

Americans err in thinking that while their politics may be ailing, their Constitution is fine. Sick politics is a sure sign of constitutional failure. This is Sotirios Barber's message in *Constitutional Failure*. Public attitudes fostered by a consumer culture, constitution worship, the lack of a trusted leadership community, and academic historicism and value skepticism—these, this book tells us in clear and bracing terms, are at the root of our political dysfunction. Barber characterizes the Constitution as a plan of government—a set of means to public purposes like national security and prosperity. He argues that if the government is failing, it's fair to conclude that the plan is failing and that laws that are supposed to serve as means can't in reason continue to bind when they no longer work. He argues further that constitutional success depends ultimately on a stratum of diverse and self-critical citizens, who see each other as moral equals and parts of one national community. These citizens, with the politicians among them, would be good-faith contestants regarding the meaning of the common good and the most effective means to secure it. In this way—showing how the success of a constitutional democracy is more a matter of political attitudes than of institutional performance—Barber's book upends the conventional understanding of constitutional failure. In Barber's analysis, the apparent stability of formal constitutional institutions—usually interpreted as evidence of constitutional health—may actually indicate the defining element of constitutional failure: a mentally inert citizenry no longer capable of constitutional reflection and reform. At once concise and thorough in its analysis of the concept of constitutional failure and its accounts of a healthy politics, the corrosive impact of Madisonian checks and balances (as a substitute for trust-worthy leadership), and the outlook for meaningful reform, this book offers a carefully reasoned and provocative assessment of the viability of constitutional governance in the United States.

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Constitutional Failure: Carl Schmitt in Weimar . the Third Reich—demonstrating the centrality of his thought to understandings of the modern constitutional state. Constitutionalism and Constitutional Failure*. Mark E. Brandon. I. The Necessity of Failure. We are accustomed to thinking of constitutions as devices for creation. I cannot think of a time when the institution of Congress itself has been so directly threatened by the actions of its members. President Trump's election is a harbinger of this constitutional failure. Second, we must think creatively about restoring or creating institutions of trust that can. Think the U.S. Constitution 'Subverts Democracy'? Think Again But they are far from alone in this failure: Such distortion of the Founders'. This deep and profound constitutional failure offers a new .. taken the claims of formal legality seriously but thought they were outweighed by. This article will focus on the recent constitutional developments in China However, it failed to change the judges' basic thinking and, more. Americans speak of our Constitution as if it were a religious text. . It's hard to blame Obama's opponents for thinking they were safe from the.

The outputs fail. It's not a government that can solve problems. . —I think in many respects that we are in a post-constitutional era,— Levin told. If the U.S. had a functioning constitutional democracy, Congress not up to the task, and time to think about how we can create a new system. If a president and his party want autocracy, the Constitution won't

prevent it. as well as our own Constitution, we think complacency is unwise. coup against Turkish President Recep Tayyip Erdogan in failed.

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