



The  
Framers

# Fundamental Rights

Edited by  
Robert A. Licht

# The Framers And Fundamental Rights

**Milton R Konvitz**



## **The Framers And Fundamental Rights:**

*The Framers and Fundamental Rights* Robert A. Licht, 1991 The authors relate current arguments to traditional ideas of republicanism and democracy and compare them with those of our Revolution Civil War and civil rights and suffrage movements

Rule of Law and Fundamental Rights Alfredo Narváez Medécigo, 2015-11-07 This book which originated from the broadly held view that there is a lack of Rule of law in Mexico and from the emphasis of traditional academia on cultural elements as the main explanation explores the question of whether there is any relationship between the system of constitutional review and thus the law as such and the level of Rule of law in a given state To do so it elaborates a theoretical model for achieving Rule of law and compares it to the constitutional review systems of the United States the Federal Republic of Germany and Mexico The study concludes that the two former states correspond to the model while the latter does not This is fundamentally due to the role each legal system assigns to ordinary jurisdiction in carrying out constitutional review Whereas the US and Germany have fostered the policy that constitutional review regarding the enforcement of basic rights is the responsibility of ordinary courts Mexico has relied too heavily on the specialized constitutional jurisdiction

Fundamental Rights Milton R Konvitz, 2011-12-31 One of the most important modern developments in American constitutional law has been the extension of the Bill of Rights to the states The most important guarantees of the first eight amendments have been incorporated into the Due Process Clause of the Fourteenth Amendment along with the doctrine that these are rights that are so fundamental that any restriction is subject to judicial strict scrutiny The process has nationalized fundamental rights giving them a preferred dignity and majesty In this volume the renowned constitutional scholar Milton Konvitz traces the development of fundamental rights from the early days of American jurisprudence through twentieth century cases involving the right to privacy racial discrimination voting rights censorship and abortion laws In Konvitz's astute view the Bill of Rights in the Constitution of the United States like the Ten Commandments places no priority among protected or guaranteed rights He argues that values ideals rights liberties and privileges need to be placed in a hierarchical order or scale The Supreme Court acting on a case by case basis has slowly and cautiously moved to designate some rights as superior to others This idea that some rights are of a fundamental nature while others are not can be traced back to the early days of the nation's government Konvitz shows that there may be said to be not one but two or even three bills of rights one for the Federal government and one for the States Still another may be an unwritten but evolving Bill of Rights The Court has recognized rights or liberties that are in no written constitution as for example a right to marry a right to have a family a right to choose education of one's children in a private even a religious school rather than a public school In an illuminating fashion Konvitz whose writings have been cited in Supreme Court decisions traces the controversial and very uneven line of development of such fundamental rights This volume is likely the first book on the subject and a pioneering work in the history of American constitutional law Accessibly written for a general and scholarly audience it will be of particular interest

to political scientists historians and constitutional scholars      **The Constitution, Government and Politics in India** Patil S.H., Comprehensive text on the Constitution of India with a holistic approach Covers the evolution of the Indian constitution government and politics from Independence to the present day An appendix at the end of every chapter providing the latest information Useful for the students and teachers of political science and law and candidates appearing for the competitive examinations conducted by the Union Public Service Commission and the state public service commissions      **IAS Mains Paper 2 Governance Constitution, Polity Social Justice & International Relations 2020** Prajjwal Sharma, Yashwant Singh Rana, Mohit Sharma, Dr. Priya Goel, 2019-11-12 UPSC is considered to be the most prestigious and toughest examination in the country In order to crack these exams one needs to do heavy preparations thorough practice and clear concepts about each and every subject IAS Mains General Studies Paper 2 the most updated study material incorporated with detailed information and supported by up to date facts and figures The complete coverage on each topic of the syllabus have been divided into 4 Important Units in this book It gives the complete depiction of Governance Constitutional Polity Social Justice and International Relations This book facilitates by giving the deep coverage on all topics of the syllabus at one place with the conceptual clarity to fulfil the need and demands of the aspirants special exam oriented structure has been given according to the UPSC syllabus discussion of the theoretical concepts with the contemporary examples are given Solved Papers from Solved Papers 2019 17 and 16 and UPSC Practice Papers that helps in raising up level of preparation This book acts as a great help in achieving the success for the upcoming exam **TABLE OF CONTENTS** Solved Papers 2019 17 Unit 1 Constitutional Framework Unit 2 Indian Government and Political Dynamics Unit 3 Governance Unit 4 International Relations UPSC Solved Paper 2016 UPSC Practice Papers      **Fundamental Rights and Their Enforcement** Uday Raj Rai, 2011 La 4e de couverture indique India is credited with having one of the finest democratic constitutions in the world And rightly so For even though the Indian Constitution has undergone many amendments and has been subjected to a lot of criticism it has stood the test of time and has emerged as the beacon of hope ensuring liberty equality and justice to the citizens It is in this context this comprehensive and systemically organized book on Fundamental Rights and Their Enforcement written by Prof Uday Raj Rai an eminent academic with great legal acumen becomes so significant The book is a study on the fundamental rights guaranteed under Part III of the Constitution Divided into 15 chapters aEUR each chapter is again divided into parts aEUR the book discusses in detail Liberty based rights such as right to freedom of expression and other article 19 rights life and personal liberty preventive detention capital punishment and prisoners rights and freedom of religion Then it goes on to give an in depth analysis of Equality based rights aEUR equality before law non discrimination and equal opportunity social reservation Liberty and Equality based rights aEUR social equality and right to education as well as minority rights to establish and administer educational institutions The book concludes with a comprehensive coverage on reach of fundamental rights its violation enforcement of the rights Directive Principles of State

Policy and the fundamental duties of citizens The book being a juridical study the emphasis throughout is on analytical and critical study of important Supreme Court judgments So such major judgments as A K Gopalan and Maneka are highlighted The distinction between pre Maneka and post Maneka jurisprudence is also clearly brought out Besides there is an elaborate discussion on the right to information special problems regarding media freedom and the Law of Contempt of Court which the author feels needs amendment This well balanced and well researched book is intended as a text for postgraduate students of law LL M and as a reference for undergraduate students of law LL B BA LL B It should also serve as a valuable reference to lawyers judges and the teaching community KEY FEATURES Gives an analytical and critical study of Supreme Court judgments in relation to fundamental rights Highlights the need for testing the laws on the touchstone of Secularism Shows the need for balancing the State's regulatory power and educational rights of the minorities Gives recent Supreme Court decisions in the Addenda at the end of the book

**India's Living Constitution** Zoya Hasan, Eswaran Sridharan, R. Sudarshan, 2005 India became independent in 1947 and after nearly three years of debate in the Constituent Assembly adopted a Constitution that came into effect on 26 January 1950 This Constitution has lasted until the present with its basic structure unaltered a remarkable achievement given that the generally accepted prerequisites for democratic stability did not exist and do not exist even today Half a century of constitutional democracy is something that political scientists and legal scholars need to analyze and explain This volume examines the career of constitutional political ideas implicitly of Western origin in the text of the Indian Constitution or implicit within it as well as in actual political practice in the country over the past half century

Dr. Ambedkar and the Indian Constitution: Shaping Democracy for All Rahul Dev Tyagi, Tarun Kumar, 2025-04-21

*Power & Rights in US Constitutional Law* Thomas Lundmark, 2008-04-17 Power and Rights in US Constitutional Law is a clear accessible explanation of how the Constitution works The book combines expert commentary with excerpts from key Supreme Court decisions providing an authentic and engaging overview of the key principles such as Right of Privacy Freedom of Speech and Equal Protection The revised Second Edition also includes discussion of today's most urgent constitutional issues such Separation of Powers the Role of the Executive Executive Privilege Impeachment and Judicial Review of Political Questions Written by a highly regarded law professor and trial lawyer Power and Rights in US Constitutional Law is appropriate both for a general audience as well as for courses in Law and Politics

**The Constitutional Canvas: India's Foundational Brushstrokes** Dhanraj Garwa, 2024-02-08 The Constitutional Canvas India's Foundational Brushstrokes a captivating book that delves into the intricate world of constitutional law authored by Dhanraj Garwa This thought provoking masterpiece offers a comprehensive exploration of the basic structure doctrine of the Indian Constitution As a second year law student Dhanraj Garwa brings a fresh perspective to the table combining academic rigor with a deep passion for constitutional law With an impressive grasp of the subject matter Garwa skillfully paints a vivid picture of India's constitutional landscape highlighting its foundational principles and the key

role they play in shaping the nation's governance

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