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The law of proportionality

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[Joseph Jagde](#) · 2 days ago 🔒

I am wondering if there is anything in the original text of the written Constitution that precisely cites proportionality or something similar conception-ally? If not what does the unwritten Constitution say about this

In the case of the Bill Clinton Clinton impeachment trial, the whole situation was a massive manipulation of the law itself, violating proportionality as the case was based on a minuscule and irrelevant occurrence and look at what happened shortly thereafter with even the Pentagon getting hit. Those legal teams should have been watchdogs for stuff like that.

I had read about the great Chicago fire and one theory was that it was some farmer woman's cow knocking over the lamp and this is an example of how something proportionally small can lead to a total disaster but so can focusing massive government and legal resources on the wrong case do great harm.

You don't worry about the nearest place to get a pizza in a zombie Apocalypse. If a shark is cited nears swimming areas in North Carolina, you don't automatically close the whole Eastern Seaboard Florida to Maine for the whole summer, More sharks need to be seen in a wider area to make a proportionate decision to do that. From the lectures, we see the ridiculous idea that stealing something worth more than a pound at the time would warrant capital punishment and then a jury coming back with their own out of proportion verdict that a horse is worth less than a pound to counter the out of proportion law. then in the case of prohibition, there were not proportionate resources to enforce this amendment. But I am sure there are many lost citing's of and contemplation's of proportionality in the actual experience of the law.

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[Robert Harrison Lane](#) Signature Track · 21 hours ago 🔒

You bring up a very insightful point. Yes, even while they were deposing Clinton the Nation had severe national security problems occurring that have never been released to the public. They both were wrong in their going ons but the costs of this being a public (and political), rather than private matter was much too great a cost to the U.S. And I remember the guy that one party chose to "prosecute," if you will, Clinton, shamefully (shameful only because he had misrepresented his true image and instead promoted the idea that he looked down on sex outside of marriage all the while knowing he had an illegitimate child) had an illegitimate child and once found out he immediately withdrew to take the spotlight off his shortcomings. The fact that they had "saved" the president has long

implied that there was probably a concerted effort to bring down the President any way they could. I am a strong independent by the way.

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Cornelius T. Ryan · 18 hours ago

I think the whole theory of proportionality can be traced to Augustine's theory of a just war. Response had to be somewhat proportional to the provocation, right? Clinton has really been in a kind of life-long war with segments of the right. Beloved by many, despised by many. A paradox certainly but courageous nonetheless. He was a Rhodes Scholar, Yale Law graduate and ex-governor by the time he went to his 10th reunion from college. That's impressive! Rock star status...with some rock star failings.

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Evangelia Rapti · 4 hours ago

Thank you for this thread! I believe the principle of proportionality is a very provocative issue for lawyers from all over the world. Here is a rather heretical opinion (the other side actually) about proportionality: S. Tsakyrakis, "[Proportionality: An assault on human rights?](#)" Professor Tsakyrakis argues that proportionality "*constitutes a misguided quest for precision and objectivity in the resolution of human rights disputes and suggests that courts should instead focus on the real moral issues underlying such disputes*". I find this aspect of the matter very interesting!

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