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Most people: "if I won the lottery, I could quit my job!"

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Recently added

Correction to "A Classification of Spectrum-determined Circulant Digraphs"

Acta Mathematicae Applicatae Sinica, English Series, Qin, Zheng-xin, Xu, Xin-ping, Meng, Ji-xiang, *et al.*

Covid19-IBO: A Covid-19 Impact on Indian Banking Ontology Along with an Efficient Schema Matching Approach

The exponential spread of Covid-19 is not only a serious concern for public health but has also severely affected the global economy. India is not an exception. The banking sector must plan innovatively in a wide range of scenarios focusing upon Covid-19 specific requirements. It becomes essential to examine the impact of Covid-19 on the performance of the Indian

New Generation Computing, Patel, Archana, Debnath, Narayan C., Mishra, Ambrish Kumar, *et al.*

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Výsledky a možnost zpřesnění dotazu

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Rights Protection and Constitutional Justice: Some Comparative Reflections

RIGHTS PROTECTION AND CONSTITUTIONAL JUSTICE: SOME COMPARATIVE REFLECTIONS although the public debate charged in submitted its report in September after completing a thorough nation-wide ... - accessing **constitutional justice** - is ripe with normative and empirical questions. On the normative side, the topic raises the perennial questions: What is justice? How might a

Aug 2019
Bond Law Review, Jason L. Pierce

Standing As a Barrier To Constitutional Justice - Can We Create a New 'Public Law Paradigm'?

STANDING AS A BARRIER TO CONSTITUTIONAL JUSTICE - CAN WE CREATE A NEW 'PUBLIC LAW PARADIGM'? 0 As developed by the High Court under the leadership of Sir Anthony Mason. GEOFF HOLLAND* This ... symposium provides us with an opportunity to re-assess how procedural rules impact on people who seek 'access to **constitutional justice**'. I understand the phrase 'access to **constitutional justice**' as

Aug 2019
Bond Law Review, Geoff Holland

The Living Hand of the Past: History and Constitutional Justice

uses conclusions about **constitutional justice** to select among multiple, It is worth asking, I think, whether constitutional interpreters are better understood as engaging in this kind of rhetorical

Aug 2018
Fordham Law Review, Christopher L. Eisgruber

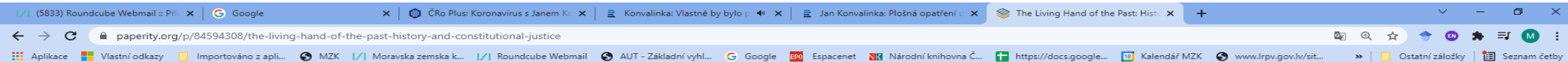
Deliberación, legitimidad y organización interna de los tribunales constitucionales. Una mirada desde Latinoamérica

The main objective of this paper is to argue that the organic design of constitutional courts impacts the legitimacy of **constitutional justice**. The method used has been to analyze the organic and ... **Constitutional Justice**, ahora, en: Sieder, Rachel - Ansolabehere, Karina (eds.), *Fourth and Final Report of the Latin American Constitutional Courts* (London: Routledge, 2020)

Jan 2020
Revista de derecho (Valparaíso), Tania Busch Venthur, Esteban Szmulewicz Ramírez

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Plný text článku – část 1



More from
Fordham Law Review

Practice of Faith

Fidelity to History--and through It

A Few Thoughts on
Constitutionalism, Textualism,
and Populism

See also

Jack Rakove's Rendition of
Original Meaning

Forensic Constitutional
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Bad History: The Lure of History
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The New Originalism and the
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The Better Angels of Self-
Government

The Missing Selves in
Constitutional Self-Government

The Living Hand of the Past: History and Constitutional Justice

Fordham Law Review, Dec 1997

Christopher L. Eisgruber

By Christopher L. Eisgruber, Published on 01/01/97

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Fordham Law Review

Volume 65 | Issue 4 Article 21

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The Living Hand of the Past: History and Constitutional Justice

Christopher L. Eisgruber

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Plný text článku – část 2



Foreign Affairs Constitution

The Better Angels of Self-Government

The Missing Selves in Constitutional Self-Government

Fidelity to Our Imperfect Constitution



tion or the United States Constitution would call for a very limited judicial role. My argument is directed against the idea that "fidelity to the Constitution" requires us to discount political justice more deeply than the text of the Constitution demands. On some conceptions of political justice, however, fidelity to justice requires that the judiciary abstain from deciding controversial issues of social policy and individual right.

1997] *FIDELITY THROUGH HISTORY* 1621

mit National Guardsmen to keep guns in their homes.²³ We could view the Bill of Rights as an awkward first step in a commendable direction, eventually pursued more adeptly by the general language of the Fourteenth Amendment.

Judges and scholars have not, however, been satisfied to treat the Bill of Rights in this way. They praise it as magnificent, not awkward, and view it as limiting, not supplementing, the Constitution's more abstract provisions. They contend, for example, that the Fourteenth Amendment's Due Process Clause protects only rights named in the Bill of Rights. Forced to explain the point of including specific rights in the constitutional text, they maintain that the list is designed to constrain judges by prohibiting them from acting upon their best practical and moral judgments about what justice requires. This is the dead hand of the past with a vengeance, valuing past practices and history at the expense of not only justice but also the constitutional text itself.²⁴

IV. HISTORY, POPULAR SOVEREIGNTY, AND CONSTITUTIONAL RHETORIC

Judges and scholars should discard both the Dead Hand Fallacy and

This is a preview of a remote PDF: <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=3347&context=flr>

Christopher L. Eisgruber. *The Living Hand of the Past: History and Constitutional Justice*, Fordham Law Review, 1997, Volume 65, Issue 4,

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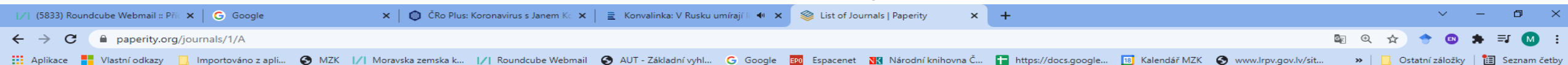
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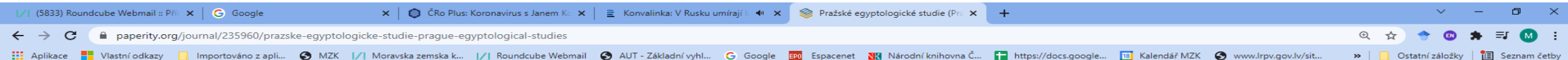
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A+BE: Architecture and the Built Environment
AAPS Journal, The
AAPS Open
AAPS PharmSci
AAPS PharmSciTech
Abanico veterinario
Abant İzzet Baysal Üniversitesi Eğitim Fakültesi Dergisi
Abant İzzet Baysal Üniversitesi İlahiyat Fakültesi Dergisi
Abant Kültürel Araştırmalar Dergisi
ABC: časopis urgentne medicine
ABCD. Arquivos Brasileiros de Cirurgia Digestiva (São Paulo)
ABCS Health Sciences
Abdominal Imaging
ABE Journal
Abhandlungen aus dem Mathematischen Seminar der Universität Hamburg
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Pražské egyptologické studie (Prague Egyptological Studies)

<http://egyptologie.ff.cuni.cz/?req=doc:pragegstud&lang=en&>

List of Papers (Total 73)

Moncu – válečník v době 18. dynastie

The article deals with the role of the warlike god Montu within the framework of the power ideology of Eighteenth Dynasty rulers based on the interpretation of written as well as iconographic sources. According to the author, the preserved testimony calls for a more detailed evaluation of Montu's position as a warlike deity in close connection with the military enterprises of...

Jan 2019
Šichan Daniel

Džedkareův pyramidový komplex: nové doklady o konci 5. dynastie

The pyramid complex of King Djedkare in South Saqqara is a key monument for our understanding of the history of the late Fifth and early Sixth Dynasties and of the social and religious transformations of that period. Despite its exploration in the 1940s and 1950s, neither the architecture of this monument nor its relief decoration and other finds have been fully documented and...

Jan 2019
Megahed Mohamed

Výzkum pravěkého osídlení v západní části pohoří Sabaloka v centrálním Súdánu: poznatky z výzkumné sezóny 2018

The most significant findings of the ongoing exploration of the Fox Hill site in the western part of the Sabaloka Mountains include the detection of extensive remains of a more-than-one-metre thick deposit on Terrace 1, tentatively interpreted as a relic of prehistoric Nile floods that must have reached as high as 10 metres above the present level of the Nile inundation, and the...

Jan 2019
Lenka Varadzinová, Varadzin
Ladislav, Isabelle Crevecœur,
et al.

Sto let výuky egyptologie v češtině

In April 1919, František Lexa, at that time a grammar school teacher of mathematics, physics

Jan 2019
Bareš Ladislav

Kontakt

PhDr. Martina Machátová

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