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The Constitution as an Instrument of Change PDF E-BOK

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BESKRIVNING

In countries like Estonia, Latvia and Lithuania, it seems evident to regard the Constitution as an instrument of change away from their time as Sovietrepublics. In countries with a less painful past, it is rather seen as a symbolof past achievements (Norway) or as a description of how the polity regardsitself as governed (Sweden). Lawyers tend to regard the Constitution as a set of legal norms, but often neglect the political setting. Politicians see the constitution as a political instrument, but often fail to take a legal approachinto account. None of these perspectives alone can provide a good understanding of the functioning of the constitution in any given society. It rather depends on the blend that we may call the constitutional culture. This book studies the role of constitutional arguments in politics and in adjudication. Scholars, prominent judges and political actors discuss the interaction between the twomain focuses in new-born and more settled democracies.

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