government should be construed today. Classic Books Library presents this brand new edition of " The Federalist Papers ", a collection of separate essays and articles compiled in 1788 by Alexander Hamilton. Following the United States Declaration of Independence in 1776, the governing doctrines and policies of the States lacked cohesion. " The Federalist ", as it was previously known, was constructed by American statesman Alexander Hamilton, and was intended to catalyse the ratification of the United States Constitution. Hamilton recruited fellow statesmen James Madison Jr., and John Jay to write papers for the compendium, and the three are known as some of the Founding Fathers of the United States. Alexander Hamilton (c. 1755 – 1804) was an American lawyer, journalist and highly influential government official. He also served as a Senior Officer in the Army between 1799-1800 and founded the Federalist Party, the system that governed the nation ' s finances. His contributions to the Constitution and leadership made a significant and lasting impact on the early development of the nation of the United States. American Constitutional Law 11e, Volume I provides a comprehensive account of the nation's defining document, examining how its provisions were originally understood by those who drafted

and ratified it, and how they have since been interpreted by the Supreme Court, Congress, the President, lower federal courts, and state judiciaries. Clear and accessible chapter introductions and a careful balance between classic and recent cases provide students with a sense of how the law has been understood and construed over the years. The 11th Edition has been fully revised to include several new cases, including *Trump v. Hawaii* (2018), in which Chief Justice Roberts held that *Korematsu v. United States* "has been overruled in the court of history"; *Murphy v. National Collegiate Athletic Association* (2018), in which Justice Alito's majority opinion provides the most compelling argument to date against federal commandeering of state officials; and *Svein v. Melin* (2018), a Contract Clause case that shows the Court's continuing refusal to give a textualist reading of that provision, even in the face of Justice Gorsuch's compelling and amusing dissent. A revamped and expanded companion website offers access to even more additional cases, an archive of primary documents, and links to online resources, making this text essential for any constitutional law course. This is the second edition of Professor Tushnet's short critical introduction to the history and current meaning of the United States' Constitution. It is organized around two themes: first, the US Constitution is old, short, and difficult to amend. Second, the Constitution creates a structure of political opportunities that allows political actors, including political parties, to pursue the preferred policy goals even to the point of altering the very structure of politics. Deploying these themes to examine the structure of the national government, federalism, judicial review, and individual rights, the book provides basic information about, and deeper insights into, the way the US constitutional system has developed and what it means today. In this lively historical examination of American federalism, a leading scholar in the field refutes the widely accepted notion that the founding fathers carefully crafted a constitutional balance of power between the states and the federal government. Edward A. Purcell Jr. bases his argument on close analysis of the Constitution's original structure and the ways that structure both induced and accommodated changes over the centuries. There was no clear agreement among the founding fathers regarding the "true" nature of American federalism, Purcell contends, nor was there a consensus on "correct" lines dividing state and national authority. Furthermore, even had there been some true "original" understanding, the elastic and dynamic nature of the constitutional structure would have made it impossible for subsequent generations to maintain any "original" or permanent balance. The author traces the evolution of federalism through the centuries, focusing particularly on shifting interpretations founded on political interests. He concludes with insights into current issues of federal power and a discussion of the grounds on which legitimate decisions about federal and state power should rest. In this intellectual history of America's two-party system, Donald V. Weatherman grapples with the central issue confronting political parties: What role should they play within a constitutional government?: By examining three major efforts at party reform—the Progressive movement, efforts to develop a responsible party system in the 1950s and 1960s, and Democratic nominating system reforms between 1968 and 1988—Weatherman shows how we have lost sight of the founders' original intentions to create a party system that would enhance the democratic tendencies of our political system while strengthening our constitutional structure. "A brief softcover introduction to Constitutional Law that is accessible to both law students, college students, and the general public"-- Proportionality is one of the most important principles in constitutional law, relevant throughout the law and in jurisdictions worldwide. Setting out the 'state of the art' in proportionality doctrine, this book combines theoretical reconstruction

with case-law examples, defending and developing the dominant model of proportionality. Ronald Dworkin famously argued that fidelity in interpreting the Constitution as written calls for a fusion of constitutional law and moral philosophy. Barber and Fleming take up that call, arguing for a philosophic approach to constitutional interpretation. In doing so, they systematically critique the competing approaches - textualism, consensualism, originalism, structuralism, doctrinalism, minimalism, and pragmatism - that aim and claim to avoid a philosophic approach. *Constitutional Interpretation: The Basic Questions* illustrates that these approaches cannot avoid philosophic reflection and choice in interpreting the Constitution. Barber and Fleming contend that fidelity in constitutional interpretation requires a fusion of philosophic and other approaches, properly understood. Within such a fusion, interpreters would begin to think of text, consensus, intentions, structures, and doctrines not as alternatives to, but as sites of philosophic reflection about the best understanding of our constitutional commitments. *Constitutional Interpretation: The Basic Questions*, examines the fundamental inquiries that arise in interpreting constitutional law. In doing so, the authors survey the controversial and intriguing questions that have stirred constitutional debate in the United States for over two centuries, such as: how and for what ends should governmental institutions and powers be arranged; what does the Constitution mean under general circumstances and how should it be interpreted during concrete controversies; and finally how do we decide what our constitution means and who ultimately decides its meaning. The decision made by the United Kingdom in 2016 to leave the European Union has produced shock waves across Europe and the world. Brexit calls into question consolidated assumptions on the finality of the EU, and simultaneously sparks new challenges. These new challenges are not only in regard of the constitutional settlements reached in the UK, notably in Scotland and Northern Ireland, but also on the future of European integration. Now that Article 50 of the Treaty on the European Union has been invoked, and the path towards full withdrawal by the UK from the EU remains clouded in uncertainties, a comprehensive legal and political analysis of how Brexit impacts on UK and the EU appears of the utmost importance. This book brings together leading lawyers, economists and political scientists to discuss the constitutional implications of Brexit and propose possible solutions for the way forward. The book is structured around four main themes. First, it considers how Brexit will be implemented legally and politically, in terms of the withdrawal and the possible new relations between the UK and the EU. Second, it examines the implications of Brexit on the constitutional structure of the UK, as well as on the status of Northern Ireland and the relations with the Republic of Ireland. Third, it examines the implications of Brexit on the constitutional structure of the EU, focusing on a number of key areas of EU policy-making, notably the Area of Freedom Security and Justice, the Single Market, and Economic and Monetary Union. Finally, the book looks to the mid to long-term future, and discusses the prospects for relaunching the EU after Brexit. This book originated from the intention of its editors to reproduce a number of important articles from out of print issues of the journal "Political science", so that they would be more accessible for teaching purposes as well as more readily available to the general reader ... Various obstacles were encountered ... To meet this problem, the core of "Political science" material had to be augmented by some unpublished work as well as by suitable extracts from a variety of statutes, parliamentary debates and reports of parliamentary committees. In assembling this material the editors have been guided by a particular view of the New Zealand constitutional structure which is based on their

interpretation of the multitude of rules and practices that affect the conduct of politics and public administration in New Zealand. Such an undertaking has its difficulties ... there is no single document in which the main features of the Constitution can be found. There is, indeed, a little known document entitled "New Zealand Constitution) ... but this contains only a small selection of the important rules ..."--Introduction. This supplement brings the principal text current with recent developments in the law. Over the last forty years modern constitutional scholarship has concentrated on an analysis of rights, while principles of constitutional law concerning the structure of government have been largely down-played. The irony of this interpretive emphasis is that the body of the Constitution contains relatively little dealing directly with rights. Rather, it is primarily a blueprint for the establishment of a complex form of federal-democratic structure. The Constitution as Political Structure emphasizes the central role served by the structural portions of the Constitution. Redish argues that these structural values were designed to provide the framework in which our rights-based system may flourish, and that judicial abandonment of these structural values threatens the very foundations of American political theory. In its exposition of the textual and theoretical rationales for judicial enforcement of the structural values embodied in the Constitution, this book presents a principled alternative to the extremes of judicial abdication articulated by certain scholars and Justices on the one hand, and the result-oriented ideological involvement advocated in some quarters on the other. This work will be of great interest to scholars of law and political science. When we think of constitutional law, we invariably think of the United States Supreme Court and the federal court system. Yet much of our constitutional law is not made at the federal level. In 51 Imperfect Solutions, U.S. Court of Appeals Judge Jeffrey S. Sutton argues that American Constitutional Law should account for the role of the state courts and state constitutions, together with the federal courts and the federal constitution, in protecting individual liberties. The book tells four stories that arise in four different areas of constitutional law: equal protection; criminal procedure; privacy; and free speech and free exercise of religion. Traditional accounts of these bedrock debates about the relationship of the individual to the state focus on decisions of the United States Supreme Court. But these explanations tell just part of the story. The book corrects this omission by looking at each issue--and some others as well--through the lens of many constitutions, not one constitution; of many courts, not one court; and of all American judges, not federal or state judges. Taken together, the stories reveal a remarkably complex, nuanced, ever-changing federalist system, one that ought to make lawyers and litigants pause before reflexively assuming that the United States Supreme Court alone has all of the answers to the most vexing constitutional questions. If there is a central conviction of the book, it's that an underappreciation of state constitutional law has hurt state and federal law and has undermined the appropriate balance between state and federal courts in protecting individual liberty. In trying to correct this imbalance, the book also offers several ideas for reform.

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