# REVOLUTION TO THE RIGHT

Criminal Procedure
Jurisprudence
during the
Burger-Rehnquist
Court Era



JOHN F. DECKER

# Revolution To The Right Criminal Procedure Jurisprudence During The Burger Rehnquist Court Era

John B. Taylor

#### Revolution To The Right Criminal Procedure Jurisprudence During The Burger Rehnquist Court Era:

Revolution to the Right John F. Decker,1992 The Rehnquist Court and Criminal Punishment Christopher E. Smith,2014-02-04 First Published in 1997 Organised in a easily readable format this book on the Supreme Court and punishment takes the reader through the sentencing and incarceration issues that have been so controversial and yet so relatively unchanged over the years 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

Right to Counsel and Privilege against Self-Incrimination John B. Taylor, 2004-10-26 An extensive analysis of two complementary rights of the accused their interpretation by the U S Supreme Court and the ongoing debate over their role in the criminal justice system Right to Counsel and Privilege against Self Incrimination Rights and Liberties under the Law explores the origins historical development current status and future of two rights intended to protect persons accused of crimes Two shocking case studies Powell v Alabama and Brown v Mississippi reveal the brutal injustices suffered by Southern blacks in the 1930s and explain how the Supreme Court made landmark decisions to expand the coverage of the right to counsel and the privilege against self incrimination After a brief review of the English and colonial origins of these rights a careful analysis of each focuses primarily on the revolutionary cases of the 20th century that produced a convergence of these rights in the famous case of Miranda v Arizona 1966 The work examines subsequent cases and discusses issues that lie ahead including those related to the war on terror Mapp V. Ohio Carolyn Nestor Long, 2006 A concise and compelling account of the closely decided Supreme Court ruling that balanced the duties of state and local crime fighters against the rights of individuals from being tried with illegally seized evidence A Supreme Court Unlike Any Other Kevin J. McMahon, 2024-04-12 Today's Supreme Court is unlike any other in American history This is not just because of its jurisprudence It is because today s Court is uniquely distanced from the democratic processes that buttress its legitimacy For example five of the nine justices took their seats after winning confirmation with the support of senators who won far fewer votes than their colleagues in opposition and three of these five justices were also nominated by a president who lost the popular vote In A Supreme Court Unlike Any Other Kevin J McMahon explains the broad historical developments

that have brought us here Drawing on historical and contemporary data and deep knowledge of Court battles during presidencies ranging from Franklin D Roosevelt to Ronald Reagan to Donald Trump he offers new insight into the shifting politics of nominating and confirming justices the changing pool of nominees considered for the Supreme Court and the increased salience of the Court in presidential and congressional elections A Supreme Court Unlike Any Other is an eye opening account of today's Court within the context of US history and the broader structure of contemporary politics The Jurisprudential Vision of Justice Antonin Scalia David Andrew Schultz, Christopher E. Smith, 1996 That Scalia has most profoundly affected particularly constitutional protections for property rights Citing Scalia s use of judicial review to check legislative power and his attempts to limit several types of individual rights developed during the Warren and Burger courts the authors conclude that Scalia's decisions reflect an effort to create a post Carolene Products jurisprudence and to form a new pattern of assumptions regarding the role of the Supreme Court in <u>Judicial Review and Contemporary Democratic</u> Theory Scott E. Lemieux, David J. Watkins, 2017-11-03 For decades the question of judicial reviews status in a democratic political system has been adjudicated through the framework of what Alexander Bickel labeled the counter majoritarian difficulty That is the idea that judicial review is particularly problematic for democracy because it opposes the will of the majority Judicial Review and Contemporary Democratic Theory begins with an assessment of the empirical and theoretical flaws of this framework and an account of the ways in which this framework has hindered meaningful investigation into judicial review s value within a democratic political system To replace the counter majoritarian difficulty framework Scott E Lemieux and David J Watkins draw on recent work in democratic theory emphasizing democracy s opposition to domination and analyses of constitutional court cases in the United States Canada and elsewhere to examine judicial review in its institutional and political context Developing democratic criteria for veto points in a democratic system and comparing them to each other against these criteria Lemieux and Watkins yield fresh insights into judicial review s democratic value This book is essential reading for students of law and courts judicial politics legal theory and constitutional law The Chief Justiceship of Warren Burger, 1969-1986 Earl M. Maltz, 2000 Maltz law Rutgers U discusses the often discongruous nature of the Burger Court explaining its generally centrist proceedings yet acknowledging that it at times produced decisions even more liberal than that of the Warren Court its liberal predecessor At the same time this book shows patterns that explain the doctrinal positions adopted by the majority in each case Annotation copyrighted by Book News Inc Portland OR

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