

# THE REHNQUIST LEGACY



EDITED BY CRAIG BRADLEY

CAMBRIDGE

# Rehnquist Legacy

**Andrew L. Johns**



## **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

**Official Reports of the Supreme Court** United States. Supreme Court, 2006

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      *United States Reports* United States. Supreme Court,2009      **Justices, Presidents, and Senators** Henry J. Abraham,2008 Explains how United States presidents select justices for the Supreme Court evaluates the performance of each justice and examines the influence of politics on their selection      *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      **The Supreme Court** Paul Finkelman,2014-01-15 An insightful chronological by chief justice examination of the Supreme Court that enables students and readers to understand and appreciate the constitutional role the Court plays in American government and society American citizens need to understand the importance of the Supreme Court in determining how our government and society operates regardless of whether or not they agree with the Court s opinions Unfortunately the role and powers of the third branch of government are not well understood by the American public After an introduction and overview to the history of the Supreme Court from 1789 to 2013 this book examines the Court s decisions chronologically by Chief Justice allowing readers to grasp how the role and powers of the Court have developed and shifted over time The chapters depict the Court as the essential agent of review and an integrated part of the government regardless of the majority minority balance on the Court and of which political party is in the White House or controlling the House or Senate      **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      The Supreme Court Peter Charles Hoffer,Williamjames 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

**United States Reports** United States. Supreme Court,1754 [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

**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

*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

*American Government* Cal Jillson, 2019-01-17 How politics in America works today how it got that way and how it s likely to change through reform these are the themes that pervade every chapter of Cal Jillson s highly lauded *American Government Political Development and Institutional Change* Even in the midst of current challenges America s past is present in all aspects of the contemporary political system Jillson uses political development and the dynamics of change as a thematic tool to help students understand how politics works now and how institutions participation and policies have evolved over time to produce the contemporary political environment In addition Jillson helps students think critically about how American democracy might evolve further focusing in every chapter on reform and further change New to the 10th Edition Assesses the characteristics and early results of the Trump administration Covers the 2018 midterm elections and looks ahead to the 2020 presidential race Explores the political and judicial fights over ballot integrity and gerrymandering Examines challenges to civil liberties in the wake of Charlottesville the Muslim ban and NSA warrantless surveillance Discusses the MeToo movement in the context of civil rights Includes important Supreme Court events and decisions including the confirmation of Justice Gorsuch Presents new material on race ethnicity gender and political participation especially in the context of social media Details Republican tax cuts and their likely impact on deficits and debt Discusses the Trump administration s climate change strategy and the December 2017 National Security Strategy of the United States

looking ahead to security challenges in Korea and the Middle East Updates all data in tables and figures through the 2018 midterms Features In a streamlined presentation Jillson delivers a concise and engaging narrative to help students understand the complexities and importance of American politics Along the way several pedagogical features foster critical thinking and analysis Key learning objectives at the beginning of every chapter focus students on the central learning objectives The Constitution Today chapter opening vignettes illustrate the importance of conflicting views on constitutional principles Key terms are defined in the margins on the page where they appear help students study important concepts Colorful figures and charts help students visualize important information Let s Compare boxes analyze how functions of government and political participation work in other countries now framed by new critical thinking questions Reformatted Pro new discussion questions in each box prompt students to weigh the different arguments and weigh in End of chapter summaries suggested readings and web resources help students master the material and guide them to further critical investigation of important concepts and topics

**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

*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

*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



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