

# Contents

<i>Author Biographies</i>	vii
1 <i>Introduction</i> Colin Harvey and Alex Schwartz	1
I. <i>Divided Democracy</i>	
2 <i>Rights versus Democracy? The Bill of Rights in Plurinational States</i> Stephen Tierney	11
3 <i>Managing Conflict Through Democracy</i> Samuel Issacharoff	33
4 <i>Ethnicity and Competing Nations of Rights</i> Yash Ghai	51
II. <i>Judicial Independence and Empowerment</i>	
5 <i>Independent or Dependent? Constitutional Courts in Divided Societies</i> Sujit Choudhry and Richard Stacey	87
6 <i>Judicial Empowerment in Divided Societies: The Northern Ireland Bill of Rights Process in Comparative Perspective</i> Alex Schwartz and Colin Harvey	123
III. <i>Post-Conflict Constitutions</i>	
7 <i>The Nature and Effects of Constitutional Rights in Post-conflict Bosnia and Herzegovina</i> David Feldman	151
8 <i>Constitutional Change and the Quest for Legal Inclusion in Nepal</i> Mara Malagodi	169
IV. <i>Pluralism</i>	
9 <i>The Charter of Rights and Freedoms and Canadian Unity</i> Daniel Weinstock	197
10 <i>Education, Crucifixes and Headscarves: The Appropriation of Meanings and the Content of Rights in Divided Societies</i> Ruth Rubio-Marín and Leonardo Álvarez-Álvarez	219

vi *Contents*

<b>11</b>	<i>Forcing Consensus: Challenges for Rights-based Constitutionalism in Chile</i>	245
	Amaya Alvez Marin	
	<i>Index</i>	265