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AMERICAN CONSTITUTIONAL LAW: Introduction and Case Studies is written, edited and designed specifically for the one-semester course on constitutional law. Through a technique of selecting opinions to do double-duty by simultaneously illustrating substantive constitutional developments and judicial approaches to policy formulation, this tightly-organized case/textbook is both comprehensive and economical in its coverage of constitutional law and the Supreme Court.

A new and fresh approach to the study of the U.S. Supreme Court, this text breaks the mold by moving away from the standard overview approach that focuses on illustrations of institutions, policies, and individuals. Instead, Understanding the U.S. Supreme Court examines what often most captivates students--the actual cases, issues, and personalities of the Court. Not meant to be a history or a legal analysis of the U.S. Supreme Court, but a political science text focused on the contemporary Court, the book piques studentsâ€™ interest by guiding them through a series of case studies that illustrate many of the most important research findings in the field of judicial politics. With detailed and lively narratives, the book shows students how the systematic research of political science sheds light on the practical politics of the Supreme Court.

The single most important issue in American constitutional law is the role the Supreme Court should play in interpretation of the constitution. This issue has been a source of controversy since at least 1803, when Chief Justice John Marshall proclaimed that the Supreme Court could declare acts of Congress unconstitutional. But public attention has been refocused by the recent debate between Attorney General Edwin Meese and Supreme Court Justice William Brennan. The Attorney General admonished the Justices to confine themselves to strict construction of the Constitution-to apply the Constitution as the framers intended. Justice Brennan rejected this as errant and arrogant because the framers had certainly not thought about the specific problems facing the country today. In The Art of Judging, Professor James A. Bond characterizes this controversy as a debate between advocates of two different styles of judging. Judicial craftsmen look backward for guidance: to the text of the Constitution, the original understanding of that text, and the historical experiences of the American people. Judicial statesmen look forward for guidance: to moral and political ideals and notions of the public good. And only the former style, Professor Bond argues, can preserve both the rule of law and constitution in a democracy. Judicial statesmanship undermines the power of the majority to make the law and thereby lessens people's willingness to accept constitutional limitations on the majority rule that make it palatable to those in the minority. But judicial craftsmanship respects the authority of the people at the same time that it enforces constitutional limitations on that authority. James A. Bond is the Dean of the University of Puget Sound School of Law, and has taught at Wake Forest University and Washington and Lee University. From his youthful involvement in the civil rights movement to his long tenure as President of the Fund for the Protection of Individual Rights, he has been involved in helping persons struggling against the overwhelming power of the state. As a student and scholar of constitutional law, he has focused primarily on how the Supreme Court should exercise its mandate to protect the individual from the state.

This volume provides extensive applications of actual case-study research, as well as discussions of how case-study research can be applied to broad areas of inquiry. Each of the applications is designed to help readers identify solutions to problems encountered when doing case study research. The book is organized in three parts. Part I shows how to integrate theoretical concerns into exploratory case studies, descriptive case studies or causal case studies, and shows how theory can shape the case-selection process. Part II provides examples from education and management information systems, covering important steps in case study research, such as how to select the units of analysis, how to define the data collections needs and how to establish rival hypotheses. Finally, Part III examines the use of case studies as an evaluative tool, including distinctions among different qualitative research strategies and evaluating highly complex interventions.

This book examines the American legal system, including a comprehensive treatment of the U.S. Supreme Court. Despite this treatment, the 'in' from the title deserves emphasis, for it extensively examines lower courts, providing separate chapters on state courts, the US District Courts, and the US Courts of Appeals. The book analyzes these courts from a legal/extralegal framework, drawing different conclusions about the relative influence of each based on institutional structures and empirical evidence. The book is also tied together through its attention to the relationship between lower courts and the Supreme Court. Additionally, Election 2000 litigation provides a common substantive topic linking many of the chapters. Finally, it provides extended coverage to the legal process, with separate chapters on civil procedure, evidence, and criminal procedure.

This text provides coverage of the most discussed topics and up-to-date cases in medical ethics. Each topic is enriched with important background, history and context, and supplemented with a discussion of the most pertinent philosophical theories and ethical issues behind it. Anecdotal updates are included at the end of chapters to give readers insights into what has happened to some of the

people involved in these cases.

Right Wing Justice raises the alarm about the creeping conservative campaign to "pack" America's courts with judges more identified with their ideological affiliation than their skill or regard for the Constitution. The consequence is that the rule of law is taking a terrific beating from the Supreme Court. Who can forget the debacle of Election 2000? But the consequences of the campaign go far deeper than that, impinging on the daily lives of ordinary Americans who are at the receiving end of attempts to overturn or erode Supreme Court rulings on abortion, school prayer, civil rights, criminal justice, and economic regulation. As the author shows, the problem does not end at the Supreme Court—it filters down to the lowers courts and circuits. Right Wing Justice gives an alarming account of how this has come to pass over the last two decades, how conservative activists hatched this strategy in the 1960s only to see it really come of age during the Reagan revolution and the successive Republican administrations. Combining a scholar's sense of history with the immediacy of eyewitness testimony, Right Wing Justice will come not only as a sobering reading to many concerned Americans—but also as a call to wake-up.

Since 1980, the Canadian women's movement has been an active participant in consitutional politics and Charter litigation. This book, through its focus on the Women's Legal Education and Action Fund (LEAF), presents a compelling examination of how Canadian feminists became key actors in developing the constitutional doctrine of equality, and how they mobilized that doctrine to support the movement's policy agenda. The case of LEAF, an organization that has as its goal the use of Charter litigation to influence legal rules and public policy, provides rich ground for Christopher Manfredi's keen analysis of legal mobilization. In a multitude of areas such as abortion, pornography, sexual assault, family law, and gay and lesbian rights, LEAF has intervened before the Supreme Court to bring its understanding of equality to bear on legal policy development. This study offers a deft examination of LEAF's arguments and seeks to understand how they affected the Court's consideration of the issues. Perhaps most important, it also contemplates the long-term effects of the mobilization, and considers the social impact of the legal doctrine that has emerged from LEAF cases. A major contribution to law and society studies, Feminist Activism in the Supreme Court is unparalleled in its analysis of legal mobilization as an effective strategy for social movements. It will be widely read and welcomed by legal scholars, political scientists, lawyers, feminists, and activists.

Presenting discussions of major media law cases, this text contains a balance of case studies, analysis and narrative. The fourth edition reflects events that have occurred in the communication industry such as The Telecommunications Act of 1996, new efforts at libel law reform, and the first sign of cyberspace maturation litigation. Chapters have been updated to include more information in the areas of libel, obscenity and the Internet.

A surprising number of Americans were involved with the so-called Dark Continent during the period when Western penetration led to conquest and colonial rule. The six Americans discussed are: Thomas Jefferson Bowen, who established the first American mission posts in Yorubaland; writer-explorer Paul du Chaillu; soldier-explorer Charles Chaille-Long; diplomat Henry Shelton Sanford; mining engineer John Hays Hammond; and taxidermist Carl Akeley. Illustrated.

Contains 66 reproducible Supreme Court case studies with landmark decisions that have helped and contined to shape this nation, as well as decisions dealing with current issues in American society.

This is the first book to map and explain compliance with judgments of social rights across multiple jurisdictions.

"This excellent books is bound to stir debate on the abortion issue and to occupy a rather distinctive position." --R.G. Frey, Bowling Green State University With the current composition of the Supreme Court and recent challenges to Roe v. Wade, Peter S. Wenz's new approach to the ethical, moral, and legal issues related to a woman's right to elective abortion may turn the tide in this debate. He argues that the Supreme Court reached the right decision in Roe v. Wade but for the wrong reasons. Wenz contends that a woman's right to terminated her pregnancy should be based, not on her constitutional right to privacy, but on the constitutional guarantee of religious freedom, a basis for freedom of choice that is not subject to the legal criticisms advanced against Roe. At least up to the 20th week of a pregnancy, one's belief whether a human fetus is a human person or not is a religious decision. He maintains that because questions about the moral status of a fetus are religious, it follows that anti-abortion legislation, to the extent that it is predicated on such "inherently religious beliefs," is unconstitutional. In this timely and topical book, Wenz also examines related cases that deal with government intervention in an individual's procreative life, the regulation of contraceptives, and other legislation that is either applied to or imposed upon select groups of people (e.g., homosexuals, drug addicts). He builds a concrete argument that could replace Roe v. Wade. Reviews "In this important study of abortion and the Constitiution, legal philosopher Peter Wenz contends that Roe v. Wade was wrongly argued but well conlcuded. Wenz presents a substantial review of Supreme Court decisions on abortion, then critically exposes flaws, including the privacy justification for abortion as well as the trimester scheme. --Religious Studies Review "In this major work, Peter Wenz has analyzed the relation of the Constitution's religion clauses to the abortion controversy. His principal contribution is to shift the argument from the right of privacy (invoked, he believes, unsuccessfully in Roe v. Wade) to the Establishment Clause. The Court's concern in Roe was whether the statute unduly burdened a fundamental right. But tested by the Establishment Clause, statutes may violate the Constitution by implicitly endorsing a religious belief, namely, the personhood of the unborn. Wenz concludes that the Establishment Clause permits abortions prior to the twenty-first week of pregnancy." --C. Herman Prichett, Professor of Political Science Emeritus, University of California, Santa Barbara "This is an original and scholarly exposition of the view that abortion rights fall under the religion clauses of the First Amendment. The view defended is an important alternative to the privacy defense upon which the Roe v. Wade decision was based and should help to expand the ethical and constitutional debate about abortion rights." --Mary Anne Warren, Associate Professor of Philosophy, San Francisco State University, and author of Gendercide: The Implications of Sex Selection Contents Preface Introduction Roe v. Wade under Attack • Individual Rights and Majority Rule • Constitutional Interpretation • Preview of Chapters 1. The Derivation of Roe v. Wade Economic Substantive Due Process • Due Process and the Family • Contraception and Privacy in Griswold v. Connecticut • Contraception and Privacy in Eisenstadt v. Baird • Blackmun's Privacy Rationale in Roe v. Wade • Stewart's Due Process Rationale in Roe v. Wade • Tribe on Substantive Due Process • Conclusion 2. Potentiality and Viability The Roe v. Wade Decision • The Concept of Viability in Abortion Cases • Dividing the Gestational Continuum • The Genetic Approach to Personhood • Viability versus Similarity

to Newborns • Two Consequentialist Arguments • Feminism and Viability • Conclusion 3. The Evolution of "Religion" Religion in the Abortion Debate • The Original Understanding of the Religion Clauses • The Evolution of Religion Clause Doctrine • Incorporation of the Religion Clauses • From Belief to Practice • Alleviating Indirect Burdens on Religious Practice • Expanding the Meaning of "Religion" • The Original Understanding View • Bork: Conservative or Moderate? • Conflicts between the Religion Clauses • The Elusive Meaning of "Religion" • Conclusion 4. The Definition of "Religion" The Adjectival Sense of Religion • Religious Beliefs Independent of Organized Religions • Religious Belief as Fundamental to Organized Religion • Secular Beliefs Related to Material Reality • Secular Beliefs Related to Social Interaction • Secular Facts versus Secular Values • The Court's Characterizations of Secular Beliefs • Secular (Nonreligious) Belief • The Epistemological Standard for Distinguishing Religious from Secular Belief • Judicial Examples of Religious Beliefs • General Characteristics of Religious Beliefs • Summary 5. "Religion" in Court The Epistemological Standard Applied • Cults and Crazies • Secular Religions • Tensions between the Religion Clauses • The Unitary Definition of "Religion" 6. Fetal Personhood as Religious Belief Anti-Contraception Laws and the Establishment Clause • Belief in the Existence of God • Belief in the Personhood of Young Fetuses • Distinguishing Religious from Secular Determinations of Fetal Personhood • Religious versus Secular Uncertainty • Environmental Preservation and Animal Protection versus Fetal Value • Greenawalt's Argument • The Reach of Secular Considerations • Secular versus Religious Matters • Conclusion 7. The Regulation of Abortion The Trimester Framework and Its Exceptions • O'Connor's Objections to the Trimester Framework • Superiority of the Establishment Clause Approach to the Trimester Framework • Required Efforts to Save the Fetus • The Neutrality Principle • Appropriate Judicial Skepticism • Undue Burdens and Unconstitutional Endorsements • Conclusion 8. Abortion and Others Public Funding of Abortion • The Establishment Clause Approach to Public Funding • The Court's Funding Rationale • The Court's Inconsistent Rationale • Publicly Funded Family Planning Clinics • Spousal Consent • The Court's Flawed Parental Consent Rationale • Information Requirements • Spousal and Parental Consent • The Establishment Clause Approach: Medical Dimension • The Establishment Clause Approach: Religious Dimension • Implications of the Establishment Clause Approach • The Court's Inconsistency • Equivalent Results • Parental Notification • Conclusion Conclusion Justice Scalia's View • The Fundamental Flaw in Roe • The Rationale for the Establishment Clause Approach • Advantages of the Establishment Clause Approach Notes Glossary of Terms Annotated Table of Cases Bibliography Index About the Author(s): Peter S. Wenz is Professor of Philosophy and Legal Studies at Sangamon State University.

“Though we cannot learn leadership, we can learn from leaders, which is why this volume is so engaging and valuable.”—Boston Globe What made FDR a more successful leader during the Depression crisis than Hoover? Why was Eisenhower more effective as supreme commander at war than he was as president? Who was Pauli Murray and why was she a pivotal figure in the civil rights movement? Find the answers to these questions and more in essays by great historians including Sean Wilentz, Alan Brinkley, Annette Gordon-Reed, Jean Strouse, Frances FitzGerald, and others. Entertaining and insightful individually, taken together the essays address the enduring ingredients of leadership, the focus of an introduction by Walter Isaacson.

William V. Gehrlein's Operations Management Cases provides a new collection of cases suited for introductory OM students. These OM cases have all been classroom tested with undergraduates and MBA's and are unique in providing plenty of teachable and tested analysis opportunities for students. Gehrlein's book provides cases on all OM topics, with plenty of emphasis on analytic topics such as forecasting, inventory and scheduling.

'Case Studies in Pharmacy Ethics' explores the range of ethics situations faced by pharmacists in daily practice, from direct patient care to broad systemic issues. Using cases and commentaries, the book provides tools to assist pharmacists in understanding and resolving ethical issues

The Cherokee Cases is a legal history that examines two seminal Supreme Court cases of the early 1830s: Cherokee Nation v. Georgia and Worchester v. Georgia. Including this study in a series devoted to landmark decisions of the Supreme Court, acknowledges their importance in establishing the legal doctrine of the United States. Norgren's objective was to illuminate the role of these cases not only in legal doctrine, but also in the political development of the Cherokee Republic and the United States of America. As such, this study should be of interest to students of legal history, United States constitutional law and political development, as well as to those with a more general interest in Native American and American Studies.

This book examines, from a behavioral perspective, the U.S. Supreme Court's exercise of the power of judicial review over Congress across two hundred years of the Court's history, testing the major competing theories in political science - the attitudinal model and the strategic approach - through systematic empirical analysis. Exploring the major trends in the Court's use of this power over time, the book examines a broad range of questions concerning the countermajoritarian nature of this power, and provides an analysis of each of the individual justices' behavior along several dimensions of the power, such as the use of judicial review to protect minority rights against majority intrusion. The book concludes that the Court has shown a high level of deference to Congress, with notable historic highs and lows, and generally that the exercise of the power has been less countermajoritarian than is usually assumed. Its analyses find the strongest level of support for the attitudinal approach to judicial decision making, but also concludes that strategic concerns cannot be dismissed, especially for the more recent Courts.

This highly-regarded text has been completely updated to meet the needs of business students undertaking the introductory study of business law. Renowned for its readability, the fifth edition builds on this reputation with an improved layout, designed to encourage and enhance students' understanding of the essentials of business law. The robust theory in the text has been supplemented by case studies and newspaper articles,providing students with a real-life focus and further opportunity for discussion. The fifth edition contains both new and updated cases, including a number of new cases in thearea of torts. Many of the featured cases are highly topical, for example, Waverley MunicipalCouncil v Swain, which deals with liability of a public authority for negligence, and includes adiscussion of the 2005 High Court judgment. This book is specifically for students who are studying business law as part of a business studies course whether the main focus of that course is commerce, accounting, management, human resources or another area of business.

"A powerful historical, conceptual, and moral case for the proposition that judges on common law grounds should refuse to enforce unjust legislation. This is sure to be controversial in an age in

which critics already excoriate judges for excessive activism when conducting constitutional judicial review. Edlin's challenge to conventional views is bold and compelling." ---Brian Z. Tamanaha, Chief Judge Benjamin N. Cardozo Professor of Law, St. John's University, and author of Law as a Means to an End: Threat to the Rule of Law In Judges and Unjust Laws, Douglas Edlin uses case law analysis, legal theory, constitutional history, and political philosophy to examine the power of judicial review in the common law tradition. He finds that common law tradition gives judges a dual mandate: to apply the law and to develop it. There is no conflict between their official duty and their moral responsibility. Consequently, judges have the authority---perhaps even the obligation---to refuse to enforce laws that they determine unjust. As Edlin demonstrates, exploring the problems posed by unjust laws helps to illuminate the institutional role and responsibilities of common law judges. Douglas E. Edlin is Associate Professor in the Department of Political Science at Dickinson College.

Since the mid-1970s, Congress has passed hundreds of overrides—laws that explicitly seek to reverse or modify judicial interpretations of statutes. Whether front-page news or not, overrides serve potentially vital functions in American policy-making. Federal statutes—and court cases interpreting them—often require revision. Some are ambiguous, some conflict, and others are obsolete. Under these circumstances, overrides promise Congress a means to repair flawed statutes, reconcile discordant court decisions, and reverse errant judicial interpretations. Overrides also allow dissatisfied litigants to revisit issues and raise concerns in Congress that courts have overlooked. Of course, promising is one thing and delivering is quite another. Accordingly, this book asks: Do overrides, in fact, effectively clarify the law, reverse objectionable judicial statutory interpretations, and broaden deliberation on contested issues? The answers provide new insights into the complex role of overrides in U.S. policy-making and in the politics of contemporary court-Congress relations.

Praised for its clear and concise discussions of major media law cases, Media Law retains its well-balanced blend of case studies/analysis, and narrative. The fourth edition reflects the dramatic events that have occurred in the communication industry: The Telecommunications Act of 1996, new efforts at libel law reform, and that first sign cyberspace maturity--litigation. In addition, chapters have been updated and restructured to include more information in the areas of libel, obscenity, and the Internet.