

## Populist Constitutional Theory

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Professor Akhil Reed Amar of the Yale Law School has advocated the very unique populist constitutional theory. Instead of characterizing the bill of rights as a protection of minority rights, he views the bill of rights rather as a majoritarian device to make sure the agents are carrying out the majority wishes. Moreover, he emphasizes the role of the citizen to defend the country, to participate as a juror to supervise the judiciary and to participate in the politics by exercising the right to vote. He even argues that the citizen can amend the Constitution without invoking the amendment power stipulated in the Constitution. This article explores his populist constitutional theory and examines its significance and its implication for Japan.