Record Nr. UNINA9910779413603321 The political question doctrine and the Supreme Court of the United Titolo States [[electronic resource] /] / edited by Nada Mourtada-Sabbah and Bruce E. Cain Lanham, MD,: Lexington Books, c2007 Pubbl/distr/stampa **ISBN** 1-299-39687-9 0-7391-5912-7 Descrizione fisica 1 online resource (282 p.) Altri autori (Persone) Mourtada-SabbahNada CainBruce E Disciplina 347.73/26 Soggetti Political questions and judicial power - United States Constitutional law - United States Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali "Published in cooperation with the Berkeley Public Policy Press of the Institute of Governmental Studies at the University of California, Berkeley." Includes bibliographical references. Nota di bibliografia Nota di contenuto Cover: Title Page: Copyright Page: Dedication Page: Table of Contents: 1. Introduction; 2. The Rise and Fall of the Political Question Doctrine; 3. Law and Prudence in the Law of Justiciability: The Transformation and Disappearance of the Political Question Doctrine; 4. Leaving the Empty Vessel of ""Republicanism"" Unfilled: An Argument for the Continued Noniusticiability of Guarantee Clause Cases: 5. Two Centuries of Changing Political Questions in Cultural Context; 6. A Political Question by Any Other Name: Government Strategy in the Enemy Combatant Cases of Hamdi and Padilla 7. Political Questions in France8. Who should be the Authoritative Interpreter of the Constitution? Why there should Not be a Political Question Doctrine; 9. Bush v. Gore: Too Political?; 10. Political Questions and Political Cases: The Evolving Justifications for Judicial Involvement in Politics; 11. Termination of the ABM Treaty and the Political Question Doctrine: Judicial Succor for Presidential Power; 12. Political Questions and Political Remedies: About the Authors Historically, the political question doctrine has held the courts from Sommario/riassunto resolving constitutional issues that are better left to other departments

of government, as a way of maintaining the system of checks and balances. However, this book discusses the gradual changes in the parameters of the doctrine, including its current position dealing with increasingly extraterritorial concerns.