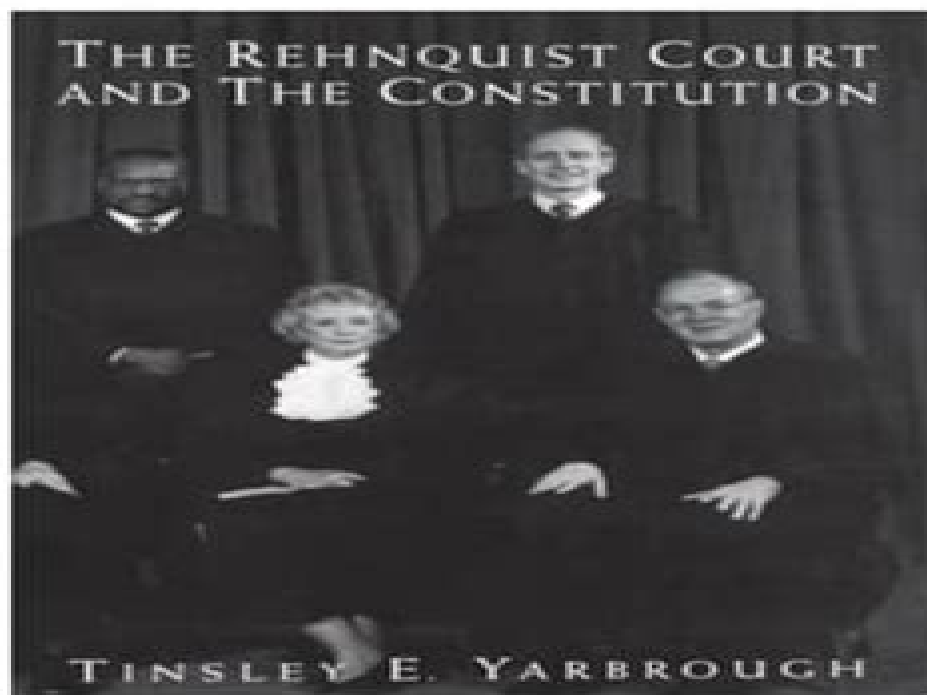


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The Rehnquist Court and the Constitution Tinsley E. Yarbrough, 2000 Thoughtful wide ranging and intelligently written this volume is an insightful look at the Rehnquist Court and its impact on law and American life **The Rehnquist Court** Martin H. Belsky, 2002 In 1986 the Supreme Court's leading conservative William H. Rehnquist was made Chief Justice. Almost immediately legal scholars, practitioners and pundits began questioning what his influence would be and whether he would remake US constitutional corpus in his own image. This collected volume gathers together a distinguished group of scholars, journalists, judges and practitioners to reflect on the fifteen year impact of the Rehnquist Court **Justice Rehnquist and the Constitution** Sue Davis, 2014-07-14 This analysis of the decision making of William H. Rehnquist from the beginning of his tenure as an Associate Justice of the United States Supreme Court in 1971 until he was nominated to be Chief Justice in 1986 presents a refreshing new perspective on the Burger Court's most conservative member. The common assessment of Rehnquist's career on the Supreme Court is that he has tried to put his own political agenda into effect, deciding as he wishes and justifying it later. Davis disputes that view through careful, insightful analysis of his opinions, his votes and his public speeches. She argues that Rehnquist does indeed have a judicial philosophy, one that has legal positivism at its core. By examining the interaction between the facets of that judicial philosophy and Rehnquist's particular ordering of values, Davis reveals the coherence of his decision making. The author finds that Rehnquist's hierarchy of values gives paramount importance to state autonomy or the new federalism. He sees the protection of private property as secondary to the significance of federalism, followed finally by the protection of individual rights. Originally published in 1989, The Princeton Legacy Library uses the latest print-on-demand technology to again make available previously out-of-print books from the distinguished backlist of Princeton University Press. These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions. The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905 [The Supreme Court, the Constitution, and William Rehnquist](#) Steven T. Seitz, 2020-07-07 The Founding Fathers wrote the Constitution at a level sufficiently general to guide lawmaking while avoiding great detail. This four-page document has guided the United States of America for more than two centuries. The Supreme Court has parsed the document into clauses which plaintiffs and defendants invoke in cases or controversies before the Court. Some like the Interstate Commerce Clause are central to the survival of a government of multiple sovereignties. The practice of observing case precedents allows orderly development of the law and consistent direction to the lower courts. The Court itself claimed the final power of judicial review despite efforts to the contrary by the executive and legislative branches of the national government and the state supreme courts. The Court then limited its own awesome power through a series of self-imposed rules of justiciability. These rules set the conditions under which the Court may exercise the extraordinary final power of

judicial review Some of these self imposed limits are prudential some logical and some inviting periodic revision This book examines the detailed unfolding of several Constitutional clauses and the rules of justiciability For each clause and each rule of justiciability the book begins with the brilliant foundations laid by Chief Justice John Marshall then to the anti Federalist era the Civil War the dominance of laissez faire and social Darwinism the Great Depression redirection the civil rights era and finally the often hapless efforts of Chief Justice Rehnquist

The Rehnquist Court Martin H. Belsky, 2002-04-04 In 1986 the Supreme Court's leading conservative William H Rehnquist labeled by Newsweek as The Court's Mr Right was made Chief Justice Almost immediately legal scholars practitioners and pundits began questioning what his influence would be and whether he would remake our constitutional corpus in his own image Would the center hold or fold This collected volume edited by Martin H Belsky is the third in a series which includes The Warren Court and The Burger Court both edited by Bernard Schwartz It gathers together a distinguished group of scholars journalists judges and practitioners to reflect on the fifteen year impact of the Rehnquist Court The work provides an overview of the Rehnquist Court's influence to date examines in detail the seminal issues confronted by the Court and places the Court in broad historical perspective Subjects discussed include First Amendment rights and cyberspace criminal justice reform the Court's pattern of constitutional interpretation the international impact of the Rehnquist Court and the Supreme Court's increasing interaction with state constitutional law A comprehensive look at the significant shifts in constitutional jurisprudence under Rehnquist's leadership this volume illustrates how the Rehnquist Court has brought us almost full circle from the judge made revolution of the Warren Court A must have for all students of the Court and legal history this book contains fascinating insights into one of the century's most controversial courts and a legacy still in the making

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Rehnquist Justice Earl M. Maltz, 2003 With seven of its justices appointed by Republican presidents today's Supreme Court has significantly altered America's legal landscape since 1986 by tilting constitutional jurisprudence to the right That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism economic rights and affirmative action However liberal issues such as abortion have moved only marginally to the right while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left In this collection of original articles prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed Reflecting views across the political spectrum the contributors help readers understand the Court dynamic its constrained conservatism and the forces that shape constitutional law in general As these authors show the overall pattern of decision making in the Rehnquist era cannot be attributed to any single unified approach to constitutional analysis Instead today's Court can only be understood as the product of a complex interaction among individual justices each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench From the staunch conservatism of Clarence Thomas to the accommodationism of Sandra Day O'Connor to the liberal constitutionalism of David Souter the essays analyze the unique approach of each justice to interpreting the Constitution They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one which favors experienced often unknown jurists over high profile public servants By concentrating attention on its members Rehnquist Justice allows us to better understand the Supreme Court as a whole And by assessing today's judiciary in light of a public philosophy that looks askance at government it shows us that the Supreme Court has truly become a mirror of its times

Conservative Thought and American Constitutionalism since the New Deal Johnathan O'Neill, 2022-11-29 An intellectual history of American conservatism since the New Deal The New Deal fundamentally changed the institutions of American constitutional government and in turn the relationship of Americans to their government Johnathan O'Neill's *Conservative Thought and American Constitutionalism since the New Deal* examines how various types of conservative thinkers responded to this significant turning point in the second half of the twentieth century O'Neill identifies four fundamental transformations engendered by the New Deal the rise of the administrative state the erosion of federalism the ascendance of the modern presidency and the development of modern judicial review He then considers how various schools of conservative thought traditionalists neoconservatives libertarians Straussians responded to these major changes in American politics and culture Conservatives frequently argued among themselves and their responses to the New Deal

ranged from adaptation to condemnation to political mobilization. Ultimately the New Deal pulled American governance and society permanently leftward. Although some of the New Deal's liberal gains have been eroded, a true conservative counterrevolution was never O'Neill argues a realistic possibility. He concludes with a plea for conservative thinkers to seriously reconsider the role of Congress, a body that is relatively ignored by conservative intellectuals in favor of the courts and the presidency in America's constitutional order. *Conservative Thought and American Constitutionalism* since the New Deal explores the scope and significance of conservative constitutional analysis amid the broader field of American political thought.

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