

THE DOUBLE-FACING CONSTITUTION

This collection explores some of the many ways in which constitutional orders engage with, and are shaped by, their exteriors. Constitutional and legal theory often marginalize 'foreign' elements, such as norms originating in other legal systems, the movement of individuals across borders, or the application of domestic law to foreign affairs. In this book, these instances of boundary crossing lie at the heart of an alternative understanding of constitutions as permeable membranes, through which norms can and sometimes must travel. Constitutional orders are facing both inwards and outwards – and the outside world influences their interiors just as much as their internal orders help shape their surroundings. Different essays discuss the theoretical and historical foundations of this view (grounded in Kelsen, Hobbes, Locke, Rousseau and others) and its contemporary relevance for areas as diverse as migration law, the conflict of laws, and foreign relations law.

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CAMBRIDGEUNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

79 Anson Road, #06-04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781108485487
DOI: 10.1017/9781108751483

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First published 2020

Printed in the United Kingdom by TJ International Ltd, Padstow Cornwall

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data
Names: Dyzenhaus, David, editor. | Poole, Thomas (Thomas M.), editor. | Bomhoff,
J. (Jacco), editor.

Title: The double-facing constitution / edited by David Dyzenhaus, University of Toronto; Thomas Poole, London School of Economics and Political Science; Jacco Bomhoff, London School of Economics and Political Science

Description: Cambridge, United Kingdom ; New York, NY, USA : Cambridge University Press, 2019. | Includes index.

Identifiers: LCCN 2019029314 (print) | LCCN 2019029315 (ebook) | ISBN 9781108485487 (hardback) | ISBN 9781108751483 (epub)

Subjects: LCSH: Constitutional law - Congresses.

Classification: LCC K3165.A6 D68 2019 (print) | LCC K3165.A6 (ebook) | DDC 342–dc23 LC record available at https://lccn.loc.gov/2019029314 LC ebook record available at https://lccn.loc.gov/2019029315

ISBN 978-1-108-48548-7 Hardback

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