1. Record Nr. UNINA9910450273203321 Autore Kramer Larry <1958-> Titolo The people themselves [[electronic resource]]: popular constitutionalism and judicial review / / Larry D. Kramer New York,: Oxford University Press, 2004 Pubbl/distr/stampa **ISBN** 1-280-53440-0 0-19-803782-1 0-19-530389-X Descrizione fisica 1 online resource (376 p.) 342.73 Disciplina People (Constitutional law) - United States Soggetti Constituent power - United States Judicial review - United States Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographical references (p. 255-337) and index. Nota di bibliografia Nota di contenuto In substance, and in principle, the same as it was heretofore: the customary constitution -- A rule obligatory upon every department : the origins of judicial review -- The power under the constitution will always be in the people: the making of the constitution -- Courts, as well as other departments, are bound by that instrument: accepting judicial review -- What every true republican ought to depend on : rejecting judicial supremacy -- Notwithstanding this abstract view: the changing context of constitutional law -- To preserve the constitution, as a perpetual bond of union: the lessons of experience -- A layman's document, not a lawyer's contract; the continuing struggle for popular constitutionalism -- As an American: popular constitutionalism, circa 2003 -- Epilogue: judicial review without judicial supremacy. Sommario/riassunto In this interpretation of America's founding and of its entire system of judicial review, Larry Kramer reveals that the colonists fought for and birthed a very different system - and held a very different

understanding of citizenship - than Americans believe to be the norm

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