Sources Of Constitutional Law Constitutions And Fundamental Legislative Provisions From The United States France Germany The Netherlands And The Echr And The Eu Charter Of Fundamental Rights

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National Security Law and the Constitution provides a comprehensive examination and analysis of the inherent tension between the Constitution and select national security policies, and it explores the multiple dimensions of that conflict. Specifically, the Second Edition comprehensively explores the constitutional foundation for the development of national security policy and the exercise of a wide array of national security powers. Each chapter focuses on critically important precedents, offering targeted questions following each case to assist students in identifying key concepts to draw from the primary sources. Offering students a comprehensive yet focused treatment of key national security law concepts, National Security Law and the Constitution is well suited for a course that is as much an advanced “as applied” constitutional law course as it is a national security law or international relations course. New to the Second Edition: New author Gary Corn is the program director for the Tech, Law and Security Program at American University Washington College of Law, and most recently served as the Staff Judge Advocate to U.S. Cyber Command, the capstone to a distinguished career spanning over twenty-seven years as a military lawyer Two new chapters: Chapter 1 (An Introduction to the “National Security” Constitution), and Chapter 17 (National Security in the Digital Age) Professors and students will benefit from: An organizational structure tailored to present these national powers as a coherent “big picture,” with the aim of understanding their interrelationship with each other, and the legal principles they share A comprehensive treatment of the relationship between constitutional, statutory, and international law, and the creation and implementation of policies to regulate the primary tools in the government’s national security arsenal Targeted case introductions and follow-on questions, enabling students to maximize understanding of the text Text boxes illustrating key principles with historical events, and highlight important issues, rules, and principles closely related to the primary sources Chapters that focus on primary or key authorities with limited diversion into

secondary sources A text structure generally aligned to fit a three-hour, one-semester course offering

Supreme Court Justice Antonin Scalia once remarked that the theory of an evolving, "living" Constitution effectively "rendered the Constitution useless." He wanted a "dead Constitution," he joked, arguing it must be interpreted as the framers originally understood it. In The Living Constitution, leading constitutional scholar David Strauss forcefully argues against the claims of Scalia, Clarence Thomas, Robert Bork, and other "originalists," explaining in clear, jargon-free English how the Constitution can sensibly evolve, without falling into the anything-goes flexibility caricatured by opponents. The living Constitution is not an out-of-touch liberal theory, Strauss further shows, but a mainstream tradition of American jurisprudence--a common-law approach to the Constitution, rooted in the written document but also based on precedent. Each generation has contributed precedents that guide and confine judicial rulings, yet allow us to meet the demands of today, not force us to follow the commands of the long-dead Founders. Strauss explores how judicial decisions adapted the Constitution's text (and contradicted original intent) to produce some of our most profound accomplishments: the end of racial segregation, the expansion of women's rights, and the freedom of speech. By contrast, originalism suffers from fatal flaws: the impossibility of truly divining original intent, the difficulty of adapting eighteenth-century understandings to the modern world, and the pointlessness of chaining ourselves to decisions made centuries ago. David Strauss is one of our leading authorities on Constitutional law--one with practical knowledge as well, having served as Assistant Solicitor General of the United States and argued eighteen cases before the United States Supreme Court. Now he offers a profound new understanding of how the Constitution can remain vital to life in the twenty-first century.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this very useful analysis of constitutional law in Germany provides essential information on the country’s sources of constitutional law, its form of government, and its administrative structure. Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application. Throughout the book, the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure. Thorough coverage by a local expert fully describes the political system, the historical background, the role of treaties, legislation, jurisprudence, and administrative regulations. The discussion of the form and structure of government outlines its legal status, the jurisdiction and workings of the central state organs, the subdivisions of the state, its decentralized authorities, and concepts of citizenship. Special issues include the legal position of aliens, foreign relations, taxing and spending powers, emergency laws, the power of the military, and the constitutional relationship between church and state. Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for both practising and academic jurists. Lawyers representing parties with interests in Germany will welcome this guide, and academics and researchers will appreciate its value in the study of comparative constitutional law.

For more than two hundred years a debate has raged between those who believe that jurists should follow the original intentions of the Founding Fathers and those who argue that the Constitution is a living document subject to interpretation by each succeeding generation. The controversy has flared anew in our own time as a facet of the battle between conservatives and liberals. In Original Intent and the Framers' Constitution, the distinguished constitutional scholar Leonard Levy cuts through the Gordian Knot of claim and counterclaim with an argument that is clear, logical, and compelling. Rejecting the views of both left and right, he evaluates the doctrine of "original intent" by examining the sources of constitutional law and landmark cases. Finally, he finds no evidence for grounding the law in original intent. Judicial

activism—the constant reinterpretation of the Constitution—he sees as inevitable.

In a powerful new narrative, G. Edward White challenges the reigning understanding of twentieth-century Supreme Court decisions, particularly in the New Deal period. He does this by rejecting such misleading characterizations as "liberal," "conservative," and "reactionary," and by reexamining several key topics in constitutional law. Through a close reading of sources and analysis of the minds and sensibilities of a wide array of justices, including Holmes, Brandeis, Sutherland, Butler, Van Devanter, and McReynolds, White rediscovers the world of early-twentieth-century constitutional law and jurisprudence. He provides a counter-story to that of the triumphalist New Dealers. The deep conflicts over constitutional ideas that took place in the first half of the twentieth century are sensitively recovered, and the morality play of good liberals vs. mossbacks is replaced. This is the only thoroughly researched and fully realized history of the constitutional thought and practice of all the Supreme Court justices during the turbulent period that made America modern.

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.

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.

Whether a state constitution protects a right to abortion is significant for two reasons: First, it may determine whether the State has the authority to enact and enforce laws regulating abortion (e.g., laws mandating informed consent or requiring parental notice or consent) within current federal constitutional limits. Second, and more important, it will determine whether the State would have the authority to enact and enforce laws prohibiting abortion, if the Supreme Court overrules Roe v. Wade and returns the issue of abortion to the States. Abortion under State Constitutions is the first, full-length treatment of the subject to appear in print. For each State, the author considers possible sources of a right to abortion in the state constitution (privacy, due process of law, equality of rights, equal protection, privileges and immunities, as well as other provisions); state court decisions interpreting those provisions; the relevant state constitutional history; pre-Roe prohibitions of abortion and their interpretation by state courts; post-Roe regulations of abortion; and what rights state law has conferred upon unborn children outside the context of abortion. Based upon the foregoing analysis, arranged topically within each State for ease of reference, the author concludes that thirteen state constitutions protect (or would be interpreted to protect) a state right to abortion that is independent of the right to abortion recognized in Roe v. Wade, while the supreme courts of the other thirty-seven States probably would not recognize a state right to abortion. Likely to become a standard reference work on the subject, Abortion under State Constitutions should be of interest not only to lawyers who litigate state abortion rights claims and judges who decide those cases, but to anyone on either side of the abortion debate who wants to have a better understanding of the status of abortion under state constitutions.

Switzerland is not only one of the oldest democracies in the world, but also an enduring model of peaceful multiethnic policy, characterized by a Constitution that is constant flux. The new Federal Constitution of the Swiss Confederation took effect on January 1, 2000; and it is with the intention of staying abreast of the constitutional changes and of the case law of the Federal Court that the authors have prepared the current volume. A general introduction of the constitutional history and the foundations of the Swiss political system are followed by the following issues: Sources of Swiss Constitutional Law; Organisational Design of the Swiss Confederation; Federalism in General and the Position of the Cantons and the Municipalities in the Swiss Confederation; Citizenship, Fundamental Rights and Liberties and their Judicial Protection, Protection of Minorities, Judicial Control of Administrative Action; Treaty and Foreign Affairs Powers, Taxing and Spending Powers, the Relationship between the State and the Church. Thomas Fleiner is Professor of constitutional and administrative law and Director of the Institute for Federalism at the University of Fribourg, Switzerland; Alexander Misic, lic.iur., LL.M.; Nicole Toepperwien, Dr. iur., LL.M.

ALWD Citation Manual: A Professional System of Citation, now in its Fourth Edition, upholds a single and consistent system of citation for all forms of legal writing. Clearly and attractively presented in an easy-to-use format, edited by Darby Dickerson, a leading authority on American legal citation, the ALWD Citation Manual is simply an outstanding teaching tool. Endorsed by the Association of Legal Writing Directors, (ALWD), a nationwide society of legal writing program directors, the ALWD Citation Manual: A Professional System of Citation, features a single, consistent, logical system of citation that can be used for any type of legal document complete coverage of the citation rules that includes: - basic citation - citation for primary and secondary sources - citation of electronic sources - how to incorporate citations into documents - how to quote material and edit quotes properly - court-specific citation formats, commonly used abbreviations, and a sample legal memorandum with proper citation in the Appendices two-color page design that flags key points and highlights examples Fast Formatsquick guides for double-checking citations and Sidebars with facts and tips for avoiding common problems diagrams and charts that illustrate citation style at a glance The Fourth Edition provides facsimiles of research sources that a first-year law student would use, annotated with the elements in each citation and a sample citation for each flexible citation options for (1) the United States as a party to a

suit and (2) using contractions in abbreviations new rules addressing citation of interdisciplinary sources (e.g., plays, concerts, operas) and new technology (e.g., Twitter, e-readers, YouTube video) updated examples throughout the text expanded list of law reviews in Appendix 5 Indispensable by design, the ALWD Citation Manual: A Professional System of Citation, Fourth Edition, keeps on getting better

This landmark volume of specially commissioned, original contributions by top international scholars organizes the issues and controversies of the rich and rapidly maturing field of comparative constitutional law. Divided into sections on constitutional design and redesign, identity, structure, individual rights and state duties, courts and constitutional interpretation, this comprehensive volume covers over 100 countries as well as a range of approaches to the boundaries of constitutional law. While some chapters reference the text of legal instruments expressly labeled constitutional, others focus on the idea of entrenchment or take a more functional approach. Challenging the current boundaries of the field, the contributors offer diverse perspectives - cultural, historical and institutional - as well as suggestions for future research. A unique and enlightening volume, Comparative Constitutional Law is an essential resource for students and scholars of the subject.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this very useful analysis of constitutional law in the United States provides essential information on the country's sources of constitutional law, its form of government, and its administrative structure. Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application. Throughout the book, the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure. Thorough coverage by a local expert fully describes the political system, the historical background, the role of treaties, legislation, jurisprudence, and administrative regulations. The discussion of the form and structure of government outlines its legal status, the jurisdiction and workings of the central state organs, the subdivisions of the state, its decentralized authorities, and concepts of citizenship. Special issues include the legal position of aliens, foreign relations, taxing and spending powers, emergency laws, the power of the military, and the constitutional relationship between church and state. Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for both practising and academic jurists. Lawyers representing parties with interests in the United States will welcome this guide, and academics and researchers will appreciate its value in the study of comparative constitutional law.

This is a reproduction of a book published before 1923. This book may have occasional imperfections such as missing or blurred pages, poor pictures, errant marks, etc. that were either part of the original artifact, or were introduced by the scanning process. We believe this work is culturally important, and despite the imperfections, have elected to bring it back into print as part of our continuing commitment to the preservation of printed works worldwide. We appreciate your understanding of the imperfections in the preservation process, and hope you enjoy this valuable book. ++++ The below data was compiled from various identification fields in the bibliographic record of this title. This data is provided as an additional tool in helping to ensure edition identification: ++++ A History Of The Constitution Of Massachusetts reprint Samuel Eliot Morison, Massachusetts. Constitutional Convention Wright & Potter, 1917 Constitutional history; Constitutional law; Constitutions; Massachusetts

Prominent constitutional scholar Christopher Wolfe challenges popular opinions by presenting an insightful and well-supported defense of originalist interpretations of the Constitution. He describes the traditional approach to constitutional interpretation and judicial review and then focuses his analysis on the due process clause, which has become the source of most modern constitutional law. Wolfe challenges the most influential defenders of judicial activism, including Laurence Tribe, Michael Dorf, Harry Wellington, and Mark Tushnet, and he persuasively explains the dire political consequences of taking the Constitution out of constitutional law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this very useful analysis of constitutional law in Spain provides essential information on the country's sources of constitutional law, its form of government, and its administrative structure. Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application. Throughout the book, the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure. Thorough coverage by a local expert fully describes the political system, the historical background, the role of treaties, legislation, jurisprudence, and administrative regulations. The discussion of the form and structure of government outlines its legal status, the jurisdiction and workings of the central state organs, the subdivisions of the state, its decentralized authorities, and concepts of citizenship. Special issues include the legal position of aliens, foreign relations, taxing and spending powers, emergency laws, the power of the military, and the constitutional relationship between church and state. Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for both practising and academic jurists. Lawyers representing parties with interests in Spain will welcome this guide, and academics and researchers will appreciate its value in the study of comparative constitutional law.

Constitutional law is bedevilled by a crisis of standpoints. Many times, this has led to a lack of congruence between theory and practice. The true nature of the constitution is, for example, a central problem of Constitutional Law. In theory, the constitution is supreme 'law'. But, in practice, most publicists and courts recognize decrees during military rule as different from, yet superior to, the constitution. The student is fed these mutually antagonistic propositions, with a consequent loss of faith in the integrity of the subject matter. To make Constitutional Law more coherent, 'The Constitution as Junction of Force and Law' proposes the unifying doctrine of preponderant force. Because of the ontological nature of the problem, the book goes beyond the traditional sources of legal science. Although it examines constitutions, statutes and cases as well as books on these written by lawyers, it has also sought assistance elsewhere. The research reveals that: *The confusion of standpoints mostly results from an undue reliance upon textual analysis as well as a failure to distinguish Constitutional Law (i.e., the subject of study) from the constitution (i.e., the object studied). *Nomenclature is irrelevant. Whether it is called a 'decree, ' 'charter, ' 'constitution, ' 'basic law, ' etc., if it is the supreme law, then it is the constitution. *The constitution is of two parts: the written, partly written, or wholly unwritten, framework of government; and, the energizing force, which sustains that framework. *Normally, there are competing frameworks. A

constitution is that one supported by the polity's current wielder of preponderant force. Since Constitutional law is the study of constitutions, this book concludes that, for coherence, it should always be taught and studied with a sensitive appreciation of the influence of preponderant force.

The Rule of Recognition and the U.S. Constitution is a volume of original essays that discuss the applicability of Hart's rule of recognition model of a legal system to U.S. constitutional law. The contributors are leading scholars in analytical jurisprudence and constitutional theory, including Matthew Adler, Larry Alexander, Mitchell Berman, Michael Dorf, Kent Greenawalt, Richard Fallon, Michael Green, Kenneth Einar Himma, Stephen Perry, Frederick Schauer, Scott Shapiro, Jeremy Waldron, and Wil Waluchow. The volume makes a contribution both in jurisprudence, using the U.S. as a "test case" that highlights the strengths and limitations of the rule of recognition model; and in constitutional theory, by showing how the model can illuminate topics such as the role of the Supreme Court, the constitutional status of precedent, the legitimacy of unwritten sources of constitutional law, the choice of methods for interpreting the text of the Constitution, and popular constitutionalism.

Public Law and Human Rights is a core module in the legal education of the United Kingdom (UK). Throughout the world it is known as common law. While common law consists of case-law and statutes, it has reached its present state by incorporating elements of international law, prerogative power and other legal and non-legal sources such as conventions and customs. This book closely examines the public law (constitution and administrative law) and human rights system of the UK (England and Wales in particular). The reason for the emergence of this book is that other publications do not explain such a complex issue in plain language, which makes it very difficult for those taking an interest, in particular A-level as well as LLB/LLM law students. This book does not repeat material that is available in many textbooks that are in print. Rather, it endeavours to present every topic in plain language and concludes every chapter with a fictitious, explanatory sample case. This book will also assist students to prepare for examinations. It comes with a test that summarizes all the subjects contained in the book, which is appropriate to the first stage SQE (Solicitors Qualifying Examination) examination. This concise text brings clearly into focus the key elements of public law and human rights. The Q&A approach, examples and exercises provide an excellent way for students to both gain knowledge and apply that knowledge to this complex area of law. – Dr Ryan Hill, Deputy Head of School, Anglia Ruskin University, Law School, UK This resource presents the core framework of Public Law and human rights within the United Kingdom, and also the key current debates surrounding this subject, in clear and accessible language. The technique of using fictional cases to work through practical issues is an excellent way for students to gain insight into the real world application of theoretical principles. Not only does this book help prepare learners for assessments, it also provides support in developing critical legal thinking which will be of great value in their professional lives. – Javier Garcia Oliva, Professor of Law, The University of Manchester, UK CONTENTS: Abbreviations About the author Foreword PART A. Constitutional Law CHAPTER I. Introduction: The Nature and Sources of the Constitution CHAPTER II. Fundamental Constitutional Principles CHAPTER III. Houses of Parliament and the Legislative Process PART B. Human Rights CHAPTER IV. Human Rights in the UK: Human Rights Act 1998 and European Convention on Human Rights CHAPTER V. Fundamental Freedoms in the Human Rights Act/European Convention on Human Rights PART C. Administrative Law CHAPTER VI. The Principles of Judicial Review and Preliminary Requirements CHAPTER VII. Judicial Review Grounds I: Illegality and Unreasonableness/Irrationality CHAPTER VIII. Judicial Review Grounds II: Procedural Impropriety CHAPTER IX. Administrative Justice: Inquiries, Ombudsman and Tribunals SUMMARY: Sample Test Questions

PART A – Constitutional Law PART B – Human Rights PART C – Administrative Law ANSWERS

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.

Sources of Constitutional Law contains a selection of constitutions and fundamental legislative instruments from five Western democracies: the United States, France, Germany, the Netherlands, and the United Kingdom. In addition, the book includes the text of the European Convention on Human Rights (ECHR) and the Charter of Fundamental Rights of the European Union. The instruments reproduced in the book are rendered either in the original English, in the official English version, or in new translations under critical editorship. Sources of Constitutional Law will permit students of constitutional law to understand the peculiarities and similarities of different Western constitutions in direct comparison. With its selection of constitutions and legislative instruments, the book is the ideal companion to Intersentia's textbook Constitutions Compared: An Introduction to Comparative Constitutional Law (Third Edition). [Subject: Constitutional Law, Comparative Law, Human Rights Law]

Derived from the renowned multi-volume International Encyclopaedia of Laws, this very useful analysis of constitutional law in Argentina provides essential information on the country's sources of constitutional law, its form of government, and its administrative structure. Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application. Throughout the book, the treatment emphasizes the specific points at which constitutional law affects the interpretation of legal rules and procedure. Thorough coverage by a local expert fully describes the political system, the historical background, the role of treaties, legislation, jurisprudence, and administrative regulations. The discussion of the form and structure of government outlines its legal status, the jurisdiction and workings of the central state organs, the subdivisions of the state, its decentralized authorities, and concepts of citizenship. Special issues include the legal position of aliens, foreign relations, taxing and spending powers, emergency laws, the power of the military, and the constitutional relationship between church and state. Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for both practising and academic jurists. Lawyers representing parties with interests in Argentina will welcome this guide, and academics and researchers will appreciate its value in the study of comparative constitutional law.

The golden thread that cuts across the various chapters of the book is the emphasis that good constitutions anchor certain tenets that have garnered recognition as hallmarks of democratic dispensation. These hallmarks include the concept of separation of powers; the doctrine of the rule of law; constitutionalism and human rights. These attributes have largely been secured by the 2010 Constitution. Thus, this book is expected to contribute to this new promise by making knowledge on the Constitution accessible through breaking down and contextualising

its provisions. It is certain to be useful to law and government students, lawyers, researchers and other persons who seek to understand the new constitutional order.

Constitutionalization of world politics is emerging as an unintended consequence of international treaty making driven by the logic of democratic power. The analysis will appeal to scholars of International Relations and International Law interested in international cooperation, as well as institutional and constitutional theory and practice.

Constitutional Justice under Old Constitutions confronts different national experiences within the framework of a common subject matter, viz., questions arising from the application of old constitutional texts within one system or another of judicial review. Every chapter presents valuable materials and reflections for further exploration on a comparative as well as a national basis. The countries covered are the United States, Norway, Belgium and France; all countries having an old constitution. The following questions are dealt with: the emergence of judicial review of national legislation the interpretation of old constitutional texts complementary sources to old constitutional texts the application of old constitutions in modern societies the legitimacy of judicial review of legislation

This volume contains important constitutional and legislative texts from the United States, France, Germany, the Netherlands and the United Kingdom, as well as provisions from the European Convention on Human Rights and the Treaty on European Union. It helps students to work with, and to cite, written sources of constitutional law from various systems. All texts are reproduced in the original or authentic English or are freshly translated into English under critical editorship. Unlike many other translations, this volume remains true to the content, style and syntax of the original texts. This allows the reader to appreciate not only the substance but also the authentic form - and the beauty of old-fashioned or cryptic language - of constitutional sources. This second edition not only updates but also expands the first edition. Provisions that had been omitted, for editorial reasons, in the first edition are now included. The Constitutions of the US, France and Germany, the Charter and Constitution of the Kingdom of the Netherlands, and the European Convention on Human Rights are now rendered in full; the French Declaration of 1789 as well as selected institutional provisions from the Treaty on European Union have been added. Selected provisions from electoral codes and UK legislation are again included. The Maastricht Collection, a larger compilation of legal provisions which is also published by Europa Law Publishing, covers not only public law but also private law.