

AMERICAN CONSTITUTIONAL LAW

INTRODUCTORY ESSAYS AND SELECTED CASES

19TH EDITION

Donald Grier Stephenson, Jr. and Alpheus Thomas Mason



Constitutional Law Cases And Essays 2nd Edition

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The Fuller Court James W. Ely Jr., 2003-08-13 A fresh interpretation of the workings and legacy of the Supreme Court during the tenure of Chief Justice Melville W Fuller The Fuller Court Justices Rulings and Legacy presents an in depth analysis of the decisions and impact of the U S Supreme Court during the twenty two year reign of Chief Justice Melville W Fuller An exploration of key Court decisions ranging from railroad rate regulation and the Due Process Clause to the 1894 income tax reveals how the Court assigned a high priority to individual liberty which it defined largely in economic terms A revealing discussion of the Commerce Clause and the Interstate Commerce Commission shows how the Fuller Court both limited and accepted some expansion of federal authority Profiles of the nineteen justices who served on the Fuller Court place a special emphasis on those who made the most significant impact including John Marshall Harlan Samuel F Miller and Oliver Wendell Holmes Jr

The Democratic Constitution, 2nd Edition Neal Devins, Louis Fisher, 2015-10-01 Constitutional law is clearly shaped by judicial actors But who else contributes Scholars in the past have recognized that the legislative branch plays a significant role in determining structural issues such as separation of powers and federalism but stopped there claiming that only courts had the independence and expertise to safeguard individual and minority rights In this readable and engaging narrative the authors identify the nuts and bolts of the national dialogue and relate succinct examples of how elected officials and the general public often dominate the Supreme Court in defining the Constitution s meaning Making use of case studies on race privacy federalism war powers speech and religion Devins and Fisher demonstrate how elected officials uphold individual rights in such areas as religious liberty and free speech as well as and often better than the courts This fascinating debunking of judicial supremacy argues that nonjudicial contributions to constitutional interpretation make the Constitution more stable more consistent with constitutional principles and more protective of individual and minority rights

Constitutional Landmarks Charles M. Lamb, Jacob R. Neihsel, 2020-12-01 This book examines leading Supreme Court decisions involving the powers of the Court the president and Congress as well as cases addressing American federalism and Americans economic rights By analyzing both the Court s opinions and voting patterns from 1791 through 2018 this volume presents an overview of the role of the Supreme Court in the legal and political system of the United States throughout its entire history regularly relying on Robert McCloskey s theory of the nation s three major constitutional eras and the Supreme Court Database in its organizational approach Over 100 of the Supreme Court s most significant rulings old and new are covered and clarified in this volume to provide an objective reliable and valuable resource for students academics legal professionals and the general public alike

The Stone Court Peter G. Renstrom, 2001-03-06 A comprehensive examination of the rulings key figures and legal legacy of the Stone Court When President Franklin Roosevelt got the chance to appoint seven Supreme Court justices within five years he created a bench packed with liberals and elevated justice Harlan Fiske Stone to lead them Roosevelt Democrats expected great things from the Stone Court But for

the most part they were disappointed The Stone Court significantly expanded executive authority It also supported the rights of racial minorities laying the foundation for subsequent rulings on desegregation and discrimination But whatever gains it made in advancing individual rights were overshadowed by its decisions regarding the evacuation of Japanese Americans Although the Stone Court itself did not profoundly affect individual rights jurisprudence it became the bridge between the pre 1937 constitutional interpretation and the new constitutionalism that came after

American Constitutional Law Donald P. Kommers, John E. Finn, Gary J. Jacobsohn, 2010 iAmerican Constitutional Law Essays Cases and Comparative Notes is a unique casebook that encourages students and citizens of the Constitution to think critically about the fundamental principles and policies of the American constitutional order The book has two prominent features that distinguish it from other books in the field an emphasis on the social political and moral theory that provides meaning to constitutional law and interpretation and a comparative perspective that situates the American experience within a world context that serves as an invaluable prism through which to illuminate the special features of our own constitutional order While the focus of the book is entirely on American constitutional law the book asks students to consider what if anything is unique in American constitutional life and what we share with other constitutional democracies Each chapter is preceded by an introductory essay that highlights these major themes and also situates the cases in their proper historical and political context For students in the liberal arts as well as law students seeking a richer encounter with the multifaceted nature of the American constitutional experience this book addresses all of their concerns The new edition offers Updated and expanded treatment of key cases on gerrymandering and campaign finance Expanded discussion of the Court s work federalism and the commerce clause Discussions of the Court s new cases on the death penalty including a discussion of the controversy within the Court about the propriety of citing foreign case law An expanded discussion of the Court s recent work in the area of privacy including the Court s decisions with regard to partial birth abortions and same sex marriages An expanded section on the Court s continuing efforts to develop a coherent takings clause jurisprudence Full coverage of new developments and cases concerning affirmative action and school desegregation

Founding the Constitution of Uganda Okumu Wengi, 2011 The book is divided into three parts the first of which deals with Constitutionalism generally The second part is dedicated to civil liberties and economic rights namely fundamental human rights land and taxation The last part of the book is dedicated to the Judiciary and its performance as the guardian of the Constitution A synoptic table of the 1967 Constitution and the DC is included for purposes of general structural comparison

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

The US Supreme Court and the Centralization of Federal Authority Michael A. Dichio, 2018-11-01 Traces the US Supreme Court's effect on federal government growth from the founding era forward This book explores the US Supreme Court's impact on the constitutional development of the federal government from the founding era forward The author's research is based on an original database of several hundred landmark decisions compiled from constitutional law casebooks and treatises published between 1822 and 2010 By rigorously and systematically interpreting these decisions he determines the extent to which the court advanced and consolidated national governing authority The result is a portrait of how the high court regardless of constitutional issue and ideology persistently expanded the reach and scope of the federal government Dichio takes a fairly unique approach to thinking about the relationship between the US Supreme Court and the development of the American state Scholars interested in American political development and historical work on the law and the courts should grapple with the evidence on offer here Keith E. Whittington coauthor of *American Constitutionalism* Second Edition

Constitutional Law for a Changing America Lee Epstein, Kevin T. McGuire, Thomas G. Walker, 2025-02-21 In *Constitutional Law for a Changing America* Institutional Powers and Constraints bestselling authors Lee Epstein Kevin T. McGuire and Thomas G. Walker show students how political factors influence judicial decisions and shape the development of constitutional law The Twelfth Edition updated with additional material such as recent court rulings more than 500 supplemental cases and greater coverage of executive legislative and judicial power facilitates a deeper understanding of how the U.S. Constitution defines what institutions can and cannot do This book is ideal for Constitutional Law courses in the two semester sequence that covers powers and constraints For courses that cover both rights and liberties and the separation of powers in one semester see *Constitutional Law for a Changing America A Short Course*

Stare Decisis Saul Brenner, Harold J. Spaeth, 2006-11-02 The concept of precedent is basic to the operation of the legal system and this book is a full length empirical study of why US Supreme Court justices have chosen to alter precedent It attempts to analyse those decisions of the Vison Warren and Burger Courts as well as the first six terms of the Rehnquist Court a span of 47 years 1946-1992 that formally altered precedent The authors summarize previous studies of precedent and the Court assess the conference voting of justices and compile a list of overruling and overruled cases Additionally the authors draw a distinction between personal and institutional stare decisis By using the attitudinal model of Supreme Court decision making which is normally seen as antithetical to the legal mode of voting the authors find that it is the individual justices' ideologies which explain their voting behavior

University of

Michigan Official Publication University of Michigan, 1973 Each number is the catalogue of a specific school or college of the University

The Supreme Court Peter Charles Hoffer, William James 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

Recueil Des Cours, Collected Courses, 1969 Academie De Droit International De La Ha, 1970-12-01 The Academy is a prestigious international institution for the study and teaching of Public and Private International Law and related subjects The work of the Hague Academy receives the support and recognition of the UN Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law

Nominations of Graff, Tunheim, Nelson, Joyce, and Hall United States. Congress. Senate. Committee on Governmental Affairs, 1994

Harvard Law Review, 1920

Law Books in Print: Publishers, 1997

Fidelity & Constraint Lawrence Lessig, 2019-04-03 The fundamental fact about our Constitution is that it is old the oldest written constitution in the world The fundamental challenge for interpreters of the Constitution is how to read that old document over time In Fidelity Constraint legal scholar Lawrence Lessig explains that one of the most basic approaches to interpreting the constitution is the process of translation Indeed some of the most significant shifts in constitutional

doctrine are products of the evolution of the translation process over time In every new era judges understand their translations as instances of interpretive fidelity framed within each new temporal context Yet as Lessig also argues there is a repeatedly occurring countermove that upends the process of translation Throughout American history there has been a second fidelity in addition to interpretive fidelity what Lessig calls fidelity to role In each of the cycles of translation that he describes the role of the judge the ultimate translator has evolved too Old ways of interpreting the text now become illegitimate because they do not match up with the judge's perceived role And when that conflict occurs the practice of judges within our tradition has been to follow the guidance of a fidelity to role Ultimately Lessig not only shows us how important the concept of translation is to constitutional interpretation but also exposes the institutional limits on this practice The first work of both constitutional and foundational theory by one of America's leading legal minds Fidelity Constraint maps strategies that both help judges understand the fundamental conflict at the heart of interpretation whenever it arises and work around the limits it inevitably creates *Announcements ...* Catholic University of America, 1925

Constitutional Law of the EU's Common Foreign and Security Policy Graham Butler, 2019-10-03 The Common Foreign and Security Policy CFSP of the European Union is a highly exceptional component of the EU legal order This constitutionalised foreign policy regime with legal diplomatic and political DNA woven throughout its fabric is a distinct subsystem of law on the outermost sphere of European supranationalism When contrasted against other Union policies it is immediately clear that EU foreign policy has a special decision making mechanism making it highly exceptional In the now depillarised framework of the EU treaties issues of institutional division arise from the legacy of the former pillar system This is due to the reality that of prime concern in EU external relations is the question of who decides By engaging a number of legal themes that cut across foreign affairs exceptionalism executive prerogatives parliamentary accountability judicial review and the constitutionalisation of European integration the book lays bare how EU foreign affairs have become highly legalised leading to ever greater coherence in how Europe exerts itself on the global stage In this first monograph dedicated exclusively to the law of the EU's Common Foreign and Security Policy in modern times the author argues that the legal framework for EU foreign affairs must adapt in a changing world so as to ensure the EU treaties can cater for a more assertive Europe in the wider world Cited in Opinion of Advocate General Evgeni Tanchev Case C 730 18 P SC v Eulex Kosovo ECLI EU C 2020 176 Court of Justice of the European Union First Chamber 5 March 2020 Opinion of Advocate General Gerard Hogan Case C 134 19 P Bank Refah Kargaran v Council of the European Union ECLI EU C 2020 396 Court of Justice of the European Union Grand Chamber 28 May 2020 Opinion of Advocate General Evgeni Tanchev Case C 283 20 CO ME GC and 42 Others v MJ Head of Mission European Commission European External Action Service EEAS Council of the European Union Eulex Kosovo ECLI EU C 2021 781 Court of Justice of the European Union Fifth Chamber 30 September 2021 and Opinion of Advocate General Tamara Capeta in Joined Cases C 29 22 P and C 44 22 P KS KD v Council of the

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