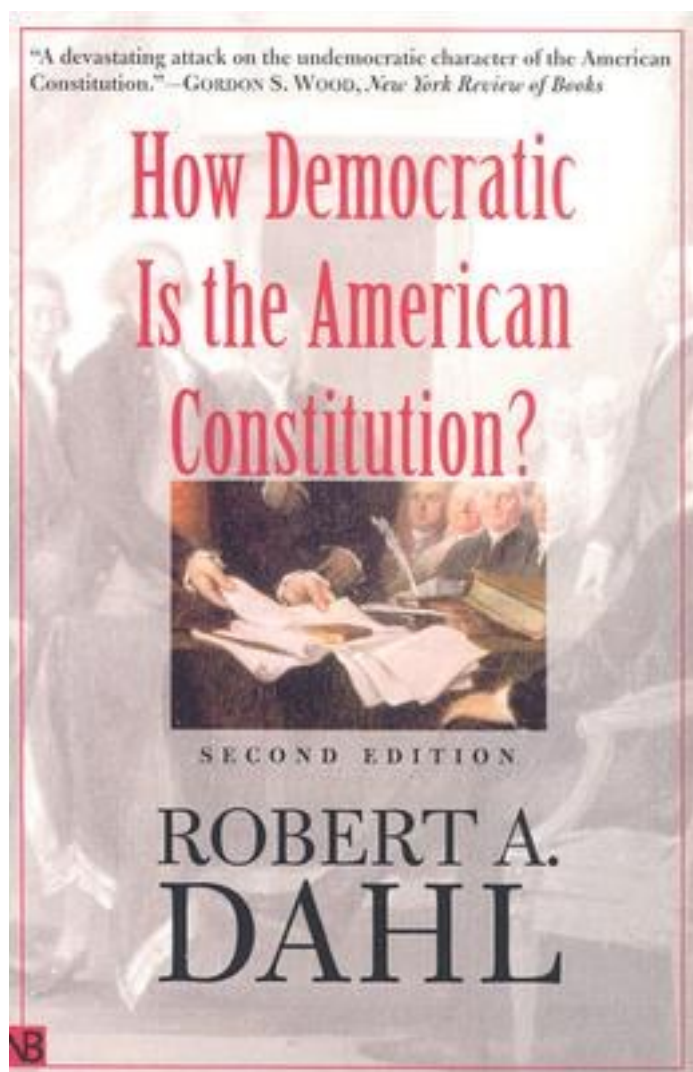


# How Democratic Is the American Constitution?



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著者:Robert A. Dahl

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Selected by Choice as a 2003 Outstanding Academic Title

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In this provocative book, one of our most eminent political scientists poses the question, "Why should we uphold our constitution?" The vast majority of Americans venerate the American Constitution and the principles it embodies, but many also worry that the United States has fallen behind other nations on crucial democratic issues, including economic equality, racial integration, and women's rights. Robert Dahl explores this vital tension between the Americans' belief in the legitimacy of their constitution and their belief in the principles of democracy.

Dahl starts with the assumption that the legitimacy of the American Constitution derives solely from its utility as an instrument of democratic governance. Dahl demonstrates that, due to the context in which it was conceived, our constitution came to incorporate significant antidemocratic elements. Because the Framers of the Constitution had no relevant example of a democratic political system on which to model the American government, many defining aspects of our political system were implemented as a result of short-sightedness or last-minute compromise. Dahl highlights those elements of the American system that are most unusual and potentially antidemocratic: the federal system, the bicameral legislature, judicial review, presidentialism, and the electoral college system.

The political system that emerged from the world's first great democratic experiment is unique—no other well-established democracy has copied it. How does the American constitutional system function in comparison to other democratic systems? How could our political system be altered to achieve more democratic ends? To what extent did the Framers of the Constitution build features into our political system that militate against significant democratic reform?

Refusing to accept the status of the American Constitution as a sacred text, Dahl challenges us all to think critically about the origins of our political system and to consider the opportunities for creating a more democratic society.

作者介绍:

Robert A. Dahl, Sterling Professor Emeritus of Political Science and Sr. Research Scientist Sociology, is a member of the National Academy of Sciences, the American Philosophical Society and the American Academy of Arts and Sciences, a corresponding member of the British Academy, and a past President of the American Political Science Association. His publications include *Congress and Foreign Policy*; *Politics, Economics and Welfare* (with C. E. Lindblom); *A Preface to Democratic Theory*; *Who Governs? Democracy and Power in an American City*; *After the Revolution?*; *Polyarchy*; *Size and Democracy* (with E. R. Tuft); *Dilemmas of Pluralist Democracy*; *A Preface to Economic Democracy*; *Controlling Nuclear Weapons: Democracy Versus Guardianship*; *Democracy and Its Critics*; *Toward Democracy: A Journey*; *On Democracy*; *How Democratic is the American Constitution?*, *Politica e virtu'*, *La teoria democratica de nuovo secolo*, *After the Goldrush: Growing up in Skagway* and *On Political Equality*.

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## 标签

政治

民主

RobertADahl

民主理论

Dahl

美国

Politics

选举制度

## 评论

好得不得了，罗伯特达尔写的非常流畅。

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美宪法…粗略看了一遍，再加某人指点了一番…有劲的Dahl  
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用比较政治的方法，以当代的民主价值观为准绳对美国宪法做了一番“民主批判”，揭示出美国在全世界成熟民主国家中，若干方面的政治实践“不够民主”和显得特殊，并进一步揭示其利弊好坏。制度对比中作者论及美国体制的少数性甚至是特殊性（比如总统制、两院制、选举人团、总统选举的TPFP规则、最高法很强的司法审查权）。在宪法拜物教和将宪法当作某种国家图腾的公众情绪下，达尔在书中倡导的几种制度修正（取消选举人团改为普选，拉近不同州的代表比例不均等状况）怕还是短时间不能有反响

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13W，前半段分析美国宪法体制民主与否的时候写得非常精彩，但后半段的败笔就在于很多问题太大而不容易在短小的篇幅内陈述清楚。至于对最高法违宪审查的权利的讨论，更是草草地浅尝辄止了。

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前半本书写的非常清楚

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每次看这样优秀的学者写的文章都能让我再次燃起对专业的热情。真喜欢这种在知识的海洋里游泳的感觉哈哈。读的时候最大的感触是“历史”的不可逆的庄严感。美国建国的人们之所以伟大也许只是因为他们恰好比我们早一百多年来到这个世界上，也许当时他们做了一个稍微不同的决定整个国家接下来的命运都会不一样。后人赞颂美国宪法的伟大和完美，但是如果回头看去，就会发现那些建国的人也是人，他们的每一个决定也跟他们自己的利益密切相关。这个世界庞杂的体系其实所有的源头都在于人。但看似复杂但其实也如此简单。社科真是有趣啊。

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通篇讨论了：怎么选代表，代几个表

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与大多数法学院教授对于美国宪法的批判不同，达尔的批判着眼于宪法与民主理论和外国宪法实践的偏差。竞争式多元主义的民主理论使得达尔对于宪法中所有的非“一人一票”的条款都表示了相当的怀疑。对于“反民主”的参议院席位设计的批评虽短小，但有力。对于“反民主”的司法审查制度的批评则略显肤浅。对于“反民主”的FPTP投票制度的讨论很有洞见性。对于美国宪法／政治体制感兴趣的读者的上佳入门书。

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？觉得可以轻易反驳的论点挺多

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## 书评

2012年美国总统大选即将在11月6日举行，但此次异常激烈与焦灼的政治形势，让选举结果变得愈发扑朔迷离。基于民意调查，本次总统大选很有可能会产生三种罕见而令人难堪的结局，让美国复杂而不尽完美的“选举人团”投票制度遭遇史上前所未有的挑战。【输掉普选票而当选：世纪之...

一如既往地简洁明晰。

对托克维尔的批评发人深省：托氏认为民主统治最大的弊端是法制和政府的不稳定，但达尔说，历史表明，民主制的崩溃只发生在初建时（二三十年），之后就表现出很强的稳定性。虽然因为没有足够多样化的经验以至于不能确定，这具体是因为什么原因……但全书...

在代议制下，若民主意味着平等代表权的话，美国宪法当中的确有许多违背民主精神的地方，不论是在最初的宪法文本中还是在加入了诸多修正案之后都是如此。但是，这是刻意为之的吗？未必。

达尔告诉我们，即便是站在那个时代政治智慧和道德约束体现顶端的美利坚制宪者们当然也有...

美国著名政治学家达尔对美国宪法的非民主性、反民主规定做了独特的分析与批判。有利于打破美国宪法神话，深化美国民主改革。其中许多论点和材料都是我们耳熟能详的，但是达尔的集中概括与总结，为我们的一般性阅读与学术研究打开了思路。有很多方面，如果我们习以为常，那就会...

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