

# The Negotiable Constitution - Grf^goire C. N. Webber

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In matters of rights, constitutions tend to avoid settling controversies. With few exceptions, rights are formulated in open-ended language, seeking consensus on an abstraction without purporting to resolve the many moral-political questions implicated by rights. The resulting view has been that rights extend everywhere but are everywhere infringed by legislation seeking to resolve the very moral-political questions the constitution seeks to avoid. The Negotiable Constitution challenges this view. Arguing that underspecified rights call for greater specification, GrÃfÃ^goire C. N. Webber draws on limitation clauses common to most bills of rights to develop a new understanding of the relationship between rights and legislation. The legislature is situated as a key constitutional actor tasked with completing the specification of constitutional rights. In turn, because the constitutional project is incomplete with regards to rights, it is open to being re-negotiated by legislation struggling with the very moral-political questions left underdetermined at the constitutional level. Author: Webber, GrÃfÃ^goire C. N. Publisher: Cambridge University Press Illustration: N Language: ENG Title: The Negotiable Constitution Pages: 00240 (Encrypted PDF) On Sale: 2009-11-26 SKU-13/ISBN: 9780521111232 Category: Law : Jurisprudence

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