

The Burger Court: The Counter-Revolution That Wasn't

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The Burger Court The Counter Revolution That Wasnt

Vincent Blasi



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The Burger Court Vincent Blasi, 1983 Essays evaluate the decisions made by the Supreme Court concerning freedom of the press freedom of speech court practices discrimination labor law antitrust actions and the rights of the poor 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 **The Burger Court** the late Bernard Schwartz, 1998-09-10 Warren E Burger served as Chief Justice of the Supreme Court from 1969 to 1987 an often tumultuous period in which the Court wrestled with several compelling constitutional issues United States v Nixon set the stage for the resignation of a President Roe v Wade created a nationwide debate that is as divisive today as ever before Lemon v Kurtzman attempted to enunciate a clear standard for vexing church state issues and the Pentagon Papers case was a landmark freedom of the press decision An impressive collection of writings by legal scholars and practitioners including many by people who worked directly or indirectly with the Court itself The Burger Court is the first truly systematic review of the Court's activity during Warren Burger's tenure Such distinguished contributors as Derrick Bell Robert Drinan Anthony Lewis and Mark Tushnet review individual cases and jurisprudential trends in order to render comprehensive judgments of the Court's accomplishments and shortcomings The essays in this volume were gathered by the late Bernard Schwartz one of America's most revered scholars of constitutional law and the editor of this book's well received predecessor The Warren Court A Retrospective OUP 1996 As the finest overview to date of this Court's legacy and significance The Burger Court will greatly interest anyone with a taste for constitutional issues or recent American history *The Burger Court and the Rise of the Judicial Right* Michael J. Graetz, Linda Greenhouse, 2017-06-06 The magnitude of the Burger Court has been underestimated by historians When Richard Nixon ran for president in 1968 Impeach Earl Warren billboards dotted the landscape especially in the South Nixon promised to transform the Supreme Court and with four appointments including a new chief justice he did This book tells the story of the Supreme Court that came in between the liberal Warren Court and the conservative Rehnquist and Roberts Courts the seventeen years 1969 to 1986 under Chief Justice Warren Burger It is a period largely written off as a transitional era at the Supreme Court when according to the common verdict nothing happened How wrong that judgment is The Burger Court had vitally important choices to make whether to push school desegregation across district lines how to respond to the sexual revolution and its new demands for women's equality whether to validate affirmative action on campuses and in the workplace whether to shift the balance of criminal law back toward the police and prosecutors what the First Amendment says about limits on money in politics The Burger Court forced a president out of office while at the same time enhancing presidential power It created a legacy that in many ways continues to shape how we live today Written with a keen sense of

history and expert use of the justices personal papers this book sheds new light on an important era in American political and legal history Adapted from dust jacket *A Companion to Post-1945 America* Jean-Christophe Agnew, Roy Rosenzweig, 2008-04-15 A Companion to Post 1945 America is an original collection of 34 essays by key scholars on the history and historiography of Post 1945 America Covers society and culture people and movements politics and foreign policy Surveys and evaluates the best scholarship on every important era and topic Includes book review section on essential readings American Studies Jack Salzman, American Studies Association, 1986-08-29 A major three volume bibliography including an additional supplement of an annotated listing of American Studies monographs published between 1900 and 1988 *Assessing George W. Bush's Legacy* I. Morgan, P. Davies, 2010-11-08 This book examines the legacy of the Bush presidency in term of presidential leadership politics and public policy It focuses on Bush s expansion of presidential power in pursuit of the war on terror the ideological and pragmatic foundations of presidential politics and the complexity of Bush s domestic and foreign policy legacies **Military Law Review** , 1984 The Judicial Branch Kermit L. Hall, 2005 Presents a collection of essays that provide an examination of the judicial branch of the American government including its history its impact and its future Institutions of American Democracy: The Judicial Branch Kermit L. Hall, Kevin T. McGuire, 2005-10-27 Presents a collection of essays that provide an examination of the judicial branch of the American government including its history its impact and its future The Will of the People Barry Friedman, 2005-09-23 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 **The Supreme Court and the Fourth Amendment's Exclusionary Rule** Tracey Maclin, 2013 The application of the Fourth Amendment s exclusionary rule has divided the justices of the Supreme Court for nearly a century This book traces the rise and fall of the exclusionary rule with insight and behind the scenes access into the Court s thinking *Law as a Means to an End* Brian Z. Tamanaha, 2006-10-02 The contemporary US legal culture is marked by ubiquitous battles among various groups attempting to seize control of the law and wield it against others in pursuit of their particular agenda This battle takes place in

administrative legislative and judicial arenas at both the state and federal levels This book identifies the underlying source of these battles in the spread of the instrumental view of law the idea that law is purely a means to an end in a context of sharp disagreement over the social good It traces the rise of the instrumental view of law in the course of the past two centuries then demonstrates the pervasiveness of this view of law and its implications within the contemporary legal culture and ends by showing the various ways in which seeing law in purely instrumental terms threatens to corrode the rule of law

Encyclopedia of U.S. Political History Andrew Whitmore Robertson, 2010 Annotation st1 behavior url ieouui Unparalleled coverage of U S political development through a unique chronological framework Encyclopedia of U S Political History explores the events policies activities institutions groups people and movements that have created and shaped political life in the United States With contributions from scholars in the fields of history and political science this seven volume set provides students researchers and scholars the opportunity to examine the political evolution of the United States from the 1500s to the present day With greater coverage than any other resource the Encyclopedia of U S Political History identifies and illuminates patterns and interrelations that will expand the reader s understanding of American political institutions culture behavior and change Focusing on both government and history the Encyclopedia brings exceptional breadth and depth to the topic with more than 100 essays for each of the critical time periods covered With each volume covering one of seven time periods that correspond to key eras in American history the essays and articles in this authoritative encyclopedia focus on the following themes of political history The three branches of government Elections and political parties Legal and constitutional histories Political movements and philosophies and key political figures Economics Military politics International relations treaties and alliances Regional histories Key Features Organized chronologically by political eras Reader s guide for easy topic searching across volumes Maps photographs and tables enhance the text Signed entries by a stellar group of contributors VOLUME 1 Colonial Beginnings through Revolution 1500 1783 Volume Editor Andrew Robertson Herbert H Lehman College The colonial period witnessed the transformation of thirteen distinct colonies into an independent federated republic This volume discusses the diversity of the colonial political experience a diversity that modern scholars have found defies easy synthesis as well as the long term conflicts policies and events that led to revolution and the ideas underlying independence VOLUME 2 The Early Republic 1784 1840 Volume Editor Michael A Morrison Purdue University No period in the history of the United States was more critical to the foundation and shaping of American politics than the early American republic This volume discusses the era of Confederation the shaping of the U S Constitution and the development of the party system **ABA Journal** , 1987-07-01 The ABA Journal serves the legal profession Qualified recipients are lawyers and judges law students law librarians and associate members of the American Bar Association **A ^A History of the Supreme Court** the late Bernard Schwartz, 1995-02-23 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 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 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 Supreme Court, Race, and Civil Rights Abraham L. Davis, Barbara Luck Graham, 1995-07-25 Discover the first law textbook to provide a comprehensive examination of the Supreme Court s institutional commitment to equality over a time span of more than 190 years Filling the void of literature in this area this long awaited volume incorporates information from the disciplines of law political science and history to provide the student with a thorough analysis of race and law from the perspective of politically disadvantaged groups Carefully selected cases stimulate classroom discussion and at the same time cultivate competence in reading actual Supreme Court rulings Accessible and flexible this textbook affords professors and instructors

an opportunity to pick and choose from the essays and cases for each historical period The authors instill in students a deeper appreciation of the multicultural component of ongoing struggles for equality within the American context Written specifically for undergraduate graduate and law school courses that emphasize civil rights race and the law The Supreme Court Race and Civil Rights stands alone as an outstanding textbook

Criminal Justice in America Carla Lewandowski, Jeff Bumgarner, 2020-11-17 This authoritative set provides a comprehensive overview of issues and trends in crime law enforcement courts and corrections that encompass the field of criminal justice studies in the United States This work offers a thorough introduction to the field of criminal justice including types of crime policing courts and sentencing landmark legal decisions and local state and federal corrections systems and the key topics and issues within each of these important areas It provides a complete overview and understanding of the many terms jobs procedures and issues surrounding this growing field of study Another major focus of the work is to examine ethical questions related to policing and courts trial procedures law enforcement and corrections agencies and responsibilities and the complexion of criminal justice in the United States in the 21st century Finally this title emphasizes coverage of such politically charged topics as drug trafficking and substance abuse immigration environmental protection government surveillance and civil rights deadly force mass incarceration police militarization organized crime gangs wrongful convictions racial disparities in sentencing and privatization of the U S prison system

Sexual Injustice Marc Stein, 2010 This is an impressive important and well researched book on the Supreme Court's development and elaboration of the constitutional right to privacy Marc Stein who is a wonderful microhistorian illuminates the underlying interpretive complexities of the

Atlantic Passages Andreas Etges, Ursula Lehmkuhl, 2006 This volume commemorates life and oeuvre of Willi Paul Adams He belonged to a generation of German historians of the United States who shaped the profession in multifaceted ways Kathleen Conzen University of Chicago writes in her commemorative essay Willi Paul Adams produced an impressive and varied body of scholarship in his chosen field of American history He made a lasting contribution to our understanding of the basic principles and processes under which Americans established their first democratic constitutions stimulated significant inquiry into the political consequences of immigration for the United States produced three major interpretive surveys of American history for non American audiences and gave German readers access through scholarly translations to major documents in the American political tradition

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