



Constitutional Democracy: Creating and Maintaining a Just Political Order (The Johns Hopkins Series in Constitutional Thought)

By Walter F. Murphy

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Constitutional democracy is a political hybrid, the product of an uneasy union between, on the one hand, the normative theories of constitutionalism and democracy and, on the other, the desire to live under what James Madison called "free government." In this engaging and provocative work, Walter F. Murphy combines a lifetime's study of constitutions and democracy with traditional storytelling to answer fundamental questions about constitutional democracy: How is it created? How is it maintained? How can it be adapted to changing circumstances?

Murphy begins with a definitional section on constitutions, constitutional texts, constitutionalism, and democracy. Next, he tells the story of how a democracy is established within the context of a fictional constitutional convention for a fictional country. He follows delegates—many of whose arguments track those of real-life political, economic, and legal theorists—as they debate and draft the components of a constitution. Here, the reader comes to understand and appreciate the components of a constitutional text and the contingency and potential of the constitution-making process. Murphy then offers an expository analysis of constitutional maintenance, adaptation, and, essentially, constitutional change.

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Editorial Review

Review

This is a significant, impressive work of constitutional theory in its largest and most important sense.

(Choice)

The phrase 'instant classic' may be an oxymoron, but if it can be fairly applied to any recent work in the field of constitutional theory, this is the one.

(Jack Wade Nowlin, Jessie D. Puckett Jr. Law and Politics Book Review)

Constitutional Democracy is an extraordinarily ambitious book, taking as its model nothing less than Aristotle's *Politics*.

(George Thomas Claremont Review of Books)

This fine book brings to bear Walter Murphy's manifold gifts: breadth of knowledge about political systems around the world and throughout history, keen critical learning about ancient and modern political thought, deep understanding of constitutional law, and a clear and clever style.

(Ralph Ketcham Perspectives on Politics)

Constitutional Democracy is, quite simply, a masterpiece. Only someone with Walter Murphy's immense learning could so effectively bridge the gap between constitutional law and political philosophy, and?as a bonus?provide a model of how material from other countries can be used to illuminate American law and politics. Only someone with Murphy's playful intellect could make an analysis of the creation and maintenance of free republics so readable and entertaining. One can confidently predict that this marvelous book will become a classic.

(Mary Ann Glendon, Harvard University)

Walter Murphy, one of the world's outstanding constitutional scholars, draws on encyclopedic knowledge of political systems on every continent and throughout history to illuminate the myriad ways in which constitutional democracies have been and can be created and maintained. Grand in scope, profound in insight, this book will long stand as the definitive exploration of the tensions inherent in its title?the role of constitutionalism in constraining democracy?and of the efforts of history's great statesmen and women to resolve those tensions.

(Stuart Taylor, National Journal)

This long-awaited magnum opus explores the most important, complex, and perilous of political projects: constitutional design, maintenance, and change. Possessed of a matchless breadth of knowledge and a unique gift for clear and witty prose, Murphy lays bare the lessons of constitution-making from ancient Greece to the present day and from America and Europe to Asia and Africa. Drawing on a half-century's study of political science, philosophy, history, and law, Murphy's *Constitutional Democracy* is essential reading for scholars, citizens, and would-be statesmen who seek to understand the difficult political choices confronting all who seek just and stable democratic governance.

(Stephen Macedo, Princeton University)

In this *magnum opus*, Walter Murphy tells [the] story with all the erudition and skill that he has gathered in a lifetime of the study of political systems.

(*Journal of the Commonwealth Lawyers' Association*)

From the Back Cover

Winner, 2007 Best of the Social Sciences, Association of American Publishers' Professional and Scholarly Publishing Division
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Walter F. Murphy (1929-2010) was the McCormick Professor of Jurisprudence Emeritus at Princeton University and a recipient of the Lifetime Achievement Award of the Law and Courts Section of the American Political Science Association. He was the author of numerous scholarly books, articles, and textbooks, as well as several novels, including *Vicar of Christ*.

About the Author

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