

TOWARD A MORE PERFECT
UNION: SIX ESSAYS ON THE
- - - CONSTITUTION - - -

EDITED BY

Neil L. York

Toward A More Perfect Union Six Essays On The Constitution

Stephen B. Presser



Toward A More Perfect Union Six Essays On The Constitution:

Toward A More Perfect Union Neil Longley York, Brigham Young University, 1988-01-01 *Toward a More Perfect Union* is the last of a three volume series examining the Constitution as it was drafted and ratified and the uses made of it over the past two hundred years Each volume includes essays first presented at conferences on the Bicentennial of the Constitution held at Brigham Young University in 1985 1986 and 1987 and several additional essays written especially for these anthologies

Creating the Constitution Thornton Anderson, 1993-09-15 *Creating the Constitution* presents a different interpretation of the Convention and the First Congress derived largely from a close reading of Farrand's Records and the Annals of Congress Among its special features are a critical perspective on the Framers an examination of Court Whig influence on the Federalists the identification of a third group the state Federalists between the nationalists and states righters and a view of the First Congress as distorting the aims of the Convention

American Environmentalism J. Michael Martinez, 2013-06-20 Protecting the natural environment and promoting sustainability have become important objectives but achieving such goals presents myriad challenges for even the most committed environmentalist *American Environmentalism* Philosophy History and Public Policy examines whether competing interests can be reconciled while developing consistent cohe

Inherent Rights, the Written Constitution, and Popular Sovereignty Thomas B. McAfee, 2000-07-30 In recent decades the Ninth Amendment a provision designed to clarify that the federal government was to be one of enumerated and limited powers has been turned into an unenumerated rights clause that effectively grants unlimited power to the judiciary Was this the intent of the framers of the Constitution McAfee argues that the founders had a rather different set of priorities than ours and that the goal of enforcing fundamental human rights was not why they drafted any of the first ten amendments They did not intend to grant to the courts the power to generate fundamental rights whether by reference to custom or history reason or natural law or societal values or consensus It has become increasingly popular to identify our constitutional order as an experiment in the protection of fundamental human rights and to forget that it is also an experiment in self government As fundamental as the founding generation believed basic rights to be they saw popular authority to make decisions about government as being even more central to the project in which they were engaged They supported natural law and rights but they felt strongly that those rights did not bind the people or their government unless they were inserted in the written Constitution They did not contemplate that there would be unwritten limitations on the powers granted to government

Constitutionalism and Rights Gary C. Bryner, Noel B. Reynolds, 1987-01-01 *Constitutionalism and Rights* explores the ambivalent relationship between the American tradition of constitutionalism and the notions of rights that have emerged over the last three centuries The six essays focus systematically on selected tensions between these two fundamental strands in the American tradition of liberty and self government Discussed are ideas of rights and constitutionalism generally mechanisms and procedures necessary to assure rights in a large bureaucratic state rights as

expressed in public welfare programs innovations employed by the eighteenth century Framers to achieve limited government as a means to securing fair and equal individual freedom the dependence of rights on institutional devices and the rule of law the need for public virtue balancing individual rights with self sacrifice for the common good if the American constitutional system is to survive and the dangers of individualism and individual rights posed by modern liberalism The essayists are prominent scholars representing the disciplines of political science government and law They all state their confidence in the American constitutional system but they also voice doubts about the future if problems are not redressed The editors conclude their introduction by expressing hope that this volume will clarify some important issues and help us remember essential lessons of the past as we continue in this great public conversation Constitutionalism and Rights is the first of a three volume series examining significant features of the Constitution The series inspired by the bicentennial of that great achievement consists of essays presented by scholars at three conferences on the Constitution held at Brigham Young University in 1985 1986 and 1987 and several additional essays written especially for these volumes

Peace Pact David C. Hendrickson, 2003-04-29 That New England might invade Virginia is inconceivable today But interstate rivalries and the possibility of intersectional war loomed large in the thinking of the Framers who convened in Philadelphia in 1787 to put on paper the ideas that would bind the federal union together At the end of the Constitutional Convention Benjamin Franklin rejoiced that the document would astonish our enemies who are waiting to hear with confidence that our States are on the point of separation only to meet hereafter for the purpose of cutting one another s throats Usually dismissed as hyperbole this and similar remarks by other Founders help us to understand the core concerns that shaped their conception of the Union By reexamining the creation of the federal system of the United States from a perspective that yokes diplomacy with constitutionalism Hendrickson s study according to Karl Walling introduces a new way to think about what is familiar to us This ground breaking book then takes a fresh look at the formative years of American constitutionalism and diplomacy It tells the story of how thirteen colonies became independent states and found themselves grappling with the classic problems of international cooperation and it explores the intellectual milieu within which that problem was considered The founding generation Hendrickson argues developed a sophisticated science of international politics relevant both to the construction of their own union and to the foreign relations of the several states in the union of the empire The centrality of this discourse he contends must severely qualify conventional depictions of early American political thought as simply liberal or republican Hendrickson also takes issue with conventional accounts of early American foreign policy as unilateralist or isolationist and insists that the founding generation belonged to and made distinguished contributions to the constitutional tradition in diplomacy the antecedent of twentieth century internationalism He describes an American system of states riven by deep sectional animosities and powerful loyalties to colonies and states often themselves described as nations and explains why in such a milieu the creation of a durable union often appeared to be a quixotic enterprise The book culminates in a

consideration of the making of the federal Constitution here styled as a peace pact or experiment in international cooperation Peace Pact is an important book that promises to revolutionize our understanding of the era of revolution and constitution making Written in a lucid and accessible style the book is an excellent introduction to the American founding and its larger significance in American and world history A Companion to U.S. Foreign Relations Christopher R. W. Dietrich, 2020-03-04 Covers the entire range of the history of U S foreign relations from the colonial period to the beginning of the 21st century A Companion to U S Foreign Relations is an authoritative guide to past and present scholarship on the history of American diplomacy and foreign relations from its seventeenth century origins to the modern day This two volume reference work presents a collection of historiographical essays by prominent scholars The essays explore three centuries of America s global interactions and the ways U S foreign policies have been analyzed and interpreted over time Scholars offer fresh perspectives on the history of U S foreign relations analyze the causes influences and consequences of major foreign policy decisions and address contemporary debates surrounding the practice of American power The Companion covers a wide variety of methodologies integrating political military economic social and cultural history to explore the ideas and events that shaped U S diplomacy and foreign relations and continue to influence national identity The essays discuss topics such as the links between U S foreign relations and the study of ideology race gender and religion Native American history expansion and imperialism industrialization and modernization domestic and international politics and the United States role in decolonization globalization and the Cold War A comprehensive approach to understanding the history influences and drivers of U S foreign relation this indispensable resource Examines significant foreign policy events and their subsequent interpretations Places key figures and policies in their historical national and international contexts Provides background on recent and current debates in U S foreign policy Explores the historiography and primary sources for each topic Covers the development of diverse themes and methodologies in histories of U S foreign policy Offering scholars teachers and students unmatched chronological breadth and analytical depth A Companion to U S Foreign Relations Colonial Era to the Present is an important contribution to scholarship on the history of America s interactions with the world Break It Up Richard Kreitner, 2020-08-18 From journalist and historian Richard Kreitner a powerful revisionist account of the most persistent idea in American history these supposedly United States should be broken up Eric Foner The novel and fiery thesis of Break It Up is simple The United States has never lived up to its name and never will The disunionist impulse may have found its greatest expression in the Civil War but as Break It Up shows the seduction of secession wasn t limited to the South or the nineteenth century It was there at our founding and has never gone away With a scholar s command and a journalist s curiosity Richard Kreitner takes readers on a revolutionary journey through American history revealing the power and persistence of disunion movements in every era and region Each New England town after Plymouth was a secession from another the thirteen colonies viewed their Union as a means to the end of securing independence not an end in itself George Washington feared

separatism west of the Alleghenies Aaron Burr schemed to set up a new empire John Quincy Adams brought a Massachusetts town s petition for dissolving the United States to the floor of Congress and abolitionist William Lloyd Garrison denounced the Constitution as a pro slavery pact with the devil From the cold civil war that pits partisans against one another to the modern secession movements in California and Texas the divisions that threaten to tear America apart today have centuries old roots in the earliest days of our Republic Richly researched and persuasively argued Break It Up will help readers make fresh sense of our fractured age

The Bill of Rights Gary C. Bryner,Alma Don Sorensen,1993 By celebrating and assessing the Bill of Rights we seek to engage in a free and open discussion of how well they have accomplished their purpose of securing basic individual liberties over the past two hundred years and how well suited they are to protect our rights in the future We hope to learn from the example of the Framers of the Constitution in encouraging an examination of fundamental principles studying the lessons of history and looking toward the future

The American Constitution Robert Joseph Janosik,1991 Serves as a starting point for the nonspecialist **In Defense of the Text** Leslie Friedman Goldstein,1991 a must read for all students of constitutional law whatever their academic discipline this excellent book accomplishes the author s purpose it forces us to take textualism seriously **LEGAL STUDIES FORUM** **A Union of**

Interests Cathy D. Matson,Peter S. Onuf,1990 From the onset of the Revolution in 1776 to the inauguration of the federal government in 1789 American political culture was transformed The movement for an effective continental republic is linked to economic freedom and development set off by the Revolution A Union of Interests reconstructs the discourse of American federalism a discourse grounded in the intense debate over the role of government in the regulation of the economy

Understanding the Founding Alan Ray Gibson,2007 Over the course of the last century scholars have furiously debated four questions concerning the Founders and their act of creation Were the Framers motivated by their economic interests How democratic was the Framers Constitution Should we interpret the Founding using philosophical or strictly historical approaches What traditions of political thought were most important to the Framers In *Understanding the Founding The Crucial Questions* Alan Gibson examines the preconceptions that scholars bring to these questions explores the deepest sources of scholars disagreements over them and suggests new and thoughtful lines of interpretation and inquiry Building on his previous work *Interpreting the Founding* which offers a synoptic overview of the competing perspectives that have informed modern scholarship on the Founders

Columbia Law Review ,1990 *Rutgers Law Journal* ,2004 **Toward a More Perfect Union** ,1968 *The Delaware Constitution of 1897* Harvey Bernard Rubenstein,1997 *Recent Acquisitions* Ohio State University. College of Law. Library,1989 *Conflict and Consensus in American History* Allen Freeman

Davis,Harold D. Woodman,1997 **The Original Misunderstanding** Stephen B. Presser,1991 This volume deals with the history of the early federal courts in general and with U S Supreme Court Justice Samuel Chase in particular Presser lays out the relationships between the jurisprudence of the early federal judges and the thought of their opponents in Pennsylvania

and Virginia demonstrating that both owed much to thought in late eighteenth century England This provocative book aims to reassess the true nature and significance of constitutional interpretation in the 1790s Reviews in American History the quality of the scholarship is high valuable to everyone interested in the evolution of American law the legal world is indebted to Professor Presser Legal Publishing Preview

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Table of Contents Toward A More Perfect Union Six Essays On The Constitution

1. Understanding the eBook Toward A More Perfect Union Six Essays On The Constitution
 - The Rise of Digital Reading Toward A More Perfect Union Six Essays On The Constitution
 - Advantages of eBooks Over Traditional Books
2. Identifying Toward A More Perfect Union Six Essays On The Constitution
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an eBook Toward A More Perfect Union Six Essays On The Constitution
 - User-Friendly Interface
4. Exploring eBook Recommendations from Toward A More Perfect Union Six Essays On The Constitution
 - Personalized Recommendations
 - Toward A More Perfect Union Six Essays On The Constitution User Reviews and Ratings

- Toward A More Perfect Union Six Essays On The Constitution and Bestseller Lists
- 5. Accessing Toward A More Perfect Union Six Essays On The Constitution Free and Paid eBooks
 - Toward A More Perfect Union Six Essays On The Constitution Public Domain eBooks
 - Toward A More Perfect Union Six Essays On The Constitution eBook Subscription Services
 - Toward A More Perfect Union Six Essays On The Constitution Budget-Friendly Options
- 6. Navigating Toward A More Perfect Union Six Essays On The Constitution eBook Formats
 - ePub, PDF, MOBI, and More
 - Toward A More Perfect Union Six Essays On The Constitution Compatibility with Devices
 - Toward A More Perfect Union Six Essays On The Constitution Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Toward A More Perfect Union Six Essays On The Constitution
 - Highlighting and Note-Taking Toward A More Perfect Union Six Essays On The Constitution
 - Interactive Elements Toward A More Perfect Union Six Essays On The Constitution
- 8. Staying Engaged with Toward A More Perfect Union Six Essays On The Constitution
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Toward A More Perfect Union Six Essays On The Constitution
- 9. Balancing eBooks and Physical Books Toward A More Perfect Union Six Essays On The Constitution
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Toward A More Perfect Union Six Essays On The Constitution
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Toward A More Perfect Union Six Essays On The Constitution
 - Setting Reading Goals Toward A More Perfect Union Six Essays On The Constitution
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Toward A More Perfect Union Six Essays On The Constitution
 - Fact-Checking eBook Content of Toward A More Perfect Union Six Essays On The Constitution
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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