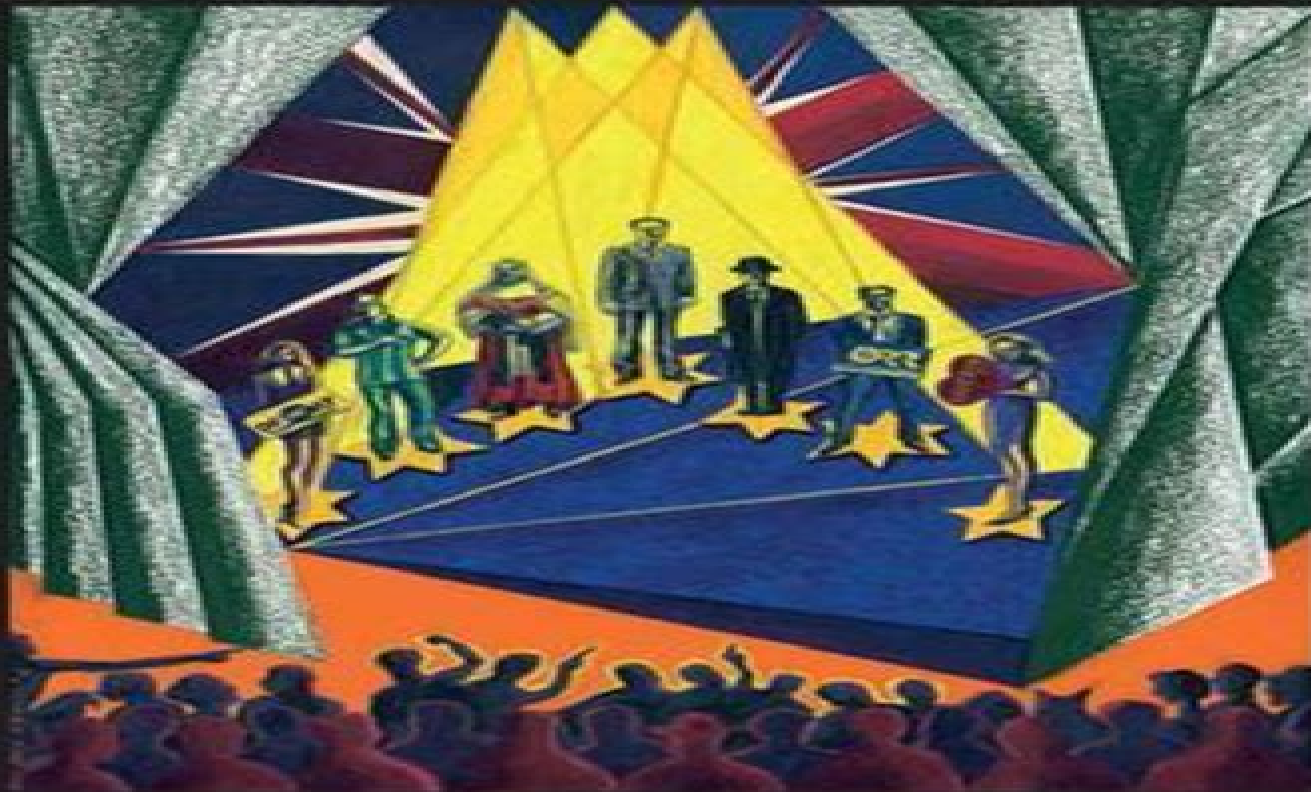


Accountability in the Contemporary Constitution

Edited by Nicholas Bamforth and Peter Leyland



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Accountability In The Contemporary Constitution

D. Judge



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Accountability in the Contemporary Constitution Nicholas Bamforth, Peter Leyland, 2013-09 Accountability in the context of constitutional and administrative law is a complex concept This book examines the legal framework of public institutions in light of contemporary accountability debates the role of human rights in public accountability accountability in regulation and the operation of accountability in multi layered government

Accountability and the Law Piotr Mikuli, Grzegorz Kuca, 2021-08-12 This book discusses contemporary accountability and transparency mechanisms by presenting a selection of case studies The authors deal with various problems connected to controlling public institutions and incumbents responsibility in state bodies The work is divided into three parts Part I Law examines the institutional and objective approach Part II Fairness and Rights considers the subject approach referring to a recipient of rights Part III Authority looks at the functional approach referring to the executors of law Providing insights into increasing understanding of various concepts principles and institutions characteristic of the modern state the book makes a valuable contribution to the area of comparative constitutional change It will be a valuable resource for academics researchers and policy makers working in the areas of constitutional law and politics

Reclaiming Accountability Heidi Kitrosser, 2015-01-06 Americans tend to believe in government that is transparent and accountable Those who govern us work for us and therefore they must also answer to us But how do we reconcile calls for greater accountability with the competing need for secrecy especially in matters of national security Those two imperatives are usually taken to be antithetical but Heidi Kitrosser argues convincingly that this is not the case and that our concern ought to lie not with secrecy but with the sort of unchecked secrecy that can result from presidentialism or constitutional arguments for broad executive control of information In *Reclaiming Accountability* Kitrosser traces presidentialism from its start as part of a decades old legal movement through its appearance during the Bush and Obama administrations demonstrating its effects on secrecy throughout Taking readers through the key presidentialist arguments including supremacy and unitary executive theory she explains how these arguments misread the Constitution in a way that is profoundly at odds with democratic principles Kitrosser's own reading offers a powerful corrective showing how the Constitution provides myriad tools including the power of Congress and the courts to enforce checks on presidential power through which we could reclaim government accountability

The Oxford Handbook Public Accountability M. A. P. Bovens, Robert E. Goodin, Thomas Schillemans, 2014-04 Drawing on the best scholars in the field from around the world this handbook showcases conceptual and normative as well as the empirical approaches in public accountability studies

Perils of Judicial Self-Government in Transitional Societies David Kosař, 2016-04 This book investigates the mechanisms of judicial control to determine an efficient methodology for independence and accountability Using over 800 case studies from the Czech and Slovak disciplinary courts the author creates a theoretical framework that can be applied to future case studies and decrease the frequency of accountability

perversions **The Cambridge Companion to Public Law** Mark Elliott, David Feldman, 2015-08-21 A scholarly and accessible examination of key themes debates and issues in contemporary public law by leading authorities on the subject

The Politics of Judicial Independence in the UK's Changing Constitution Graham Gee, Robert Hazell, Kate Malleson, Patrick O'Brien, 2015-03-12 Judicial independence is generally understood as requiring that judges must be insulated from political life The central claim of this work is that far from standing apart from the political realm judicial independence is a product of it It is defined and protected through interactions between judges and politicians In short judicial independence is a political achievement This is the main conclusion of a three year research project on the major changes introduced by the Constitutional Reform Act 2005 and the consequences for judicial independence and accountability The authors interviewed over 150 judges politicians civil servants and practitioners to understand the day to day processes of negotiation and interaction between politicians and judges They conclude that the greatest threat to judicial independence in future may lie not from politicians actively seeking to undermine the courts but rather from their increasing disengagement from the justice system and the judiciary *Keeping Faith with the Constitution* Goodwin Liu, Pamela S. Karlan, Christopher H. Schroeder, 2010-08-05 Chief Justice John Marshall argued that a constitution requires that only its great outlines should be marked and its important objects designated Ours is intended to endure for ages to come and consequently to be adapted to the various crises of human affairs In recent years Marshall s great truths have been challenged by proponents of originalism and strict construction Such legal thinkers as Supreme Court Justice Antonin Scalia argue that the Constitution must be construed and applied as it was when the Framers wrote it In *Keeping Faith with the Constitution* three legal authorities make the case for Marshall s vision They describe their approach as constitutional fidelity not to how the Framers would have applied the Constitution but to the text and principles of the Constitution itself The original understanding of the text is one source of interpretation but not the only one to preserve the meaning and authority of the document to keep it vital applications of the Constitution must be shaped by precedent historical experience practical consequence and societal change The authors range across the history of constitutional interpretation to show how this approach has been the source of our greatest advances from *Brown v Board of Education* to the New Deal from the *Miranda* decision to the expansion of women s rights They delve into the complexities of voting rights the malapportionment of legislative districts speech freedoms civil liberties and the War on Terror and the evolution of checks and balances The Constitution s framers could never have imagined DNA global warming or even women s equality Yet these and many more realities shape our lives and outlook Our Constitution will remain vital into our changing future the authors write if judges remain true to this rich tradition of adaptation and fidelity *Constitutional Idolatry and Democracy* Brian Christopher Jones, 2020-06-26 *Constitutional Idolatry and Democracy* investigates the increasingly important subject of constitutional idolatry and its effects on democracy Focussed around whether the UK should draft a single written constitution it suggests

that constitutions have been drastically and persistently over sold throughout the years and that their wider importance and effects are not nearly as significant as constitutional advocates maintain Chapters analyse whether written constitutions can educate the citizenry invigorate voter turnout or deliver We the People sovereignty **Democratic Incongruities** D. Judge, 2014-03-07 Clear disparities exist between notions of representative democracy and political practice in Britain Alternative models of democracy however have their own incongruities in trying to marry representation and democracy This book analyses the mismatches in democratic theories and between theory and practice in British representative democracy

Accountable Government in Africa Danwood Mzikenge Chirwa, Lia Nijzink, 2012 This book brings together a number of leading experts in the fields of public law political science and democratization studies to identify ways of making African governments accountable and describe the extent to which these mechanisms work in practice It presents new knowledge about legal and political developments in a number of African countries relevant to the policy goal of developing and deepening democratic governance and accountable government on the continent This book will be of interest to academics students and practitioners in the fields of public law public administration political studies and African studies **Human Rights and Constitution Making: Institutional and procedural guarantees of rights**, 2018 This publication is designed to assist United Nations staff who provide human rights advice to States which undertake to amend an existing constitution or write a new one It should also be of use to States that undertake constitutional reform including political leaders policymakers legislators and those entrusted to draft constitutional amendments or a new constitution Further this publication should also facilitate advocacy efforts by civil society to ensure that human rights are properly reflected in constitutional amendments or new constitutions Finally this publication along with the international human rights instruments should not only provide a standard to measure whether constitutional amendments or a new constitution has appropriately reflected human rights and fundamental freedoms but also assist in evaluating whether the processes used in constitutional reform are consistent with international procedural norms Introduction page 1 Dimensions of Dignity Jacob Weinrib, 2016-09-15 Offers a public law theory that elaborates the idea of human dignity to illuminate and justify innovations in constitutional practice *Long Wars and the Constitution* Stephen M. Griffin, 2013-06-01 Extension of presidential leadership in foreign affairs to war powers has destabilized our constitutional order and deranged our foreign policy Stephen M Griffin shows unexpected connections between the imperial presidency and constitutional crises and argues for accountability by restoring Congress to a meaningful role in decisions for war **The Role of Monarchy in Modern Democracy** Robert Hazell, Bob Morris, 2020-09-17 How much power does a monarch really have How much autonomy do they enjoy Who regulates the size of the royal family their finances the rules of succession These are some of the questions considered in this edited collection on the monarchies of Europe The book is written by experts from Belgium Denmark Luxembourg the Netherlands Norway Spain Sweden and the UK It considers the constitutional and political role of monarchy

its powers and functions how it is defined and regulated the laws of succession and royal finances relations with the media the popularity of the monarchy and why it endures No new political theory on this topic has been developed since Bagehot wrote about the monarchy in *The English Constitution* 1867 The same is true of the other European monarchies 150 years on with their formal powers greatly reduced how has this ancient hereditary institution managed to survive and what is a modern monarch's role What theory can be derived about the role of monarchy in advanced democracies and what lessons can the different European monarchies learn from each other The public look to the monarchy to represent continuity stability and tradition but also want it to be modern to reflect modern values and be a focus for national identity The whole institution is shot through with contradictions myths and misunderstandings This book should lead to a more realistic debate about our expectations of the monarchy its role and its future The contributors are leading experts from all over Europe Rudy Andeweg Ian Bradley Paul Bovend Eert Axel Calissendorff Frank Cranmer Robert Hazell Olivia Hepsworth Luc Heuschling Helle Krunke Bob Morris Roger Mortimore Lennart Nilsson Philip Murphy Quentin Pironnet Bart van Poelgeest Frank Prochaska Charles Powell Jean Seaton Eivind Smith

The Federalist Papers Alexander Hamilton, John Jay, James Madison, 2018-08-20 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

Enforcing the Rule of Law Enrique Peruzzotti, Catalina Smulovitz, 2006-04-07 Reports of scandal and corruption have led to the downfall of numerous political leaders in Latin America in recent years What conditions have developed that allow for the exposure of wrongdoing and the accountability of leaders *Enforcing the Rule of Law* examines how elected officials in Latin American democracies have come under scrutiny from new forms of political control and how these social accountability mechanisms have been successful in counteracting corruption and the limitations of established institutions This volume reveals how legal claims media interventions civic organizations citizen committees electoral observation panels and other watchdog groups have become effective tools for monitoring political authorities Their actions have been instrumental in exposing government crime bringing new issues to the public agenda and influencing or even reversing policy decisions *Enforcing the Rule of Law* presents compelling accounts of the emergence of civic action movements and their increasing political influence in Latin

America and sheds new light on the state of democracy in the region *Accountability* Anne C. L. Davies,2001 Many government bodies relate to each other through contracts These are not regulated or enforced by the law Drawing on the results of a case study of NHS contracts this book identifies problems faced by the parties to internal government contracts

The Upside-Down Constitution Michael S. Greve,2012-02-29 Over the course of the nation s history the Constitution has been turned upside down Michael Greve argues in this provocative book The Constitution s vision of a federalism in which local state and federal government compete to satisfy the preferences of individuals has given way to a cooperative cartelized federalism that enables interest groups to leverage power at every level for their own benefit Greve traces this inversion from the Constitution s founding through today dispelling much received wisdom along the way The Upside Down Constitution shows how federalism s transformation was a response to states demands not an imposition on them From the nineteenth century judicial elaboration of a competitive federal order to the New Deal transformation to the contemporary Supreme Court s impoverished understanding of constitutional structure and the devolution in vogue today Greve describes a trend that will lead to more government and fiscal profligacy not less Taking aim at both the progressive heirs of the New Deal and the vocal originalists of our own time The Upside Down Constitution explains why the current fiscal crisis will soon compel a fundamental renegotiation of a new federalism grounded in constitutional principles *Law and Democracy* Glenn Patmore, Kim Rubenstein,2014-12-24 Law and Democracy Contemporary Questions provides a fresh understanding of law s regulation of Australian democracy The book enriches public law scholarship deepening and challenging the current conceptions of law s regulation of popular participation and legal representation The book raises and addresses a number of contemporary questions about legal institutions principles and practices How should the meaning of the people in the Australian Constitution be defined by the High Court of Australia How do developing judicial conceptions of democracy define citizenship What is the legal right to participate in the political community Should political advisors to Ministers be subject to legal accountability mechanisms What challenges do applied law schemes pose to notions of responsible government and how can they be best addressed How can the study of the ritual of electoral politics in Australia and other common law countries supplement the standard account of democracy How might the ritual of the pledge of Australian citizenship limit or enhance democratic participation What is the conflict between legal restrictions of freedom of expression and democracy and the role of social media Examining the regulation of democracy this book scrutinises the assumptions and scope of constitutional democracy and enhances our understanding of the frontiers of accountability and responsible government In addition key issues of law culture and democracy are revealed in their socio legal context The book brings together emerging and established scholars and practitioners with expertise in public law It will be of interest to those studying law politics cultural studies and contemporary history

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