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| Nota di contenuto | Front matter -- Contents -- Acknowledgments -- Introduction -- 1. Fundamentals: Lessons from Louisiana -- 2. Forms: Trouble with Texas? -- 3. Limits: Conquest and Colonialism -- 4. Constitutional Architecture I: Territorial Legislatures and Executives -- 5. Constitutional Architecture II: Territorial Courts -- 6. War and Peace: Military Occupation and Governance -- 7. Bulwark or Façade? The Rights of Territorial Inhabitants -- Conclusion: Imperial Reflections -- Notes -- Index |
| Sommario/riassunto | The Constitution of Empire offers a constitutional and historical survey of American territorial expansion from the founding era to the present day. The authors describe the Constitution's design for territorial acquisition and governance and examine the ways in which practice over the past two hundred years has diverged from that original vision. Noting that most of America's territorial acquisitions-including the Louisiana Purchase, the Alaska Purchase, and the territory acquired after the Mexican-American and Spanish-American Wars-resulted from |

treaties, the authors elaborate a Jeffersonian-based theory of the federal treaty power and assess American territorial acquisitions from this perspective. They find that at least one American acquisition of territory and many of the basic institutions of territorial governance have no constitutional foundation, and they explore the often-strange paths that constitutional law has traveled to permit such deviations from the Constitution's original meaning.
