## CONTENTS

Introduction: The Emergency Constitution  1

---

**Part I. Diagnosis**

Chapter 1. This Is Not a War  13
Chapter 2. This Is Not a Crime  39
Chapter 3. This Is an Emergency  58

---

**Part II. Prescription**

Chapter 4. The Political Constitution  77
Chapter 5. The Role of Judges  101
Chapter 6. American Exceptionalism  122
Chapter 7. If Washington Blows Up?  142
Chapter 8. The Morning After  169

---

Notes  175
Acknowledgments  209
Index  213