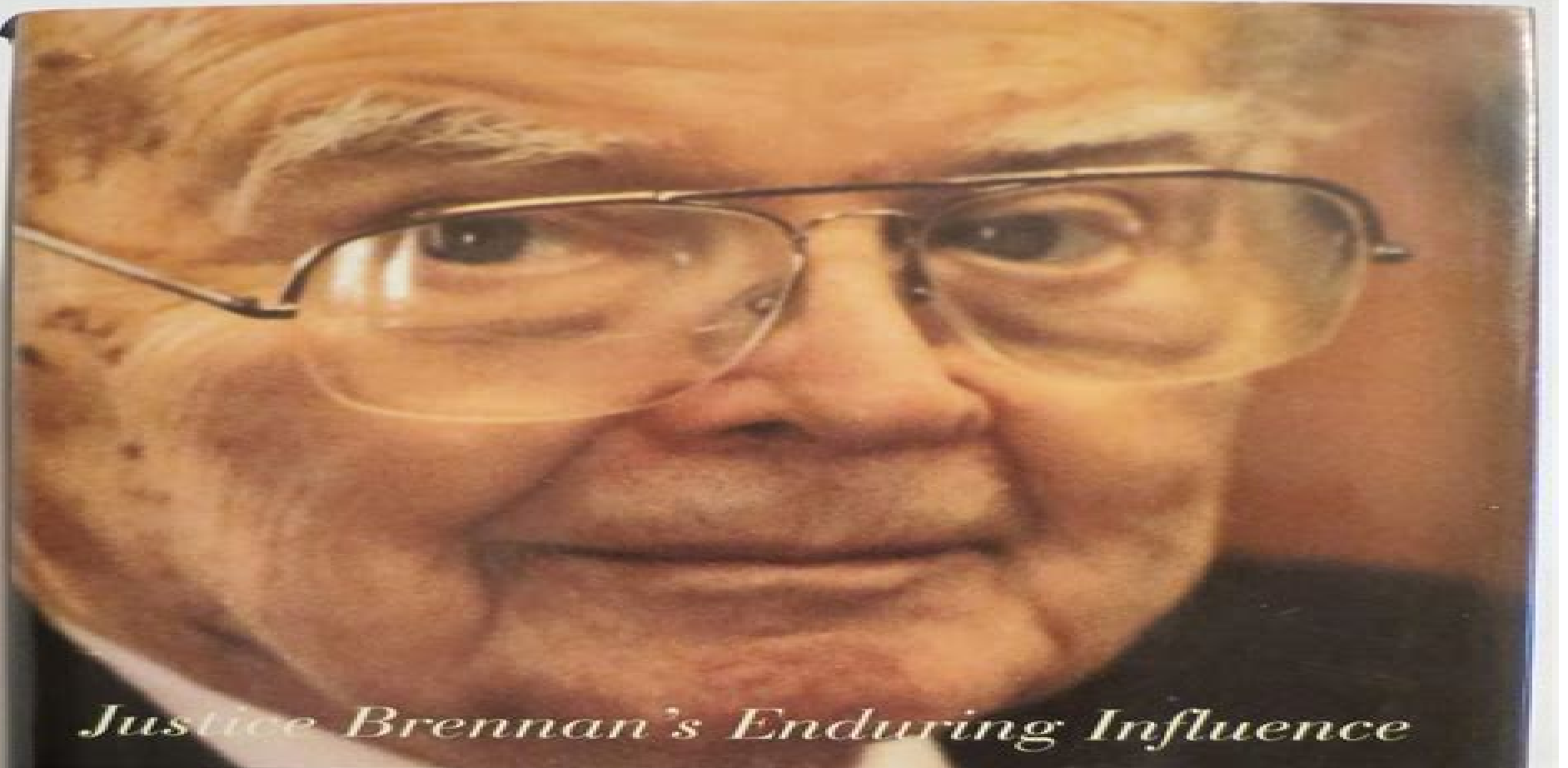


A close-up, warm-toned portrait of an elderly man with white hair and glasses, identified as Justice Brennan. He is looking slightly to the right with a gentle expression. The background is a soft, out-of-focus brown.

Justice Brennan's Enduring Influence

REASON

&

PASSION

Edited by E. Joshua Rosenkranz and Bernard Schwartz

Reason And Passion Justice Brennans Enduring Influence

Michael Nelson



Reason And Passion Justice Brennans Enduring Influence:

Reason and Passion Brennan Center for Justice, 1997 During his 34 years as a member of the Supreme Court Justice William J Brennan played a role in shaping American justice and society that is equaled by few others Here Tom Wicker Anna Quindlen Alan Dershowitz Chief Justice William Rehnquist and a host of others explore Justice Brennan s tremendous impact on civil liberties criminal justice equality and government in a collection of colorful passionate essays **New York Times**

Co. v. Sullivan Forty Years Later W. Wat Hopkins, 2017-10-03 The need to protect free speech on matters of governing importance more than any other element of government is the defining factor of a free society Nowhere in the law is that prospect more clearly explained than in the opinion in *Times v Sullivan* This special issue provides an example of the breadth and scope of *Times v Sullivan* and the ways in which the case continues to impact the jurisprudence of free expression It is introduced by two essays designed to provide an overview of the case providing insights into the origins of the dispute the Court was called upon to settle The next four articles are testimony to breadth the opinion in this case particularly dealing with aspects not often considered Combined they all demonstrate the lasting significance of what may be the most important free expression case the Court has delivered *Rhetoric, Persuasion, and Modern Legal Writing* Brian L. Porto, 2020-02-11

Classical rhetorical techniques can enhance the persuasiveness of Supreme Court opinions by making their language clear lively and memorable This book focuses on three techniques invention creation of arguments arrangement organization and style word choice in the work of Oliver Wendell Holmes Jr Robert Jackson Hugo Black William Brennan and Antonin Scalia respectively The justices featured here contributed to the Court s rhetorical legacy in different ways but all five rejected the magisterial opinion style of the eighteenth and nineteenth centuries in favor of a more personal and conversational format As a result their opinions have endured and even modern readers who cannot recall the justices names understand and embrace the ideas expressed in their legal writings and apply those ideas to current debates Practicing lawyers professors and students can use this book to study legal writing techniques and make their own writing more persuasive The

Disintegrating Conscience and the Decline of Modernity Steven D. Smith, 2023-10-15 This book considers how the modern concept of conscience turns the historic commitment on its head in a way that underlies the decadence of modern society Steven D Smith s books are always anticipated with great interest by scholars jurists and citizens who see his work on foundational questions surrounding law and religion as shaping the debate in profound ways Now in *The Disintegrating Conscience and the Decline of Modernity* Smith takes as his starting point Jacques Barzun s provocative assertion that the modern era is coming to an end Smith considers the question of decline by focusing on a single theme conscience that has been central to much of what has happened in Western politics law and religion over the past half millennium Rather than attempting to follow that theme step by step through five hundred years the book adopts an episodic and dramatic approach by focusing on three main figures and particularly portentous episodes first Thomas More s execution for his conscientious

refusal to take an oath mandated by Henry VIII second James Madison's contribution to Virginia law in removing the proposed requirement of religious toleration in favor of freedom of conscience and third William Brennan's pledge to separate his religious faith from his performance as a Supreme Court justice These three episodes Smith suggests reflect in microcosm decisive turning points at which Western civilization changed from what it had been in premodern times to what it is today A commitment to conscience Smith argues has been a central and in some ways defining feature of modern Western civilization and yet in a crucial sense conscience in the time of Brennan and today has come to mean almost the opposite of what it meant to Thomas More By scrutinizing these men and episodes the book seeks to illuminate subtle but transformative changes in the commitment to conscience changes that helped to bring Thomas More's world to an end and that may also be contributing to the disintegration of per Barzun the modern era

The Conscience of the Court William J. Brennan, Leonard Williams Levy, 1999 The Conscience of the Court celebrates the work of Justice William J Brennan Jr who served on the United States Supreme Court for thirty four years 1956 1990 Stephen L Sepinuck and Mary Pat Treuthart introduce and present selected judicial opinions written by Justice Brennan on issues involving personal freedom civil liberties and equality Brennan is ranked by many as the best writer ever to have served on the Supreme Court and his written opinions depict real people often in desperate emotional situations Remarkable for their clarity of analysis for their eloquence and for their forcefulness and persuasiveness his opinions demonstrate that judicial thought need not be a proprietary enclave of lawyers or the intellectual elite The extended excerpts selected by Sepinuck and Treuthart highlight Brennan's approach to judicial decision making Concerned always with how each decision would actually affect people's lives Brennan possessed a rare quality of empathy In Brennan the editors note people and groups who lacked influence in society Communists and flag burners children and foreigners criminal defendants and racial minorities found a champion they could count on to listen to their causes and judge them unmoved by the passions of the politically powerful This book is divided into four chapters dealing with freedom of expression religious liberties and guarantees the individual versus the state and protections of equality Within each chapter the excerpted cases are presented chronologically The editors selected more dissenting and concurring opinions than majority opinions because they reason a justice writing a dissent or concurrence is freer to express personal views than one writing for the majority who may feel compelled to include or exclude certain statements in order to hold a fragile coalition together Each opinion has been edited to focus on the constitutional question at issue while still preserving Brennan's style of expression and process of reasoning In their introduction to each opinion the editors provide background facts discuss how the excerpted opinion transformed the law or otherwise fit into the realm of constitutional jurisprudence and delve into Justice Brennan's judicial philosophy his method of constitutional interpretation and the language he used

The Encyclopedia of Civil Liberties in America David Schultz, John R. Vile, 2015-04-10 Driven by the growing reality of international terrorism the threats to civil liberties and individual rights in America are

greater today than at any time since the McCarthy era in the 1950s At this critical time when individual freedoms are being weighed against the need for increased security this exhaustive three volume set provides the most detailed coverage of contemporary and historical issues relating to basic rights covered in the United States Constitution The Encyclopedia of Civil Liberties in America examines the history and hotly contested debates surrounding the concept and practice of civil liberties It provides detailed history of court cases events Constitutional amendments and rights personalities and themes that have had an impact on our freedoms in America The Encyclopedia appraises the state of civil liberties in America today and examines growing concerns over the limiting of personal freedoms for the common good Complete with selected relevant documents and a chronology of civil liberties developments and arranged in A Z format with multiple indexes for quick reference The Encyclopedia of Civil Liberties in America includes in depth coverage of freedom of speech religion press and assembly as outlined in the first amendment protection against unreasonable search and seizure as outlined in the fourth amendment criminal due process rights as outlined in the fifth sixth seventh and eighth amendments property rights economic liberties and other rights found within the text of the United States Constitution Supreme Court justices presidents and other personalities focusing specifically on their contributions to or effect on civil liberties concepts themes and events related to civil liberties both practical and theoretical court cases and their impact on civil liberties

Reasoning from Race Serena Mayeri, 2011-05-05 Informed in 1944 that she was not of the sex entitled to be admitted to Harvard Law School African American activist Pauli Murray confronted the injustice she called Jane Crow In the 1960s and 1970s the analogies between sex and race discrimination pioneered by Murray became potent weapons in the battle for women s rights as feminists borrowed rhetoric and legal arguments from the civil rights movement Serena Mayeri s Reasoning from Race is the first book to explore the development and consequences of this key feminist strategy Mayeri uncovers the history of an often misunderstood connection at the heart of American antidiscrimination law Her study details how a tumultuous political and legal climate transformed the links between race and sex equality civil rights and feminism Battles over employment discrimination school segregation reproductive freedom affirmative action and constitutional change reveal the promise and peril of reasoning from race and offer a vivid picture of Pauli Murray Ruth Bader Ginsburg and others who defined feminists agenda Looking beneath the surface of Supreme Court opinions to the deliberations of feminist advocates their opponents and the legal decision makers who heard or chose not to hear their claims Reasoning from Race showcases previously hidden struggles that continue to shape the scope and meaning of equality under the law

Supreme Court Justices Timothy L. Hall, 2001 Presents an alphabetical listing of Supreme Court justices with a short biography on each person

Privacy Rights Alice Fleetwood Bartee, 2006-04-27 Privacy Rights Cases Lost and Causes Won Before the Supreme Court is a unique and timely study of the judicial process as it confronts four privacy issues birth control gay rights abortion and the right to die The moral questions surrounding these subjects create intense and enduring debates about the scope and limits of the

right to privacy In four historic cases the right to privacy was struck down by the Supreme Court in four later cases these rulings were overturned Why This book explains the original failure by analyzing attorneys mistakes miscommunication in the judicial conference attitudes and policy predilections of the justices and the negative attitudes of state officials and interest groups The ultimate win for privacy rights is an exciting story involving well known cases like Lawrence v Texas Planned Parenthood v Casey Griswold v Connecticut and the case of Terri Schiavo Through the personal and legal details of these dramatic stories the debate on privacy rights comes alive

How College Presidents Succeed Michael

Nelson, 2025-04-08 Leadership lessons in higher education and what they can teach us about leadership in all walks of life In an era when college presidents serve for on average fewer than six years leaving out of personal ambition for a next post or being forced to leave under fire there is an inspirational counterexample of leaders dedicated to the long term success of their institutions This book weaves together the stories behind what the Washington Post dubbed Virginia s academic dynasty to determine what makes for sound and effective institutional leadership Here are the lessons of three generations of college presidents from one family the Reveleys who have successfully led major colleges and universities across the commonwealth of Virginia for decades an ongoing legacy unrivaled in modern American higher education All three generations of Reveleys profiled here successfully dealt with the challenges of stewarding varied institutions Hampden Sydney College William Mary and Longwood University in a politically and demographically evolving state embedded within an equally dynamic and complex national economic and cultural environment for higher education Now in the Reveleys own words drawn from more than one hundred hours of oral interviews and thousands of pages of personal papers this book tells their story and offers readers insights into best leadership practices gleaned from their unparalleled cumulative experience

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