

# THE REHNQUIST LEGACY



EDITED BY CRAIG BRADLEY

CAMBRIDGE

# Rehnquist Legacy

**Bradford P. Wilson**



## **Rehnquist Legacy:**

**The Rehnquist Legacy** Craig Bradley, 2006 This book is a legal biography of William Rehnquist of the U S Supreme Court *The Constitutional Legacy of William H. Rehnquist* Bradford P. Wilson, 2015 September 3 2015 marks the 10th anniversary of the death of Chief Justice William H Rehnquist His 33 years on the Supreme Court of the United States made his tenure on the Court the eighth longest in American history Though much has been written on the Rehnquist Court relatively little scholarly work has been devoted to Rehnquist s own influence on legal interpretation and the development of Supreme Court doctrine To assess Rehnquist s constitutional legacy this volume examines three areas of constitutional interpretation in which he made influential and it would seem lasting contributions federalism criminal procedure and the place of religion in America s constitutional design The contributors to this book are well known for their expertise in these three constitutional domains By organizing the volume around three central essays and commentaries on each the book provides not only an overview of Rehnquist s contributions to major constitutional themes but also differing perspectives on the essays themselves and on Rehnquist s constitutional legacy Among the contributors to this work are John S Baker Jr Charles J Cooper Donald L Drakeman Richard W Garnett Kent Greenawalt R Shep Melnick Robert F Nagel Stephen J Schulhofer and Stephen F Smith

**The Rehnquist Court** David L. Hudson, 2007 For nearly 20 years William Hubbs Rehnquist served as the 16th Chief Justice of the United States Supreme Court During these two decades the Court issued major decisions involving federalism abortion affirmative action civil rights privacy and the 2000 presidential election Throughout his tenure Justice Rehnquist was conventionally perceived as a conservative partly for the anti civil rights memos he had written earlier in his career He became a lightning rod for controversy during his confirmation hearings in 1972 for Associate Justice and again in 1986 when he became Chief Justice Surprisingly however Hudson s balanced nonpartisan examination of the Rehnquist Court and its personalities shows that Rehnquist s conservatism is quite mild compared to that of the ideological purity of Justices Clarence Thomas and Antonin Scalia and that Rehnquist did an admirable job of playing moderator as Chief Justice exhibiting sensitivity toward his colleagues *The Rehnquist Court* Thomas R. Hensley, 2006-06-08 A detailed look at the Rehnquist Court s key figures rulings and major changes to U S constitutional law Did the Rehnquist Court which followed the liberal Warren Court and the moderate Burger Court achieve a conservative counterrevolution Using quantitative data to supplement detailed opinion analysis political scientist Thomas R Hensley argues that continuity not change characterized the Rehnquist Court era But without a doubt the Rehnquist Court was frequently a war zone Fourteen justices served during the Rehnquist era which began in 1986 during the Reagan administration and ended with Rehnquist s death in September 2005 Presidents Reagan and Bush appointed conservative justices and set in motion an assault on the ultra liberal decisions made by the two previous courts But President Clinton appointed two moderate Democrats slowing the conservative juggernaut The result One of the most fascinating contentious

and crucial periods in the history of the U S Supreme Court      *A Companion to Ronald Reagan* Andrew L. Johns,2015-02-10  
*A Companion to Ronald Reagan* evaluates in unprecedented detail the events policies politics and people of Reagan s administration It assesses the scope and influence of his various careers within the context of the times providing wide ranging coverage of his administration and his legacy Assesses Reagan and his impact on the development of the United States based on new documentary evidence and engagement with the most recent secondary literature Offers a mix of historiographic chapters devoted to foreign and domestic policy with topics integrated thematically and chronologically Includes a section on key figures associated politically and personally with Reagan      Official Reports of the Supreme Court  
United States. Supreme Court,2006      *American Government* Calvin C. Jillson,2013 An introductory American government textbook should do more than simply tell students that politics is relevant today that it will affect their lives in meaningful ways Students are best prepared to recognize this basic fact when they understand the bigger picture of how the system works how it got that way and what are the possibilities for change Cal Jillson s *American Government Political Development and Institutional Change* shows students how the nation s past is present in all aspects of contemporary politics using the dynamics of change as a tool to understand how politics works and how institutions systems avenues of participation and policies have evolved over time to produce today s political environment in the United States Going one step further Jillson identifies the critical question of how American democracy might evolve further focusing in every chapter on reform and change into the future      *American Government* Cal Jillson,2007-07-30 In this introductory American politics text Cal Jillson provides not only a sense of how politics works today but also how institutions systems political participation and policies have developed over time to produce today s political environment in the United States This historical context provides the necessary backdrop for students to understand why things work the way they do now Going one step further the book identifies critical reforms and how American democracy might work better In a streamlined presentation Jillson delivers a concise and engaging narrative to help students understand the complexities and importance of American politics Key features The 4th edition is thoroughly updated including full analysis of the 2006 mid term elections and shift in partisan control of Congress Chapter opening Focus Questions illustrative figures and charts Let s Compare and Pro key terms time lines and end of chapter suggested readings and web resources Companion website for students <http://americangovernment.routledge.com> features chapter summaries focus questions practice quizzes glossary flashcards participation activities and links Instructor s resources on the web and on CD ROM including Testbank Instructor s Manual figures and tables from the text and lecture outlines      **United States Reports** United States. Supreme Court,2009      **Encyclopedia of the Fourth Amendment** John R. Vile,David L. Hudson Jr.,2012-12-15 Covering the key concepts events laws and legal doctrines court decisions and litigators and litigants this new reference on the law of search and seizure in the physical as well as the online world provides a unique overview for individuals seeking to understand the Fourth Amendment to the U S Constitution More

than 900 A to Z entries cover the key issues that surround this essential component of the Bill of Rights and the linchpin of a right to privacy This two volume reference from the editors of CQ Press s award winning Encyclopedia of the First Amendment features a series of essays that examine the historical background of the Fourth Amendment along with its key facets relating to Technology Privacy Terrorism Warrant requirement Congress States A to Z entries include cross references and bibliographic entries This work also features both alphabetical and topical tables of contents as well as a comprehensive subject index and a case index At a time when threats of crime and terrorism have resulted in increased governmental surveillance into personal lives this work will serve as an important asset for researchers seeking information on the history and relevance of legal rights against such intrusions Key Features More than 900 signed entries including 600 court cases and 100 biographies Preface by noted journalist Nat Hentoff From the editors of CQ Press s award winning Encyclopedia of the First Amendment

**United States Reports** United States. Supreme Court,1754 *The Basics of American Politics* Gary Wasserman,Elliott Fullmer,2023-01-25 Lively and straightforward The Basics of American Politics offers a concise and accessible introduction to the nuts and bolts of the American system of government Throughout this brief student friendly text authors Gary Wasserman and Elliott Fullmer employ a dynamic game metaphor to engage students in the basics of American government and the contact sport of politics For introductory students of American government this affordable text is especially ideal for advanced placement courses community colleges and international programs in American Studies New to the 17th Edition Covers the personalities and actions of the new Biden administration as well as wrapping up President Trump s tumultuous final year in office two impeachments COVID the Capitol riot Updated to reflect the results of the 2022 midterm elections and the impact of reapportionment and gerrymandering based on the 2020 Census Presents recent developments on the Supreme Court including appointment of two new justices and major decisions including those on abortion voting rights and LGBT rights Reflects changes in voting behavior in the 2020 and 2022 elections as well as fights over voter suppression Explores the ongoing crisis of misinformation and disinformation Expands the discussion of tribal politics and threats to democracy Discusses student activism

**In the Shadow of the Great Charter** Robert M. Pallitto,2015-04-17 In the Supreme Court s 2008 ruling on whether Guantanamo detainees could be barred from U S courts Justice Anthony Kennedy cited the U S Constitution of course But he also linked the decision to the Magna Carta Why would a twenty first century judge even under the extraordinary circumstances of the war on terror invoke a document signed by an English king in the thirteenth century To address this question as Robert Pallitto does in this clarifying book is to probe the history of modern civil liberties and to explore the process by which judges decide individual rights cases Pallitto s work with its insight into competing ideas about interpreting the Constitution originalism versus constitutional common law is of critical importance to our understanding of the nation s founding document Of far more than symbolic significance the Magna Carta exerts immediate practical influence on legal outcomes as Justice Kennedy s opinion demonstrates To explain this Pallitto

first goes into the Charter's origins, history, and nature, especially its explicit use of the law of the land to protect subjects' rights and liberty. The Magna Carta's legacy in the United States reaches back to the nation's founding, with even the colonial charters reflecting its influence. But it is in the Supreme Court's reference to the Charter, spanning the institution's full two hundred years, that Pallitto finds the greatest impact, most frequently in the principles of due process in criminal proceedings and habeas corpus, but in many other provisions as well. And the weight of this impact registers most deeply and clearly in the development of the constitutional common law, the theory that courts should and do interpret and expand on constitutional texts by reference to tradition and precedent rather than to the drafter's original intent. Charting the Magna Carta's influence on the contemporary jurisprudence of individual rights from the legal thought of the American colonies through exemplary cases over the history of the Supreme Court, this book offers resounding evidence of the evolution and value of abiding principles through which American liberty endures.

**The Bill of Rights in Modern America** David J. Bodenhamer, James W. Ely, 2022-04-05 As the 2020s began, protestors filled the streets, politicians clashed over how to respond to a global pandemic, and new scrutiny was placed on what rights US citizens should be afforded. Newly revised and expanded to address immigration, gay rights, privacy rights, affirmative action, and more, *The Bill of Rights in Modern America* provides clear insights into the issues currently shaping the United States. Essays explore the law and history behind contentious debates over such topics as gun rights, limits on the powers of law enforcement, the death penalty, abortion, and states' rights. Accessible and easy to read, the discerning research offered in *The Bill of Rights in Modern America* will help inform critical discussions for years to come.

**The Will of the People** Barry Friedman, 2009-09-29 In recent years, the justices of the Supreme Court have ruled definitively on such issues as abortion, school prayer, and military tribunals in the war on terror. They decided one of American history's most contested presidential elections. Yet for all their power, the justices never face election and hold their offices for life. This combination of influence and apparent unaccountability has led many to complain that there is something illegitimate, even undemocratic, about judicial authority. In *The Will of the People*, Barry Friedman challenges that claim by showing that the Court has always been subject to a higher power: the American public. Judicial positions have been abolished, the justices' jurisdiction has been stripped, the Court has been packed, and unpopular decisions have been defied. For at least the past sixty years, the justices have made sure that their decisions do not stray too far from public opinion. Friedman's pathbreaking account of the relationship between popular opinion and the Supreme Court, from the Declaration of Independence to the end of the Rehnquist Court in 2005, details how the American people came to accept their most controversial institution and shaped the meaning of the Constitution.

**Bong Hits 4 Jesus** James C. Foster, 2010-10-15 In January 2002, for the first time, the Olympic Torch Relay visited Alaska on its way to the Winter Games. When the relay runner and accompanying camera cars passed Juneau Douglas High School senior Joseph Frederick and several friends unfurled a fourteen-foot banner reading BONG HiTS 4 JESUS. An in-depth look at student rights within a

public high school this book chronicles the events that followed Frederick's suspension the subsequent suit against the school district and ultimately the escalation of a local conflict into a federal case Brought to life through interviews with the principal figures in the case *Bong Hits 4 Jesus* is a gripping tale of the boundaries of free speech in an American high school

**Indigenous Sovereignty in the 21st Century** Michael Lerma, 2014 A provocative analysis of what sovereignty means to indigenous nations challenging commonly held conceptions about the relationship between sovereignty and economic development

**Confirmation Hearings on Federal Appointments** United States. Congress. Senate. Committee on the Judiciary, 2010

**Encyclopedia of American Civil Liberties** Paul Finkelman, 2013-11-07 This Encyclopedia on American history and law is the first devoted to examining the issues of civil liberties and their relevance to major current events while providing a historical context and a philosophical discussion of the evolution of civil liberties Coverage includes the traditional civil liberties freedom of speech press religion assembly and petition In addition it also covers concerns such as

privacy the rights of the accused and national security Alphabetically organized for ease of access the articles range in length from 250 words for a brief biography to 5 000 words for in depth analyses Entries are organized around the following themes organizations and government bodies legislation and legislative action statutes and acts historical overviews biographies cases themes issues concepts and events The Encyclopedia of American Civil Liberties is an essential reference for students and researchers as well as for the general reader to help better understand the world we live in today

[The Supreme Court](#) Peter Charles Hoffer, William James Hull Hoffer, N. E. H. Hull, 2018-08-28 For more than two centuries the U S Supreme Court has provided a battleground for nearly every controversial issue in our nation's history Now a veteran team of talented historians including the editors of the acclaimed Landmark Law Cases and American Society series have updated the most

readable astute single volume history of this venerated institution with a new chapter on the Roberts Court The Supreme Court chronicles an institution that dramatically evolved from six men meeting in borrowed quarters to the most closely watched tribunal in the world Underscoring the close connection between law and politics the authors highlight essential issues cases and decisions within the context of the times in which the decisions were handed down Deftly combining

doctrine and judicial biography with case law they demonstrate how the justices have shaped the law and how the law that the Court makes has shaped our nation with an emphasis on how the Court responded or failed to respond to the plight of the underdog Each chapter covers the Court's years under a specific Chief Justice focusing on cases that are the most reflective of the way the Court saw the law and the world and that had the most impact on the lives of ordinary Americans Throughout

the authors reveal how in times of war class strife or moral revolution the Court sometimes voiced the conscience of the nation and sometimes seemed to lose its moral compass Their extensive quotes from the Court's opinions and dissents illuminate its inner workings as well as the personalities and beliefs of the justices and the often contentious relationships among them Fair minded and sharply insightful The Supreme Court portrays an institution defined by eloquent and

pedestrian decisions and by justices ranging from brilliant and wise to slow witted and expedient An epic and essential story it illuminates the Court s role in our lives and its place in our history in a manner as engaging for general readers as it is rigorous for scholars



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