

The Supreme Court An Essential History

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The Chief

Through its interpretations of the Constitution and Bill of Rights

The Hidden History of the Supreme Court and the Betrayal of America

Thom Hartmann, the most popular progressive radio host in America and a New York Times bestselling author, explains how the Supreme Court has spilled beyond its Constitutional powers and how we the people should take that power back. Taking his typically in-depth, historically informed view, Thom Hartmann asks, What if the Supreme Court didn't have the power to strike down laws? According to the Constitution, it doesn't. From the founding of the republic until 1803, the Supreme Court was the final court of appeals, as it was always meant to be. So where did the concept of judicial review start? As so much of modern American history, it began with the battle between the Federalists and Anti-Federalists, and with Marbury v. Madison. Hartmann argues it is not the role of the Supreme Court to decide what the law is but rather the duty of the people themselves. He lays out the history of the Supreme Court of the United States, since Alexander Hamilton's defense to modern-day debates, with key examples of cases where the Supreme Court overstepped its constitutional powers. The ultimate remedy to the Supreme Court's abuse of power is with the people--the ultimate arbiter of the law--using the ballot box. America does not belong to the kings and queens; it belongs to the

people.

Supreme Court Decisions

Here are the landmark decisions that have shaped American life, described by some of America's most eminent legal scholars. The new edition contains more than 450 entries on major cases, including 53 new entries on the latest landmark rulings. This outstanding guide serves as an excellent introduction to the work of the Court from the late eighteenth century to the present day.

Strange Justice

"A stunning work of history."—Doris Kearns Goodwin, author of *No Ordinary Time* and *Team of Rivals* Beginning in 1935, the Supreme Court's conservative majority left much of FDR's agenda in ruins. The pillars of the New Deal fell in short succession. It was not just the New Deal but democracy itself that stood on trial. In February 1937, Roosevelt struck back with an audacious plan to expand the Court to fifteen justices—and to "pack" the new seats with liberals who shared his belief in a "living" Constitution.

Supreme Court Practice

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Best Book of 2020, National Law Journal The inspiring and previously untold history of the women considered—but not selected—for the US Supreme Court In 1981, Sandra Day O'Connor became the first female justice on the United States Supreme Court after centuries of male appointments, a watershed moment in the long struggle for gender equality. Yet few know about the remarkable women considered in the decades before her triumph. Shortlisted tells the overlooked stories of nine extraordinary women—a cohort large enough to seat the entire Supreme Court—who appeared on presidential lists dating back to the 1930s. Florence Allen, the first female judge on the highest court in Ohio, was named repeatedly in those early years. Eight more followed, including Amalya Kearse, a federal appellate judge who was the first African American woman viewed as a potential Supreme Court nominee. Award-winning scholars Renee Knake Jefferson and Hannah Brenner Johnson cleverly weave together long-forgotten materials from presidential libraries and private archives to reveal the professional and personal lives of these accomplished women. In addition to filling a notable historical gap, the book exposes the tragedy of the shortlist. Listing and bypassing qualified female candidates creates a false appearance of diversity that preserves the status quo, a fate all too familiar for women, especially minorities. Shortlisted offers a roadmap to combat enduring bias and discrimination. It is a must-read for those seeking positions of power as well as for the powerful who select them in the legal profession and beyond.

The Oxford Companion to the Supreme Court of the United States

Examines the five closely integrated components which make up the Constitution's fundamental law to show how the components more often than not work together, assisting, explaining and reinforcing one another.. Constitutional politics is the continued search for equilibrium between the grants of power and the limits placed on that power. Essential

Federal Courts

The second edition of this authoritative guide on the impact of the Supreme Court's decisions on American society includes updated entries on key cases over the past thirteen years, as well as a fully revised treatment of areas of constitutional law.

The Modern Supreme Court

Compared to the vast machinery surrounding Congress and the president, the Supreme Court is a tiny institution that can resolve only a small fraction of the constitutional issues that arise in any given year. Andrew Coan shows that this simple yet frequently ignored fact is essential to understanding how the Supreme

Court makes constitutional law.

American Original

The brutal confirmation battles we saw over Supreme Court Justices Neil Gorsuch and Brett Kavanaugh are symptoms of a larger problem with our third branch of government, a problem that began long before Kavanaugh, Merrick Garland, Clarence Thomas, or even Robert Bork: the courts' own self-corruption, aiding and abetting the expansion of federal power. Ilya Shapiro, director of the Cato Institute's Center for Constitutional Studies, takes readers inside the unknown history of fiercely partisan judicial nominations and explores reform proposals that could return the Supreme Court to its proper constitutional role. Confirmation battles over justices will only become more toxic and unhinged as long as the Court continues to ratify the excesses of the other two branches of government and the parties that control them. Only when the Court begins to rebalance constitutional order, curb administrative overreach, and return power back to the states will the bitter partisan war to control the judiciary finally end.

The Essential Scalia

The Essential Holmes

A definitive history of the U.S. Supreme Court details the evolution of the legal institution from the early days of the American Republic to the present day, offering profiles of the justices, the Court's years under each Chief Justice, its influence on American life, and the issues, cases, and decisions they handled from the perspective of the time in which they came before the Court.

TIME The Constitution

Federal Courts: Cases and Materials, Second Edition by Jonathan R. Siegel provides rich, sophisticated coverage with a clean, uncluttered presentation. Students learn from thoughtfully selected cases, carefully curated notes, and engaging discussion problems. Excellent case editing reduces cases to readable length while preserving their essential facts and arguments. Adopters have strongly praised the book and the teaching materials. New materials in the Second Edition include: Recent developments in standing doctrine A landmark new case about Bivens action New cases on adjudication by non-Article III tribunals Other updates throughout the book Professors and students will benefit from: Thoughtfully selected cases Notes that enhance understanding without being too dense Excellent case editing Engaging Discussion Problems

Creating the Law

The Council, with help from the US Department of Education, held the Millennium Convention in Washington, DC in September 2000. It gathered educators, researchers, and policy makers at the national, state, and local levels to assess success and failure in educating minority and disadvantaged students since the Brown vs, Board of Education decision nearly a half century before, report on research into the causes of the successes and failures, and review strategies and practices that hold promise for continuing improvements. There is no index. Annotation copyrighted by Book News, Inc., Portland, OR.

The Second Founding: How the Civil War and Reconstruction Remade the Constitution

In the past century, Asian nations have experienced a wave of democratisation as countries in the region have gained independence or transitioned from authoritarian military rule towards more participatory politics. At the same time, there has been an expansion of judicial power in Asia, whereby new courts or empowered old ones emerge as independent constraints on governmental authority. This is the first book to assess the judicial review of elections in Asia. It provides important insights into how Asian courts can strategically engage with the

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political actors in their jurisdictions and contribute to a country's democratic discourse. Each chapter in the book sheds light on the judicial review of elections and the electoral process in a specific Asian jurisdiction, including Common Law Asia, namely Hong Kong, India, Malaysia, and Singapore, as well as jurisdictions in Civil Law Asia, namely Indonesia, Japan, the Republic of Korea, Taiwan, and Thailand. It fills a gap in the literature by addressing a central challenge to democratic governance, namely the problem of partisan self-dealing in the electoral processes. By exploring the constantly evolving role of the courts in addressing pivotal constitutional questions, this book will be of interest to students and scholars of Asian Law, Governance and Politics.

The Supreme Court's Role in Mass Incarceration

Examining the constitutional and legal foundations of the place of religion in India, Articles of Faith studies the relationship between religion and state. It closely analyses the decisions of the Supreme Court from the 1950s on Articles 25–30 of the Indian Constitution, as well as other relevant laws and constitutional provisions. The book discusses the Supreme Court's interpretation of the constitutional right to freedom of religion and its influence on the discourse of secularism and nationalism. While examining the role of the Court in defining and demarcating religion as well as religious freedom, practices, and organizations, this volume also highlights important issues such as interpretative traditions and legal doctrines

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developed by the judiciary over the years. This new edition has an expanded and revised introduction, which looks at the new literature on secularism and religious jurisprudence, both in India and other secular democracies. It also includes an afterword, which examines recent landmark judgments on religion by the Supreme Court of India, such as the one on triple talaq.

Illustrated Great Decisions of the Supreme Court

In this book, Stephen Shulhofer explores the changes wrought by the new surveillance regime through the lens of the Fourth Amendment's meaning and history. companies and the state use to scrutinize us, this book makes a powerful case for the importance of the Fourth Amendment in protecting both privacy rights and civil liberties in our surveillance age.

The Supreme Court

When the first Supreme Court convened in 1790, it was so ill-esteemed that its justices frequently resigned in favor of other pursuits. John Rutledge stepped down as Associate Justice to become a state judge in South Carolina; John Jay resigned as Chief Justice to run for Governor of New York; and Alexander Hamilton declined to replace Jay, pursuing a private law practice instead. As Bernard Schwartz shows

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in this landmark history, the Supreme Court has indeed travelled a long and interesting journey to its current preeminent place in American life. In *A History of the Supreme Court*, Schwartz provides the finest, most comprehensive one-volume narrative ever published of our highest court. With impeccable scholarship and a clear, engaging style, he tells the story of the justices and their jurisprudence--and the influence the Court has had on American politics and society. With a keen ability to explain complex legal issues for the nonspecialist, he takes us through both the great and the undistinguished Courts of our nation's history. He provides insight into our foremost justices, such as John Marshall (who established judicial review in *Marbury v. Madison*, an outstanding display of political calculation as well as fine jurisprudence), Roger Taney (whose legacy has been overshadowed by *Dred Scott v. Sanford*), Oliver Wendell Holmes, Louis Brandeis, Benjamin Cardozo, and others. He draws on evidence such as personal letters and interviews to show how the court has worked, weaving narrative details into deft discussions of the developments in constitutional law. Schwartz also examines the operations of the court: until 1935, it met in a small room under the Senate--so cramped that the judges had to put on their robes in full view of the spectators. But when the new building was finally opened, one justice called it "almost bombastically pretentious," and another asked, "What are we supposed to do, ride in on nine elephants?" He includes fascinating asides, on the debate in the first Court, for instance, over the use of English-style wigs and gowns (the decision: gowns, no wigs); and on the day Oliver Wendell Holmes announced his resignation--the same

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day that Earl Warren, as a California District Attorney, argued his first case before the Court. The author brings the story right up to the present day, offering balanced analyses of the pivotal Warren Court and the Rehnquist Court through 1992 (including, of course, the arrival of Clarence Thomas). In addition, he includes four special chapters on watershed cases: *Dred Scott v. Sanford*, *Lochner v. New York*, *Brown v. Board of Education*, and *Roe v. Wade*. Schwartz not only analyzes the impact of each of these epoch-making cases, he takes us behind the scenes, drawing on all available evidence to show how the justices debated the cases and how they settled on their opinions. Bernard Schwartz is one of the most highly regarded scholars of the Supreme Court, author of dozens of books on the law, and winner of the American Bar Association's Silver Gavel Award. In this remarkable account, he provides the definitive one-volume account of our nation's highest court.

The Essential Wisdom of the Supreme Court

An incisive biography of the Supreme Court's enigmatic Chief Justice, taking us inside the momentous legal decisions of his tenure so far. John Roberts was named to the Supreme Court in 2005 claiming he would act as a neutral umpire in deciding cases. His critics argue he has been anything but, pointing to his conservative victories on voting rights and campaign finance. Yet he broke from orthodoxy in his decision to preserve Obamacare. How are we to understand the

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motives of the most powerful judge in the land? In *The Chief*, award-winning journalist Joan Biskupic contends that Roberts is torn between two, often divergent, priorities: to carry out a conservative agenda, and to protect the Court's image and his place in history. Biskupic shows how Roberts's dual commitments have fostered distrust among his colleagues, with major consequences for the law. Trenchant and authoritative, *The Chief* reveals the making of a justice and the drama on this nation's highest court.

The Case Against the Supreme Court

Americans have debated the Constitution since the day it was signed, but rarely in its 223-year history have so many disagreed so fiercely about so much. Everywhere there seems to be a debate about the Constitution's meaning and message. The Tea Party, with its almost fanatical focus on the founding documents, contends that its primary purpose is to restrain the federal government—but does it really say that? Among scholars, some believe the Constitution should be interpreted exactly as the framers wrote it, while others analyze the text just as closely to find the elasticity they believe the framers had in mind. But how could the founding fathers know about the world today, with DNA, sexting, airplanes, TV, Medicare, computers and Lady Gaga? In this probing and accessible book, *TIME*'s editors bring the founding document to life, showing how it was written in a spirit of change and revolution and turbulence. With an introduction by one of America's

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top jurists, an essay by TIME managing editor Richard Stengel (former president of the National Constitution Center), and the full text of the 8,000-word Constitution annotated to show its most controversial passages and little-known quirks, TIME's compact volume will be an indispensable guide for the well-informed citizen.

Judicial Review of Elections in Asia

Article I : the legislative branch -- Article II : the executive branch -- Articles I and II : distinct, yet overlapping powers -- Article III : the judicial branch -- Articles IV and VI : federalism -- Articles V and VII : constitutional amending process and ratification of the Constitution -- Property rights -- The Bill of Rights and its application to the states -- First Amendment : religious rights -- First Amendment : political rights -- Second, Third, and Fourth Amendments -- Fifth, Sixth, Seventh, and Eighth Amendments -- Ninth Amendment : right to privacy, and other unenumerated rights -- Thirteenth and Fourteenth Amendments -- Voting rights

Shortlisted

First published in 1954, this indispensable reference quickly became the gold standard for concise summaries of important U.S. Supreme Court cases. The only reference guide to Supreme Court cases organized both topically and

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chronologically within chapters so that readers understand how cases fit into a historical context, the 15th edition has been extensively revised to ensure that it remains the most up-to-date resource available. An essential resource for law students, lawyers, and everyone interested in our nation's Constitution and the Supreme Court decisions that explicate it.

A History of the Supreme Court

Throughout American history, legal battles concerning the First Amendment's protection of religious liberty have been among the most contentious issue of the rights guaranteed by the United States Constitution. *Religious Liberty and the American Supreme Court: The Essential Cases and Documents* represents the most authoritative and up-to-date overview of the landmark cases that have defined religious freedom in America. Noted religious liberty expert Vincent Philip Munoz (Notre Dame) provides carefully edited excerpts from over fifty of the most important Supreme Court religious liberty cases. In addition, Munoz's substantive introduction offers an overview on the constitutional history of religious liberty in America. Introductory headnotes to each case provides the constitutional and historical context. *Religious Liberty and the American Constitution* is an indispensable resource for anyone interested matters of religious freedom from the Republic's earliest days to current debates.

Supreme Disorder

This work has been selected by scholars as being culturally important and is part of the knowledge base of civilization as we know it. This work is in the public domain in the United States of America, and possibly other nations. Within the United States, you may freely copy and distribute this work, as no entity (individual or corporate) has a copyright on the body of the work. Scholars believe, and we concur, that this work is important enough to be preserved, reproduced, and made generally available to the public. To ensure a quality reading experience, this work has been proofread and republished using a format that seamlessly blends the original graphical elements with text in an easy-to-read typeface. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant.

Landmark Supreme Court Cases

The first full-scale biography of the Supreme Court's most provocative—and influential—justice If the U.S. Supreme Court teaches us anything, it is that almost everything is open to interpretation. Almost. But what's inarguable is that, while the Court has witnessed a succession of larger-than-life jurists in its two-hundred-year-plus history, it has never seen the likes of Supreme Court Justice Antonin

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Scalia. Combative yet captivating, infuriating yet charming, the outspoken jurist remains a source of curiosity to observers across the political spectrum and on both sides of the ideological divide. And after nearly a quarter century on the bench, Scalia may be at the apex of his power. Agree with him or not, Scalia is "the justice who has had the most important impact over the years on how we think and talk about the law," as the Harvard law dean Elena Kagan, now U.S. Solicitor General, once put it. Scalia electrifies audiences: to hear him speak is to remember him; to read his writing is to find his phrases permanently affixed in one's mind. But for all his public grandstanding, Scalia has managed to elude biographers—until now. In *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia*, the veteran Washington journalist Joan Biskupic presents for the first time a detailed portrait of this complicated figure and provides a comprehensive narrative that will engage Scalia's adherents and critics alike. Drawing on her long tenure covering the Court, and on unprecedented access to the justice, Biskupic delves into the circumstances of his rise and the formation of his rigorous approach to the bench. Beginning with the influence of Scalia's childhood in a first-generation Italian American home, *American Original* takes us through his formative years, his role in the Nixon-Ford administrations, and his trajectory through the Reagan revolution. Biskupic's careful reporting culminates with the tumult of the contemporary Supreme Court—where it was and where it's going, with Scalia helping to lead the charge. Even as Democrats control the current executive and legislative branches, the judicial branch remains rooted

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in conservatism. President Obama will likely appoint several new justices to the Court—but it could be years before those appointees change the tenor of the law. With his keen mind, authoritarian bent, and contentious rhetorical style, Scalia is a distinct and persuasive presence, and his tenure is far from over. This new book shows us the man in power: his world, his journey, and the far-reaching consequences of the transformed legal landscape.

Summaries of Leading Cases on the Constitution

There are moments in American history when all eyes are focused on a federal court: when its bench speaks for millions of Americans, and when its decision changes the course of history. More often, the story of the federal judiciary is simply a tale of hard work: of finding order in the chaotic system of state and federal law, local custom, and contentious lawyering. *The Federal Courts* is a story of all of these courts and the judges and justices who served on them, of the case law they made, and of the acts of Congress and the administrative organs that shaped the courts. But, even more importantly, this is a story of the courts' development and their vital part in America's history. Peter Charles Hoffer, William James Hull Hoffer, and N. E. H. Hull's retelling of that history is framed the three key features that shape the federal courts' narrative: the separation of powers; the federal system, in which both the national and state governments are sovereign; and the widest circle: the democratic-republican framework of American

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self-government. The federal judiciary is not elective and its principal judges serve during good behavior rather than at the pleasure of Congress, the President, or the electorate. But the independence that lifetime tenure theoretically confers did not and does not isolate the judiciary from political currents, partisan quarrels, and public opinion. Many vital political issues came to the federal courts, and the courts' decisions in turn shaped American politics. The federal courts, while the least democratic branch in theory, have proved in some ways and at various times to be the most democratic: open to ordinary people seeking redress, for example. Litigation in the federal courts reflects the changing aspirations and values of America's many peoples. The Federal Courts is an essential account of the branch that provides what Massachusetts Supreme Judicial Court Judge Oliver Wendell Homes Jr. called "a magic mirror, wherein we see reflected our own lives."

Essentials Of The American Constitution

Examines landmark Supreme Court decisions, including United States v. Nixon, Plessy v. Ferguson, and Brown v. Board of Education of Topeka.

The Federal Courts

A comprehensive history of the people and cases that have changed history, this is

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the definitive account of the nation's highest court Recent changes in the Supreme Court have placed the venerable institution at the forefront of current affairs, making this comprehensive and engaging work as timely as ever. In the tradition of Howard Zinn's classic *A People's History of the United States*, Peter Irons chronicles the decisions that have influenced virtually every aspect of our society, from the debates over judicial power to controversial rulings in the past regarding slavery, racial segregation, and abortion, as well as more current cases about school prayer, the Bush/Gore election results, and "enemy combatants." To understand key issues facing the supreme court and the current battle for the court's ideological makeup, there is no better guide than Peter Irons. This revised and updated edition includes a foreword by Howard Zinn. "A sophisticated narrative history of the Supreme Court . . . [Irons] breathes abundant life into old documents and reminds readers that today's fiercest arguments about rights are the continuation of the endless American conversation." -*Publisher's Weekly* (starred review)

Rebooting Justice

Oliver Wendell Holmes, Jr., has been called the greatest jurist and legal scholar in the history of the English-speaking world. In this collection of his speeches, opinions, and letters, Richard Posner reveals the fullness of Holmes' achievements as judge, historian, philosopher, and master of English style. Thematically

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arranged, the volume covers a rich variety of subjects from aging and death to themes in politics, personalities, and law. Posner's substantial introduction firmly places this wealth of material in its proper biographical and historical context. "A first-rate prose stylist, [Holmes] was perhaps the most quotable of all judges, as this ably edited volume shows."—Washington Post Book World "Brilliantly edited, lucidly organized, and equipped with a compelling introduction by Judge Posner, [this book] is one of the finest single-volume samplers of any author's work I have seen. . . . Posner has fully captured the acrid tang of him in this masterly anthology."—Terry Teachout, National Review "Excellent. . . . A worthwhile contribution to current American political/legal discussions."—Library Journal "The best source for the reader who wants a first serious acquaintance with Holmes."—Thomas C. Grey, New York Review of Books

More Essential Than Ever

America is a nation founded on justice and the rule of law. But our laws are too complex, and legal advice too expensive, for poor and even middle-class Americans to get help and vindicate their rights. Criminal defendants facing jail time may receive an appointed lawyer who is juggling hundreds of cases and immediately urges them to plead guilty. Civil litigants are even worse off; usually, they get no help at all navigating the maze of technical procedures and rules. The same is true of those seeking legal advice, like planning a will or negotiating an

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employment contract. Rebooting Justice presents a novel response to longstanding problems. The answer is to use technology and procedural innovation to simplify and change the process itself. In the civil and criminal courts where ordinary Americans appear the most, we should streamline complex procedures and assume that parties will not have a lawyer, rather than the other way around. We need a cheaper, simpler, faster justice system to control costs. We cannot untie the Gordian knot by adding more strands of rope; we need to cut it, to simplify it.

The Oxford Guide to United States Supreme Court Decisions

From the Pulitzer Prize-winning scholar, a timely history of the constitutional changes that built equality into the nation's foundation and how those guarantees have been shaken over time. The Declaration of Independence announced equality as an American ideal, but it took the Civil War and the subsequent adoption of three constitutional amendments to establish that ideal as American law. The Reconstruction amendments abolished slavery, guaranteed all persons due process and equal protection of the law, and equipped black men with the right to vote. They established the principle of birthright citizenship and guaranteed the privileges and immunities of all citizens. The federal government, not the states, was charged with enforcement, reversing the priority of the original Constitution and the Bill of Rights. In grafting the principle of equality onto the Constitution, these revolutionary changes marked the second founding of the United States. Eric

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Foner's compact, insightful history traces the arc of these pivotal amendments from their dramatic origins in pre-Civil War mass meetings of African-American "colored citizens" and in Republican party politics to their virtual nullification in the late nineteenth century. A series of momentous decisions by the Supreme Court narrowed the rights guaranteed in the amendments, while the states actively undermined them. The Jim Crow system was the result. Again today there are serious political challenges to birthright citizenship, voting rights, due process, and equal protection of the law. Like all great works of history, this one informs our understanding of the present as well as the past: knowledge and vigilance are always necessary to secure our basic rights.

Supreme Power: Franklin Roosevelt vs. the Supreme Court

This multimedia platform combines a book and video series that will change the way you study constitutional law. An Introduction to Constitutional Law teaches the narrative of constitutional law as it has developed over the past two centuries. All students—even those unfamiliar with American history—will learn the essential background information to grasp how this body of law has come to be what it is today. An online library of sixty-three videos (access codes provided with purchase of the book) brings the Supreme Court's one hundred most important decisions to life. These videos are enriched by photographs, maps, and even audio from the Supreme Court. The book and videos are accessible for all levels: law school,

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college, high school, home school, and independent study. Students can read and watch these materials before class to prepare for lectures or study after class to fill in any gaps in their notes. And, come exam time, students can watch the entire canon of constitutional law in about twelve hours.

The Cambridge Rawls Lexicon

The Supreme Court's Role in Mass Incarceration illuminates the role of the United States Supreme Court's criminal procedure revolution as a contributing factor to the rise in U.S. incarceration rates. Noting that the increase in mass incarceration began climbing just after the Warren Court years and continued to climb for the next four decades—despite the substantial decline in the crime rate—the author posits that part of the explanation is the Court's failure to understand that a trial system with robust rights for defendants is not a strong trial system unless it is also reliable and efficient. There have been many explanations offered for the sudden and steep escalation in the U.S. incarceration rate, such as "it was the war on drugs" to "it was our harsh sentencing statutes." Those explanations have been shown to be inadequate. This book contends that we have overlooked a more powerful force in the rise of our incarceration rate—the long line of Supreme Court decisions, starting in the Warren Court era, that made the criminal justice system so complicated and expensive that it no longer serves to protect defendants. For the vast majority of defendants, their constitutional rights are irrelevant, as they

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are forced to accept plea bargains or face the prospect of a comparatively harsh sentence, if convicted. The prospect of a trial, once an important restraint on prosecutors in charging, has disappeared and plea-bargaining rules. This book is essential reading for both graduate and undergraduate students in corrections and criminal justice courses as well as judges, attorneys, and others working in the criminal justice system.

Articles of Faith

"Millions of Americans are concerned about the current state of our politics. In these turbulent times, we can look to past and current Supreme Court justices for a measure of guidance, fortitude, and inspiration. In this carefully curated collection, Carol Kelly-Gangi gathers together hundreds of quotations from the justices who have exerted the most influence over the Court. These selections are drawn from legal opinions as well as speeches, interviews, statement, essays, books, and other writings. They are arranged thematically Their words offer an enlightening, engaging view of the foremost authorities on the law of the land and their wise counsel." --Adapted from the inside of book jacket.

Achieving High Educational Standards for All

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Both historically and in the present, the Supreme Court has largely been a failure. In this devastating book, Erwin Chemerinsky—“one of the shining lights of legal academia” (The New York Times)—shows how, case by case, for over two centuries, the hallowed Court has been far more likely to uphold government abuses of power than to stop them. Drawing on a wealth of rulings, some famous, others little known, he reviews the Supreme Court's historic failures in key areas, including the refusal to protect minorities, the upholding of gender discrimination, and the neglect of the Constitution in times of crisis, from World War I through 9/11. No one is better suited to make this case than Chemerinsky. He has studied, taught, and practiced constitutional law for thirty years and has argued before the Supreme Court. With passion and eloquence, Chemerinsky advocates reforms that could make the system work better, and he challenges us to think more critically about the nature of the Court and the fallible men and women who sit on it.

A People's History of the Supreme Court

John Rawls is widely regarded as one of the most influential philosophers of the twentieth century, and his work has permanently shaped the nature and terms of moral and political philosophy, deploying a robust and specialized vocabulary that reaches beyond philosophy to political science, economics, sociology, and law. This volume is a complete and accessible guide to Rawls' vocabulary, with over 200 alphabetical encyclopaedic entries written by the world's leading Rawls scholars.

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From 'basic structure' to 'burdened society', from 'Sidgwick' to 'strains of commitment', and from 'Nash point' to 'natural duties', the volume covers the entirety of Rawls' central ideas and terminology, with illuminating detail and careful cross-referencing. It will be an essential resource for students and scholars of Rawls, as well as for other readers in political philosophy, ethics, political science, sociology, international relations and law.

Essential Supreme Court Decisions

Acclaimed by researchers, students, and general readers, this informative, lively, and easy-to-use volume fills the public need for information about key recent and historical cases before the U.S. Supreme Court. Now significantly updated, this new edition includes all the new major cases-over twenty five in total-handed down by the Court since the first edition was published in 2000. The new entries include many high-profile cases that have stirred public controversy, including: *Boy Scouts of America v. Dale* (2000), granting the right to exclude homosexuals from leadership positions in the Boy Scouts; *Bush v. Gore* (2000), ceasing ballot recounts in the 2000 presidential election; *PGA Tour v. Martin* (2001), obliging the PGA to accommodate a disabled golfer; *Lawrence v. Texas* (2003), stating that a law criminalizing same-sex sodomy violates due process; *Gratz/Grutter v. Bollinger* (2003), stating that an affirmative action program to achieve diversity in universities may or may not violate the equal protection clause, depending on how

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it's implemented. In each of the over 100 cases summarized, author Tony Mauro succinctly describes the decision, provides background and facts of the case, the vote and highlights of the decision with verbatim excerpts, and, in conclusion, discusses the long-term impact of the decision on United States citizens and U.S. society. Topic search aids let readers easily trace the evolution and impact of rulings in particular issue areas. Added features also enhance the volume, including many new portraits, political cartoons, and drawings, a comprehensive bibliography and an easy-to-access case/subject index. A perfect starting point for research on Supreme Court decisions, this newly updated volume is an essential addition to every public, high school, and college library.

Essential Supreme Court Decisions

Now a New York Times Best Seller and a National Book Award finalist. Charged with racial, sexual, and political overtones, the confirmation of Clarence Thomas as a Supreme Court justice was one of the most divisive spectacles the country has ever seen. Anita Hill's accusation of sexual harassment by Thomas, and the attacks on her that were part of his high-placed supporters' rebuttal, both shocked the nation and split it into two camps. One believed Hill was lying, the other believed that the man who ultimately took his place on the Supreme Court had committed perjury. In this brilliant, often shocking book, Jane Mayer and Jill Abramson, two of the nation's top investigative journalists examine all aspects of this controversial

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case. They interview witnesses that the Judiciary Committee chose not to call, and present documents never before made public. They detail the personal and professional pasts of both Clarence Thomas and Anita Hill and lay bare a campaign of lobbying, public relations, and character assassination fueled by conservative power at its most desperate. A gripping high-stakes drama, *Strange Justice* is not only a definitive account of the Clarence Thomas nomination hearings, but is also a classic casebook of how the Washington game is played by those for whom winning is everything.

Religious Liberty and the American Supreme Court

Written opinions are the primary means by which judges communicate with external actors. These sentiments include the parties to the case itself, but also more broadly journalists, public officials, lawyers, other judges, and increasingly, the mass public. In *Creating the Law*, Michael K. Romano and Todd A. Curry examine the extent to which judges tailor their language in order to avoid retribution during their retention, and how institutional variations involving intra-chamber dynamics may influence the written word of a legal opinion. Using an extensive dataset that includes the text of all death penalty and education decisions issued by state supreme courts from 1995–2010, Romano and Curry are the first to examine the connection between retention incentives and language choices. They utilize text analysis techniques developed in the field of

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communications and apply them to the text of judicial decisions. In doing so, they find that judges write with their audience in mind, and emphasize duelling strategies of justification and persuasion in order to please diverse audiences that may be paying attention. Furthermore, the process of drafting a majority opinion is a team exercise, and when more individuals are involved in its crafting, the product will reflect this complexity. This book gives students the tools for understanding how institutional variation affects judicial outcomes and shows how language relates to decision-making in the judiciary more specifically.

An Introduction to Constitutional Law

Rationing the Constitution

Supreme Court Justice Antonin Scalia in his own words: the definitive collection of his opinions, speeches, and articles on the most essential and vexing legal questions, with an intimate foreword by Justice Elena Kagan A justice on the United States Supreme Court for three decades, Antonin Scalia transformed the way that judges, lawyers, and citizens think about the law. The Essential Scalia presents Justice Scalia on his own terms, allowing readers to understand the reasoning and insights that made him one of the most consequential jurists in American history.

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Known for his forceful intellect and remarkable wit, Scalia mastered the art of writing in a way that both educated and entertained. This comprehensive collection draws from the best of Scalia's opinions, essays, speeches, and testimony to paint a complete and nuanced portrait of his jurisprudence. This compendium addresses the hot-button issues of the times, from abortion and the right to bear arms to marriage, free speech, religious liberty, and so much more. It also presents the justice's wise insights on perennial debates over the structure of government created by our Constitution and the proper methods for interpreting our laws. Brilliant and passionately argued, *The Essential Scalia* is an indispensable resource for anyone who wants to understand our Constitution, the American legal system, and one of our nation's most influential and highly regarded jurists and thinkers.

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