CONTENTS

Acknowledgments ix

- 1. Introduction 1
- 2. Germany's Postwar Constitution 19
- 3. Constitutional Cascades in the Federal Republic 47
- 4. The American Constitution: First and Second Foundings 91
- 5. State Action and Constitutional Containment 117
- 6. Canada's Constitution and Courts 157
- 7. Horizontal Effect and Caboose Constitutionalism 175
- 8. Constitutional Rights, Private Law, and Judicial Power 207

Bibliography 221 Index 235