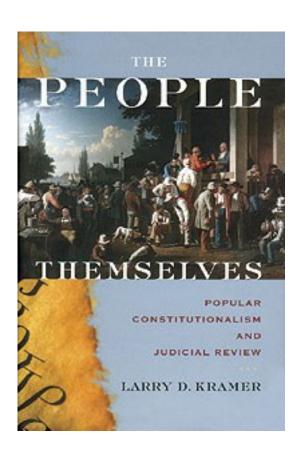
## The People Themselves



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著者:Larry D. Kramer

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In this groundbreaking interpretation of America's founding and of its entire system of judicial review, Larry Kramer reveals that the colonists fought for and created a very different system--and held a very different understanding of citizenship--than Americans believe to be the norm today. "Popular sovereignty" was not just some historical abstraction, and the notion of "the people" was more than a flip rhetorical device invoked on the campaign trail. Questions of constitutional meaning provoked vigorous public debate and the actions of government officials were greeted with

celebratory feasts and bonfires, or riotous resistance. Americans treated the Constitution as part of the lived reality of their daily existence. Their self-sovereignty in law as much as politics was active not abstract.
作者介绍:
拉里・克雷默(Larry D.Kramer) 斯坦福大学法学院院长,理查德・朗讲座教授。
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标签
美国
英文原版
法律史

我觉得如果有兴趣了解这方面,这本书是很好的。但是读起来累了点……要不是为了这学期TA的课……估计打死我也不会看……

宪法

law

评论

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## 书评

摘自《晶报》作者: 黄斐

本月出版的法政类图书中,《人民自己:人民宪政主义与司法审查》是令人眼前一亮的一本。该书的作者是斯坦福大学法学院院长拉里·克雷默。在书中,克雷默揭示出:美国的建国者们曾经争取和创造了一个与当今美国人所认为的主流模式非常不同的系统...

司法审查可能是设立在宪法文本之外最著名的宪政机制了,马歇尔大法官认为这完全符合宪法的原初意图,是宪法文本的当然解释。这似乎也成为了我国外法史学界的共识,两百年的司法审查历史也似乎成为了人民的权利保护史,备受赞扬。尤其是沃伦法院通过司法审查推动民权运动的发展...

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最高法院还是最小危险部门吗?

《人民自己:人民宪政主义与司法审查》一书中,斯坦福大学法学院院长拉里·克雷默对此做出一个否定的回答。

视最高法院为最小危险部门的说法,源自汉米尔顿在《联邦党人》文集中对司法机关的定性。 在汉米尔顿看来,司法部门为分立的三权中最弱的...

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