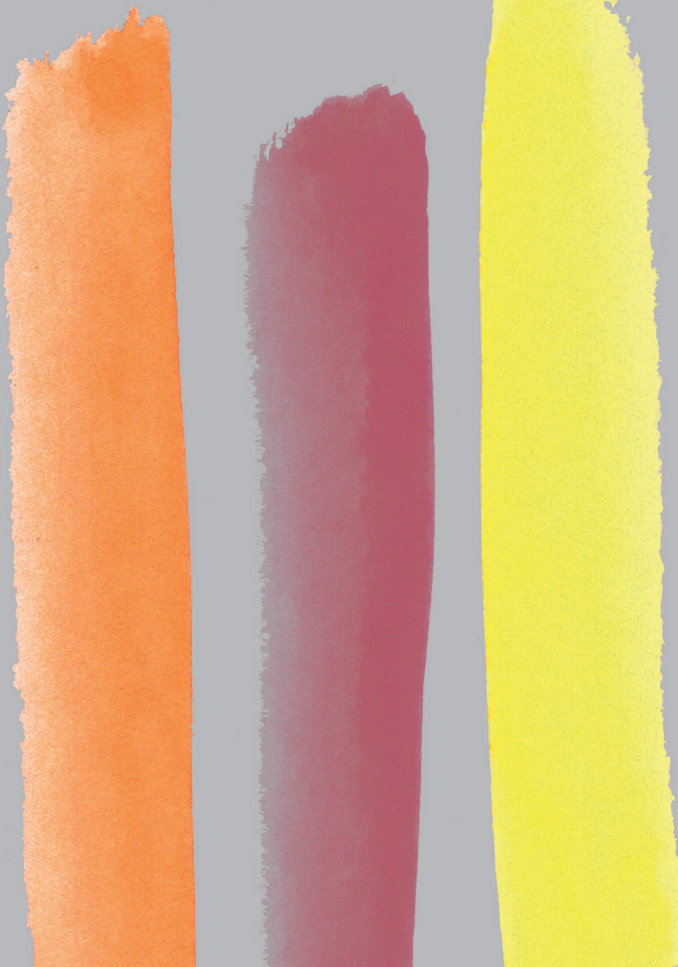


Global Constitutionalism

■ Human Rights ■ Democracy ■ Rule of Law



CAMBRIDGE
UNIVERSITY PRESS

Global Constitutionalism

HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW
journals.cambridge.org/GlobCon

EDITORS

Jeffrey L. Dunoff, *Temple University*
Mattias Kumm, *WZB Berlin and New York University*
Jonathan Havercroft, *University of Southampton*
Antje Wiener, *University of Hamburg and University of Cambridge*

MANAGING EDITOR

Kriszta Kovács / WZB

EDITORIAL BOARD

Mathias Albert, <i>University of Bielefeld</i>	Daniel Halberstam, <i>University of Michigan Law School</i>
Alberto do Amaral Jr., <i>University of São Paulo</i>	Turkuler Isiksel, <i>Columbia University</i>
Duncan Bell, <i>University of Cambridge</i>	Vicki Jackson, <i>Harvard Law School</i>
Richard Bellamy, <i>University College, London</i>	Helen Kinsella, <i>University of Wisconsin, Madison</i>
Seyla Benhabib, <i>Yale University</i>	Friedrich Kratochwil, <i>Goethe University Frankfurt</i>
Armin v. Bogdandy, <i>Max Planck Law, Heidelberg</i>	Anthony Lang, <i>University of St Andrews</i>
Jutta Brunnée, <i>University of Toronto</i>	Miguel Poiares Maduro, <i>European University Institute</i>
Gráinne de Búrca, <i>New York University</i>	Boaventura de Sousa Santos, <i>Coimbra, University of Wisconsin, Madison</i>
Damian Chalmers, <i>LSE; National University of Singapore</i>	Joanne Scott, <i>University College London</i>
Wen-Chen Chang, <i>National Taiwan University</i>	Jo Shaw, <i>University of Edinburgh</i>
Carlos Closa, <i>Institute of Public Goods and Policies</i>	Quentin Skinner, <i>Queen Mary, University of London</i>
Jean L. Cohen, <i>Columbia University</i>	Jacqui True, <i>Monash University</i>
Avigail Eisenberg, <i>University of Victoria</i>	Neil Walker, <i>University of Edinburgh</i>
Michelle Everson, <i>Birkbeck College, University of London</i>	Chenguang Wang, <i>Tsinghua University School of Law</i>
Ezzedine Choukri Fishere, <i>American University of Cairo</i>	Michael Zürn, <i>Freie Universität Berlin</i>
Rainer Forst, <i>JWG University Frankfurt/Main</i>	

CO-FOUNDING EDITOR

James Tully, *University of Victoria*

STATEMENT OF AIMS

Global Constitutionalism - Human Rights, Democracy and the Rule of Law (GlobCon) seeks to promote a deeper understanding on the foundations, limitations and principles of political order and their dynamics over time on a global scale. The journal is interested in work that refers to constitutionalism as a template for empirical, conceptual or normative research on past, present and future political and legal practices, within and beyond the state.

All articles are subject to anonymous interdisciplinary peer-review.

With thanks to the Professorship for Global Public Law and the Center for Global Constitutionalism at the WZB, Berlin, for institutional support.

Cover design by Emma Keet.

GLOBAL CONSTITUTIONALISM

Volume 7, Issue 1, March 2018

CONTENTS

- 1 Editorial: Donald Trump as global constitutional breaching experiment**
JONATHAN HAVERCROFT, ANTJE WIENER, MATTIAS KUMM AND JEFFREY L DUNOFF
- 14 Non-ideal theory of constitutional adjudication**
RONI MANN
- 54 Resisting democratic backsliding: An essay on Weimar, self-enforcing constitutions, and the Frankfurt School**
SUJIT CHOUDHRY
- 75 Politics and constitutional jurisgenesis: A cautionary note on political constitutionalism**
MING-SUNG KUO
- 112 Global cybersecurity governance: A constitutionalist analysis**
INGOLF PERNICE