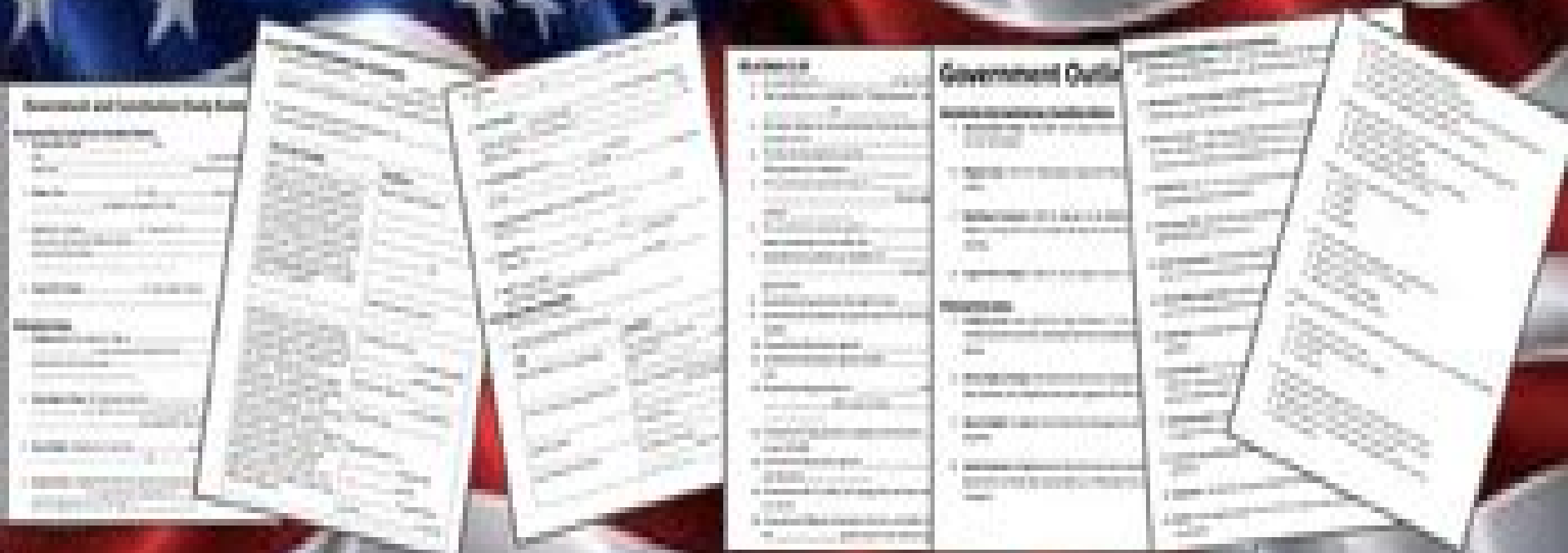


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Anggraeni Endah Kusumaningrum, Widyorini Indriasti Wardani, Edi Pranoto, Rohmad Pujiyanto, 2023-04-16 This is an open access book ICLEH will bring the theme of Recover Together Stronger Together Through the Development of Law Economy and Health as our commitment to continuously sharing and disseminating the development of knowledge in the field of Social Science and Law Through this conference therefore we do encourage international collaboration idea sharing and networking among experts and participants in the respected field of law economy and health discipliners *Proportionality*

and Facts in Constitutional Adjudication Anne Carter, 2022-01-27 This book considers the relationship between proportionality and facts in constitutional adjudication Analysing where facts arise within each of the three stages of the structured proportionality test suitability necessity and balancing it considers the nature of these facts vis vis the facts that arise in the course of ordinary litigation The book s central focus is on how proportionality has been applied by courts in

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Constitutionalism Alejandro Linares Cantillo, Camilo Valdivieso-León, Santiago García-Jaramillo, 2021 This compilation of twenty essays gathers some of the most prominent authors in constitutionalism and legal theory to critically examine classical debates such as the role of judicial review in a democracy the enforcement of socio economic rights the doctrine of unconstitutional amendments and the theory of transitional justice

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Saving the European Union from its Illiberal Member States András Jakab, Lando Kirchmair, 2025-03-29 In the last decade at least two European Union EU member states have deteriorated from fragile liberal democracies to illiberal regimes This deterioration not only includes key elements of the rule of law but also mechanisms of democratic accountability have eroded While the cause is an unfortunate combination of factors post socialist EU member states are particularly likely to embrace an illiberal cause *Saving the European Union from its Illiberal Member States* aims to show that inherited cultural patterns from socialism and even earlier in the form of informal practices and narratives are a largely underestimated source of illiberalism Initially the book diagnoses an unfortunate dynamic of mutual poisoning existing vulnerabilities and weaknesses of democracy and the rule of law at the level of EU law are exacerbated by illiberal member states and vice versa The crisis of illiberal regimes is shown to be a symptom of the EU's own constitutional malaise Authors András Jakab and Lando Kirchmair aim to offer antidotes to this mutual affliction highlighting areas of EU law that have been neglected Chapters examine whether an epistemological tool such as the EU Justice Scoreboard could be adapted to identify illiberal elements The authors also argue that the protection of fundamental rights needs to be strengthened through the completion of the European Fundamental Rights Union Finally the book states that the Spitzenkandidaten system needs to be further strengthened and stabilised for the long term not only to ensure the democratic accountability of the Commission but also because this has the potential to bring the Commission's hitherto undecided and hesitant stance closer to that of the European Parliament

The Cultural

Defense of Nations Liav Orgad, 2015-11-05 The Cultural Defense of Nations presents a timely thought provoking thesis on some of the most pressing issues of our time global immigration majority groups and national identity Never in human history has so much attention been paid to human movement Global migration yields demographic shifts of historical significance profoundly shaking up world politics as has been seen in the refugee crisis the Brexit referendum and the 2016 U S election The Cultural Defense of Nations addresses one of the greatest challenges facing liberalism today is a liberal state justified in restricting immigration and access to citizenship in order to protect its majority culture Liberal theorists and human rights advocates recognize the rights of minorities to maintain their unique cultural identity but assume that majorities have neither a need for similar rights nor a moral ground for defending them The majority culture so the argument goes can take care of itself However with more than 250 million immigrants worldwide majority groups increasingly seek to protect what they consider to be their national identity In recent years liberal democracies have introduced proactive immigration and citizenship policies that are designed to defend the majority culture This book shifts the focus from the prevailing discussion of cultural minority rights and for the first time addresses the cultural rights of majorities It proposes a new approach by which liberal democracies can welcome immigrants without fundamentally changing their cultural heritage forsaking their liberal traditions or slipping into extreme nationalism Disregarding the topic of cultural majority rights is not only theoretically wrong but also politically unwise With forms of majority nationalism rising and the growing popularity of extreme right wing parties in the West time has come to liberally address the new challenge

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Routledge Handbook of Comparative Political Institutions Jennifer Gandhi,Rubén Ruiz-Rufino,2015-04-10 The Routledge Handbook of Comparative Political Institutions HCPI is designed to serve as a comprehensive reference guide to our accumulated knowledge and the cutting edge of scholarship about political institutions in the comparative context It differs from existing handbooks in that it focuses squarely on institutions but also discusses how they intersect with the study of mass behaviour and explain important outcomes drawing on the perspective of comparative politics The Handbook is organized into three sections The first section consisting of six chapters is organized around broad theoretical and empirical challenges affecting the study of institutions It highlights the major issues that emerge among scholars defining measuring and analyzing institutions The second section includes fifteen chapters each of which handles a different substantive institution of importance in comparative politics This section covers traditional topics such as electoral rules and federalism as well as less conventional but equally important areas including authoritarian institutions labor market institutions and the military Each chapter not only provides a summary of our current state of knowledge on the topic but also advances claims that emphasise the research frontier on the topic and that should encourage greater investigation The final section encompassing seven chapters examines the relationship between institutions and a variety of important outcomes such as political violence economic performance and voting behavior The idea is to consider what features of the political sociological and economic world we understand better because of the scholarly attention to institutions Featuring contributions from leading researchers in the field from the US UK Europe and elsewhere this Handbook will be of great interest to all students and scholars of political institutions political behaviour and comparative politics Jennifer Gandhi is Associate Professor Department of Political Science Emory University Rub n Ruiz Rufino is Lecturer in International Politics Department of Political Economy King s College London

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Against Constitutional Originalism Jonathan Gienapp,2024-09-03 A detailed and compelling examination of how the legal theory of originalism ignores and distorts the very constitutional history from which it derives interpretive authority Constitutional originalism stakes law to history The theory's core tenet that the U S Constitution should be interpreted according to its original meaning has us decide questions of modern constitutional law by consulting the distant constitutional past Yet originalist engagement with history is often deeply problematic And now that a majority of justices on the U S Supreme Court champion originalism the task of scrutinizing originalists use and abuse of history has never been more urgent In this comprehensive and novel critique of originalism Jonathan Gienapp targets originalists unspoken

assumptions about the Constitution and its history Originalists are committed to recovering the Constitution laid down at the American Founding yet they often assume that the Constitution is fundamentally modern Rather than recovering the original Constitution they project their own understandings onto it assuming that eighteenth century constitutional thinking was no different than their own They take for granted what it meant to write a constitution down what law was how it worked and where it came from and how a constitution s meaning was fixed In the process they erase the Constitution that eighteenth century Americans in fact created By understanding how originalism fails we can better understand the Constitution that we have

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