Contents

List	of Tables page	xiv	
List	of Contributors	XV	
Ackı	nowledgments	xvii	
	PART I INTRODUCTION	1	
1	Constitutionalism and Effective Government: Rights, Institutions, and Values Vicki C. Jackson and Yasmin Dawood	3	
	PART II WHAT ARE CONSTITUTIONS FOR?	21	
2	Resolution and Accommodation in the Good Constitution N. W. Barber	23	
3	Effective Governance and the Social Dimension of the Rule of Law Jeff King	34	
4	Effective Government and the Two Faces of Constitutionalism Yasmin Dawood		
5	The Right to Effective Self-Government Katharina Pistor	60	
	PART III POSITIVE RIGHTS AND RIGHTS TO EFFECTIVE SELF-GOVERNMENT	71	
6	Post-Liberal Constitutionalism and the Right to Effective Government David S. Law	73	

7	Does the First Amendment Forbid, Permit, or Require Government Support of News Industries? Martha Minow			
8	The "Right to Effective Governance" and the Human Rights Baseline Gerald L. Neuman			
	PART IV THE ROLE OF COURTS IN BUILDING STATE CAPACITY AND PROMOTING EFFECTIVE SELF-GOVERNMENT WHILE PROTECTING RIGHTS	105		
9	The Unconstitutional State of Affairs Doctrine Manuel José Cepeda Espinosa and Guillermo Otálora Lozano	107		
10	Courts and Effective Governance Mark Tushnet and Madhav Khosla			
11	The New Managerialism: Courts, Positive Duties, and Economic and Social Rights Katharine G. Young	135		
	PART V EXECUTIVE AND ADMINISTRATIVE CONSTITUTIONALISM IN EFFECTIVE DEMOCRATIC GOVERNMENT	151		
12	What Does Effective Government Have to Do With the Constitution? Gillian E. Metzger	153		
13	The President's Two Bodies Daphna Renan	167		
	PART VI LEGISLATURES, REPRESENTATION, AND DUTIES OF EFFECTIVE SELF-GOVERNMENT	179		
14	Legislatures and Effective Government: Raising Expectations for Representatives Vicki C. Jackson	181		
15	Constitutional Directives and the Duty to Govern Well Tarunabh Khaitan			
16	Recursive Representation: The Basic Idea Jane Mansbridge	206		

	4	Contents	xiii		
	PART VII	POLITICS, SOCIOLOGY, MEDIA, AND CORRUPTION AS CONTEXTS FOR CONSTITUTIONALISM AND GOVERNANCE	221		
17	Can Cons David Lar	stitutions Fix Party System Breakdowns? A Skeptical View	223		
18	Political E Richard H	Fragmentation and the Decline of Effective Government I. Pildes	235		
19		ionalism and Public Corruption: An Introductory Sketch C. Stephenson	247		
Inde	Index				