



Justice Rehnquist And The Constitution

Derek Davis



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Justice Rehnquist and the Constitution Sue Davis, 2014-07-14 This analysis of the decision making of William H Rehnquist from the beginning of his tenure as an Associate Justice of the United States Supreme Court in 1971 until he was nominated to be Chief Justice in 1986 presents a refreshing new perspective on the Burger Court's most conservative member The common assessment of Rehnquist's career on the Supreme Court is that he has tried to put his own political agenda into effect deciding as he wishes and justifying it later Davis disputes that view through careful insightful analysis of his opinions his votes and his public speeches She argues that Rehnquist does indeed have a judicial philosophy one that has legal positivism at its core By examining the interaction between the facets of that judicial philosophy and Rehnquist's particular ordering of values Davis reveals the coherence of his decision making The author finds that Rehnquist's hierarchy of values gives paramount importance to state autonomy or the new federalism He sees the protection of private property as secondary to the significance of federalism followed finally by the protection of individual rights Originally published in 1989 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905

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The Supreme Court, the Constitution, and William Rehnquist Steven T. Seitz, 2020-07-07 The Founding Fathers wrote the Constitution at a level sufficiently general to guide lawmaking while avoiding great detail This four page document has guided the United States of America for more than two centuries The Supreme Court has parsed the document into clauses which plaintiffs and defendants invoke in cases or controversies before the Court Some like the Interstate Commerce Clause are central to the survival of a government of multiple sovereignties The practice of observing case precedents allows orderly development of the law and consistent direction to the lower courts The Court itself claimed the final power of judicial review despite efforts to the contrary by the executive and legislative branches of the national government and the state supreme courts The Court then limited its own awesome power through a series of self imposed rules of justiciability These rules set the conditions under which the Court may exercise the extraordinary final power of judicial review Some of these self imposed limits are prudential some logical and some inviting periodic revision This book examines the detailed unfolding of several Constitutional clauses and the rules of justiciability For each clause and each rule of justiciability the book begins with the brilliant foundations laid by Chief Justice John Marshall then to the anti Federalist era the Civil War the dominance of laissez faire and social Darwinism the

Great Depression redirection the civil rights era and finally the often hapless efforts of Chief Justice Rehnquist

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.

Encyclopedia of the Supreme Court, Second Edition David Schultz, 2021-09-01 Praise for the previous edition: concise, well-written entries. Schultz's accessible work will be of use to both undergraduates and the general public. Recommended for all academic and public libraries. *Library Journal* achieves the goal of presenting a serious overview of the Supreme Court. Booklist At its reasonable price, this title should be found in every American library, public as well as academic. It should also be purchased by every high school library, no matter how small the school body may be. *American Reference Books Annual* From the structure of the Supreme Court to its proceedings, this comprehensive encyclopedia presents the cornerstone of the American justice system. Featuring more than 600 A to Z entries written by leading academics and lawyers, *Encyclopedia of the Supreme Court, Second Edition* offers a thorough review of critical cases, issues, biographies, and topics important to understanding the Supreme Court. Entries include: Abortion, Capital punishment, *Citizens United v. Federal Election Commission*, Double jeopardy, employment discrimination, Federalism, *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, *Obergefell v. Hodges*, police use of force, public health, and the U.S. Constitution, *Thurgood Marshall*, Title IX, and schools. *United States v. Nixon*, Earl Warren, Wiretapping.

[Political Foundations of Judicial Supremacy](#) Keith E. Whittington, 2007 Publisher Description **All the Laws but One** William H. Rehnquist, 2007-12-18 William H. Rehnquist, Chief Justice of the United States, provides an insightful and fascinating account of the history of civil liberties during wartime and illuminates the cases where presidents have suspended the law in the name of national security. A highly original account of the proper role of the Supreme Court, a role that makes most sense in times of war but that has its

attractions whenever the Court is embroiled in great social controversies The New Republic Abraham Lincoln champion of freedom and the rights of man suspended the writ of habeas corpus early in the Civil War later in the war he also imposed limits upon freedom of speech and the press and demanded that political criminals be tried in military courts During World War II the government forced 100 000 U S residents of Japanese descent including many citizens into detainment camps Through these and other incidents Chief Justice Rehnquist brilliantly probes the issues at stake in the balance between the national interest and personal freedoms With All the Laws but One he significantly enlarges our understanding of how the Supreme Court has interpreted the Constitution during past periods of national crisis and draws guidelines for how it should do so in the future

American Political Leaders, Third Edition Richard Wilson, 2021-10-01 Praise for previous editions accessible this book is an excellent addition to collections serving general readers high schools and undergraduates American Reference Books Annual This readable volume is recommended for high school public and undergraduate libraries Booklist an outstanding reference tool Biographical dictionaries abound in political science as in other fields but Wilson s work is more accessible benefitting from his straightforward approach and simpler organization Highly recommended Choice Recommended Library Media Connection an authoritative and readable guide serves as a helpful resource for high school college and public libraries Christian Library Journal American Political Leaders Third Edition contains 286 biographical profiles of men and women in the United States who have demonstrated their political leadership primarily by being elected nominated or appointed to significant political offices in the United States or by having attained some special prominence associated with political leadership This reference work provides students and general readers with a concise readable guide to present and past leaders in U S politics Included in this book are presidents vice presidents major party candidates for president significant third party candidates important Supreme Court justices Speakers of the U S House of Representatives senators representatives cabinet officers significant agency heads and diplomats Since much of U S political leadership involves the representation of successive waves of new groups within the U S political system special care has been taken to include the contributions of women Native Americans African Americans Hispanic Americans Asian Americans and Americans who represented earlier waves of immigrants to the United States Profiles include John Adams president vice president diplomat Revolutionary leader author Amy Coney Barrett justice of the Supreme Court Pete Buttigieg secretary of transportation candidate for president Andrew Cuomo governor of New York Jefferson Davis secretary of war senator representative president of the Confederate States of America Kamala Harris senator vice president John Lewis civil rights activist representative Gavin Newsom governor of California Barack Obama senator president Sonia Sotomayor associate justice of the Supreme Court Elizabeth Warren senator candidate for president

The Political Question Doctrine and the Supreme Court of the United States Nada Mourtada-Sabbah, Bruce E. Cain, 2007-01-01 Historically the political question doctrine has held the courts from resolving constitutional issues that are better left to other departments of

government as a way of maintaining the system of checks and balances However this book discusses the gradual changes in the parameters of the doctrine including its current position dealing with increasingly extraterritorial concerns The Supreme Court Justices Melvin Urofsky,1994-09-01 First published in 1994 In the two centuries of governance under the Constitution 105 men and two women have sat as justices on the nation s highest tribunal the Supreme Court of the United States Each of them has brought some unique insights or talents to that position Contributors to this volume were asked to concentrate on the judicial tenure of their subjects and to interpret those careers and evaluate their importance They were asked to deal with the pre Court years only insofar as those experiences had a major impact on jurisprudence **The Oxford Guide to the United States Government** John J. Patrick,Richard M. Pious,Donald A. Ritchie,2001-07-04 The Oxford Guide to the United States Government is the ultimate resource for authoritative information on the U S Presidency Congress and Supreme Court Compiled by three top scholars its pages brim with the key figures events and structures that have animated U S government for more than 200 years In addition to coverage of the 2000 Presidential race and election this Guide features biographies of all the Presidents Vice Presidents and Supreme Court Justices as well as notable members of Congress including current leadership historical commentary on past elections major Presidential decisions international and domestic programs and the key advisors and agencies of the executive branch in depth analysis of Congressional leadership and committees agencies and staff and historic legislation and detailed discussions of 100 landmark Supreme Court cases and the major issues facing the Court today In addition to entries that define legal terms and phrases and others that elaborate on the wide array of government traditions this invaluable book includes extensive back matter including tables of Presidential election results lists of Presidents Vice Presidents Congresses and Supreme Court Justices with dates of service lists of Presidential museums libraries and historic sites relevant websites and information on visiting the White House the Capitol and Supreme Court buildings A one stop comprehensive guide that will assist students educators and anyone curious about the inner workings of government The Oxford Guide to the United States Government will be a valued addition to any home library 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 **Scalia** Bruce Allen Murphy,2015-06-30 A deeply researched portrait of the controversial Supreme Court justice covers his career achievements his appointment in 1986 and his resolve to support agendas from an ethical rather than political perspective Mr. Justice Rehnquist, Judicial Activist Donald Edward Boles,1987 In this first volume of a several volume study Boles examines Chief Justice Rehnquist s philosophical stance prior to his appointment as Associate Justice of the U S Supreme Court 1972 Rehnquist has consistently attempted to implement his early values on the Court Boles shows how those attitudes have been reflected in the Justice s controversial opinions He calls Rehnquist a judicial activist who circumscribes the Court s role when ruling on elected official s decisions and who justifies when

possible state autonomy in conflicts between government and the individual He depicts Rehnquist as central to the ideological controversy concerning the Constitution's interpretation It is a timely presentation Steven Puro Political Science Dept St Louis Univ Library Journal **Original Intent** Derek Davis, 1991 No Marketing Blurb *A Constitutional Analysis of Magistrate Judge Authority* United States. Administrative Office of the United States Courts, United States. Administrative Office of the United States Courts. Magistrate Judges Division, 1993 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 The Burger Court Charles M. Lamb, Stephen C. Halpern, 1991 This volume offers valuable insights into the thirteen justices who served on the Supreme Court while Warren E Burger was chief justice from 1969 to 1986 Each chapter focuses on one of the thirteen beginning with a brief introduction and biographical sketch and then analyzing the individual justice's contributions to major areas and issues of constitutional law American Constitutional Law Donald P. Kommers, John E. Finn, Gary J. Jacobsohn, 2004 Designed for an undergraduate course in US constitutional law the casebook takes a liberal arts approach tracing constitutional doctrine and policy back to their foundation in social moral and political theory and prompting students to engage the great questions of political life addressed by the Constitution and its interpretation Opinions of the US Supreme Court constitute the core of the documents The first edition was published in 1998 the second adds and updates topics Annotation 2004 Book News Inc Portland OR booknews.com

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