



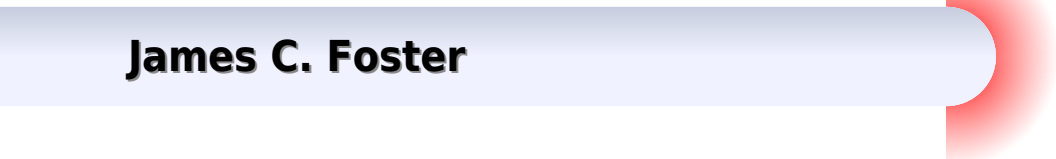
The
REHNQUIST
COURT

A Retrospective

Edited by
Martin H. Belsky

Rehnquist Court A Retrospective

James C. Foster



Rehnquist Court A Retrospective:

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.

The Rehnquist Court Lori A. Ringhand, 2007 **The American Judicial Tradition** G. Edward White, 2007-01-18 Previous editions published 1988, expanded 1976. 1st **Symposium**, 2007 *Queen's Court* Nancy Maveety, 2008 The first book to challenge the conventional wisdom that Sandra Day O'Connor was an influential member of the Rehnquist Court simply by default of her centrist views. Shows that her impact and influence went far beyond the swing vote and that it truly was O'Connor's Court, more so than Rehnquist's. **Originalism, Federalism, and the American Constitutional Enterprise** Edward A. Purcell, 2007-12-28 In this lively historical examination of American federalism, a leading scholar in the field refutes the widely accepted notion that the founding fathers carefully crafted a constitutional balance of power between the states and the federal government. Edward A. Purcell Jr. bases his argument on close analysis of the Constitution's original structure and the ways that structure both induced and accommodated changes over the centuries. There was no clear agreement among the founding fathers regarding the true nature of American federalism, Purcell contends, nor was there a consensus on correct lines dividing state and national authority. Furthermore, even had there been some true original understanding of the elastic and dynamic nature of the constitutional structure, it would have made it impossible for subsequent generations to maintain any original or permanent balance. The author traces the evolution of federalism through the centuries, focusing particularly on shifting interpretations founded on political interests. He concludes with insights into current issues of federal power and a discussion of the grounds on which legitimate decisions about federal and state power should rest. **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

Encyclopedia of the Fourth Amendment John R. Vile, David L. Hudson, 2012-12-15 This work provides a unique overview for individuals seeking to understand the Fourth Amendment to the U.S. Constitution It covers key concepts events laws and legal doctrines court decisions and litigators and litigants regarding the law of search and seizure

A Companion to Ronald Reagan Andrew L. Johns, 2015-02-10 A COMPANION TO RONALD REAGAN Ronald Reagan's life 1911-2004 spanned some of the most important domestic and international events of the last century Moreover his administration 1981-1989 represents a pivotal point in American history when the pattern of U.S. domestic and foreign policy was fundamentally and permanently changed As perhaps the key political figure in the last quarter of the twentieth century Reagan's legacy continues to exercise significant influence on contemporary politics Providing a systematic and definitive examination of Reagan's life and legacy in its entirety *A Companion to Ronald Reagan* evaluates the events policies politics and people of his administration and assesses the scope and influence of his various careers sportscaster actor political activist governor and political icon within the context of the times Finally it grapples with Reagan's evolving historical and popular legacy in the twenty-first century Providing the most comprehensive coverage of Ronald Reagan his administration and his legacy currently available this unique companion is the definitive resource for undergraduate and graduate students as well as scholars

The Bill of Rights in Modern America David J. Bodenhamer, James W. Ely (Jr.), 2008 An expert guide to current debates on individual rights in America *Judges and Their Audiences* Lawrence Baum, 2009-01-10 What motivates judges as decision makers Political scientist Lawrence Baum offers a new perspective on this crucial question a

perspective based on judges interest in the approval of audiences important to them The conventional scholarly wisdom holds that judges on higher courts seek only to make good law good policy or both In these theories judges are influenced by other people only in limited ways in consequence of their legal and policy goals In contrast Baum argues that the influence of judges audiences is pervasive This influence derives from judges interest in popularity and respect a motivation central to most people Judges care about the regard of audiences because they like that regard in itself not just as a means to other ends Judges and Their Audiences uses research in social psychology to make the case that audiences shape judges choices in substantial ways Drawing on a broad range of scholarship on judicial decision making and an array of empirical evidence the book then analyzes the potential and actual impact of several audiences including the public other branches of government court colleagues the legal profession and judges social peers Engagingly written this book provides a deeper understanding of key issues concerning judicial behavior on which scholars disagree identifies aspects of judicial behavior that diverge from the assumptions of existing models and shows how those models can be strengthened 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

Race and the Politics of Fear J. Noel Hubler,2025-05-16 *Race and the Politics of Fear* is a study of the role of race in American political history It takes a novel approach by using Aristotle s theory of the mixed regime to analyze the American system Aristotle s mixed regime containing elements of oligarchy and democracy was well known to the Founders who used it to design the Constitution Accordingly American political history has unfolded as a struggle between oligarchic and democratic forces Oligarchs have frequently used race to divide the people and maintain power This book traces the oligarchic construction of race from its creation in the Colonial period and through a study of four major figures James Madison helped formulate the Constitution to provide protection for the Southern oligarchies and was a founder of the Democratic Republican party dominated by Southern interests John C Calhoun s theory of the concurrent majority provided a blueprint for the South s political strategy in the Jim Crow era Ben Tillman redefined race primarily as a feeling as an excuse for the South s violent oppression of the black community Ronald Reagan retooled the traditional racist myths and made them palatable to a national audience Readable yet extensively documented it is appropriate for general audiences and scholars **Encyclopedia of American Civil Rights and Liberties** Kara E. Stooksbury,John M. Scheb II,Otis H. Stephens Jr.,2017-09-21 Thoroughly updated and featuring 75 new entries this monumental four volume work illuminates past and

present events associated with civil rights and civil liberties in the United States This revised and expanded four volume encyclopedia is unequalled for both the depth and breadth of its coverage Some 650 entries address the full range of civil rights and liberties in America from the Colonial Era to the present In addition to many updates of material from the first edition the work offers 75 new entries about recent issues and events among them dozens of topics that are the subject of close scrutiny and heated debate in America today There is coverage of controversial issues such as voter ID laws the use of drones transgender issues immigration human rights and government surveillance There is also expanded coverage of women s rights gay rights gay marriage and Native American rights Entries are enhanced by 42 primary documents that have shaped modern understanding of the extent and limitations of civil liberties in the United States including landmark statutes speeches essays court decisions and founding documents of influential civil rights organizations Designed as an up to date reference for students scholars and others interested in the expansive array of topics covered the work will broaden readers understanding of and appreciation for the people and events that secured civil rights guarantees and concepts in this country At the same time it will help readers better grasp the reasoning behind and ramifications of 21st century developments like changing applications of Miranda Rights and government access to private Internet data Maintaining an impartial stance throughout the entries objectively explain the varied perspectives on these hot button issues allowing readers to draw their own conclusions

Courts and Comparative Law Mads Tønnesson Andenæs, Duncan Fairgrieve, 2015 A critical analysis of the use of comparative and foreign law by courts across the globe this book provides an inclusive coherent and practical analysis of comparative reasoning in the forensic process

Richard B. Cheney and the Rise of the Imperial Vice Presidency Bruce P. Montgomery, 2009-02-01 On taking office in 2001 Dick Cheney crowned himself the first imperial vice president in the nation s history transforming a traditionally inconsequential office into a de facto fourth branch of government Taking a less journalistic and personal approach to Cheney than previous biographers this critical new biography shows exactly how Cheney engineered his arrogation of vast executive powers and the dire consequences his power grab has had and will long continue to have for the office of the vice presidency the balance of powers the Constitution geopolitics and America s security strength and prestige Taking advantage of the administration s global war on terrorism a president inexperienced in matters of war and peace and a Republican Congress that rated party power above institutional prerogatives Vice President Cheney moved with astonishing speed and energy to assume a dominant role on the national and international stage as the effective president in proxy of the United States Cheney asserted that all constitutional checks and balances and all individual liberties under the Bill of Rights are subservient to the president s powers as commander in chief in confronting international terrorism Although former administrations had made power grabs in the past in times of national crisis no president and certainly no vice president has ever exerted such sweeping claims of executive power on so many fronts in violation of the bedrock principles of the Constitution

The Bush-Cheney Administration's Assault on Open

Government Bruce P. Montgomery, 2008-02-28 The Bush Cheney administration took office in 2001 determined to assert the preeminent authority of the executive branch and its immunity from congressional oversight and public transparency Within months Congress's Use of Force resolution on the heels of the 9/11 terrorist attacks gave the White House the platform for launching an aggressive and successful campaign to gut the nation's open government laws neuter congressional prerogatives and shroud the presidency in privilege and secrecy With military precision the wartime executive targeted and struck down or flouted all the landmark sunshine laws enacted by Congress over the preceding decades With military precision the wartime executive targeted and struck down or flouted all the landmark sunshine laws enacted by Congress over the preceding decades DT Freedom of Information Act 1966 DT Presidential Records Act 1978 DT Budget and Accounting Act establishing the General Accountability Office 1921 DT Federal Advisory Committee Act 1972 DT Federal Intelligence Surveillance Act 1978 Montgomery who founded the world's largest academic repository of contemporary human rights documents concludes with a summary of the aggregate impact of Bush Cheney's attacks on open and balanced government and their implications for the future of constitutional and human rights in the United States **Congress in**

Context John Haskell, 2018-04-17 The U.S. Congress is by the far the least popular and most misunderstood branch of the federal government Congress in Context demystifies the institution giving students a comprehensive and practical understanding of Congress and the legislative process This book takes a different approach to the study of Congress than other texts Usually Congress is treated in isolation from the rest of the government But the Framers of the Constitution explicitly intended for the branches of government to be interdependent Congress in Context introduces readers to Congress's critical role in the context of this interdependent system Using the metaphor of a board of directors the authors explain the three key roles of Congress within the federal government authorizing what government does funding its activities and supervising how it carries out the laws Congress passes and shows students how Congress interacts with the rest of the government to exercise these powers The thoroughly expanded and revised second edition features brand new chapters on Congress and the courts and Congress and interest groups It also includes expanded coverage of Congress's relationship with the executive branch campaign finance and today's major budget issues Grounded in the latest political science literature coupled with contemporary examples Congress in Context offers students an informed yet accessible introduction to how the legislative branch carries out its duties

The Judge in a Democracy Aharon Barak, 2009-01-10 Whether examining election outcomes the legal status of terrorism suspects or if or how people can be sentenced to death a judge in a modern democracy assumes a role that raises some of the most contentious political issues of our day But do judges even have a role beyond deciding the disputes before them under law What are the criteria for judging the justices who write opinions for the United States Supreme Court or constitutional courts in other democracies These are the questions that one of the world's foremost judges and legal theorists Aharon Barak poses in this book In fluent prose Barak sets forth a powerful

vision of the role of the judge He argues that this role comprises two central elements beyond dispute resolution bridging the gap between the law and society and protecting the constitution and democracy The former involves balancing the need to adapt the law to social change against the need for stability the latter judges ultimate accountability not to public opinion or to politicians but to the internal morality of democracy Barak s vigorous support of purposive interpretation interpreting legal texts for example statutes and constitutions in light of their purpose contrasts sharply with the influential originalism advocated by U S Supreme Court Justice Antonin Scalia As he explores these questions Barak also traces how supreme courts in major democracies have evolved since World War II and he guides us through many of his own decisions to show how he has tried to put these principles into action even under the burden of judging on terrorism

Constitutional Law

Michael C. Dorf, Trevor W. Morrison, 2010 This is a sophisticated introduction to constitutional law and a rich blend of discussion of Supreme Court decisions and theories that drive constitutional debates Analysis of cases illustrates theories of constitutional justice and probing consideration of leading theories illuminates the deeper stakes of disputes and judicial rulings Richard Fallon Ralph S Tyler Jr Professor of Constitutional Law Harvard Law School

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