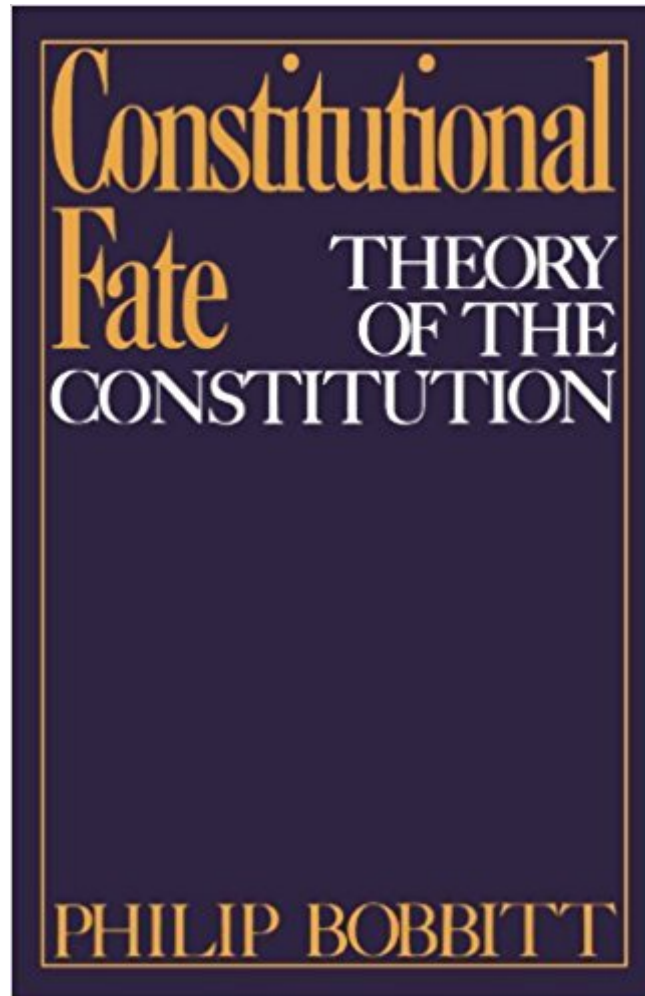


The book was found

Constitutional Fate: Theory Of The Constitution



Synopsis

Here, Philip Bobbitt studies the basis for the legitimacy of judicial review by examining six types of constitutional argument--historical, textual, structural, prudential doctrinal, and ethical--through the unusual method of contrasting sketches of prominent legal figures responding to the constitutional crises of their day.

Book Information

Paperback: 304 pages

Publisher: Oxford University Press (March 15, 1984)

Language: English

ISBN-10: 0195034228

ISBN-13: 978-0195034226

Product Dimensions: 8 x 0.8 x 5.3 inches

Shipping Weight: 14.4 ounces (View shipping rates and policies)

Average Customer Review: 4.4 out of 5 stars 6 customer reviews

Best Sellers Rank: #105,398 in Books (See Top 100 in Books) #100 in Books > Politics & Social Sciences > Politics & Government > Political Science > Constitutions #104 in Books > Textbooks > Law > Constitutional Law #167 in Books > Law > Constitutional Law > General

Customer Reviews

"Extraordinary. This is the outstanding recent work treating Constitutional Law in terms of the legitimating effects of argumentation. It ranks among the most original and impressive works of American jurisprudence to appear during the decade." --Paul Mattson, University of California, Santa Barbara
"A subtle examination of the legitimacy of judicial review. Constitutional Fate is an exceptional work. A strong reminder that judicial review, properly undertaken, can serve a variety of functions and guarantee a variety of interests in modern society." --Yale Law Journal
"An erudite and cogent presentation. Adds a dimension that significantly enriches one's understanding both of judicial review and of much recent academic discussion surrounding it." --American Political Science Review

Philip Bobbitt is at University of Texas, Austin.

Semi-difficult read. Syntax and terminology are all over the place. Must read between-the-line in order to grasp the meat of the text/opinion of the author.

Very interesting explanation of the various arguments concerning the Constitution. I highly recommend reading it.

This book provides a well written explanation to the logic of various constitutional arguments. The inclusion of arguments favored by Justices as well as specific situations in which they were relevant helps establish the relevant context clearly and effectively. While the strict empiricist may finish reading disappointed, those looking for insight into the approach of judges would be well served to give this a look.

This is an excellent book for scholars interested in judicial review. Bobbitt breaks down the typology of constitutional interpretation into six categories. It is not written in a manner that is accessible for the casual reader, but if you are interested in how constitutional interpretation is approached from different philosophies - what separates a Justice Frankfurter from a Justice Black, or a Scalia from Stevens -- then I would highly recommend this book.

Listing a series of intellectual and legal perspectives to interpreting the Constitution, Bobbitt makes clear that "Originalism" is not the Rosetta Stone but is simply one lens through which to look at Constitutional issues.

At first Constitutional Fate looks much like a typical anthology of the most significant modes of constitutional argument, for this I must admit the book does a fairly good job. The problem comes at the end; where we must endure an unconnected attempt to give the book purpose. The authors argument is essentially that there is no argument. Now I must admit I am reading this for a take home final so perhaps I am just a little jaded. For one minute I think that there is nothing but brilliance in these last few pages; only for seconds later to conclude that it is all just a bunch of smoke.

[Download to continue reading...](#)

Constitutional Fate: Theory of the Constitution
Constitutional Fictions: A Unified Theory of
Constitutional Facts
Constitutional Law: Rights, Liberties and Justice 8th Edition (Constitutional Law for a Changing America)
American Constitutional Law, Volume One: Constitutional Structures: Separated Powers and Federalism, Eleventh Edition
Constitutional Law Essay Basics *An e-book: Definitions and arguments necessary for a 75% Constitutional law essay
Ivy Black Letter Law books

... Authors of published bar essays - LOOK INSIDE! Freedom of Speech: Importing European and US Constitutional Models in Transitional Democracies (Routledge Research in Constitutional Law) The Dynamic Constitution: An Introduction to American Constitutional Law and Practice Prakriti: Your Ayurvedic Constitution (Your Ayurvedic Constitution Revised Enlarged Second Edition) The Constitution of the State of Montana (US Constitution) The Penguin Guide to the United States Constitution: A Fully Annotated Declaration of Independence, U.S. Constitution and Amendments, and Selections from The Federalist Papers A More Perfect Constitution: Why the Constitution Must Be Revised: Ideas to Inspire a New Generation Fate's Fables Boxed Set Collection: One Girl's Journey Through 8 Unfortunate Fairy Tales (Fate's Journey Book 1) Fate's Keep: One Girl's Journey Through An Unfortunate Series Of Magic Portals (Fate's Journey Book 2) Fate Heals (Twist of Fate Book 2) Fighting Fate (Overthrowing Fate Book 2) The Theory of Everything: The Origin and Fate of the Universe THE ILLUSTRATED THEORY OF EVERYTHING: The Origin and Fate of the Universe Music Theory: From Beginner to Expert - The Ultimate Step-By-Step Guide to Understanding and Learning Music Theory Effortlessly (Music Theory Mastery Book 1) Recursion Theory, Godel's Theorems, Set Theory, Model Theory (Mathematical Logic: A Course With Exercises, Part II) Constitutional Law for a Changing America: Rights, Liberties, and Justice (Ninth Edition)

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)