

(Free read ebook) The Rehnquist Court and the Constitution

The Rehnquist Court and the Constitution

Tinsley E. Yarbrough

*ePub | *DOC | audiobook | ebooks | Download PDF*



DOWNLOAD



READ ONLINE

#3908677 in Books Tinsley E Yarbrough 2000-03-30Original language:EnglishPDF # 1 9.00 x 1.10 x 6.20l, 1.31 #File Name: 0195103467320 pagesThe Rehnquist Court and the Constitution | File size: 79.Mb

Tinsley E. Yarbrough : The Rehnquist Court and the Constitution before purchasing it in order to gage whether or not it would be worth my time, and all praised The Rehnquist Court and the Constitution:

19 of 21 people found the following review helpful. Well written peek behind the Supreme Court benchBy WilliamThe Rehnquist Court and the Constitution is not light reading, but for those who are interested in the high court, it is good reading. Yarbrough provides a concise examination of each Justice, including his or her background, confirmation hearing, and the political climate of that hearing. He captures the essence of each Justice as both jurist and human being. He then allows the reader to infer the interaction of those philosophies, personalities and egos on the direction that he perceives for significant constitutional issues. He does this without much, if any, editorial comment,

though at times his own constitutional philosophy appears to peek out just a bit. Although this book is a bit heavy for anyone other than a constitutional scholar, it is well worth reading. Any student, teacher, judge, lawyer or just plain "court watcher" will appreciate this glimpse into the most secret and perhaps most powerful branch of our government. 17 of 20 people found the following review helpful. Unfortunate addition to Yarbrough's resume

By SteveMr. Yarbrough has a fine reputation as a leading judicial biographer: his previous works on Hugo Black, and the two Justices Harlan were impressive, detailed and interesting. With "The Rehnquist Court" he pumps out a minor achievement and a heavily slanted analysis of recent Constitutional decisions. There's no denying the hostility toward conservative/strict-constructionist judges and viewpoints and this, as a previous poster noted, deeply taints the work overall. In addition, Yarbrough's style (which has always tended to the dry and tedious) is here especially mind-numbing: the interesting constitutional issues under debate are hidden amongst irrelevant facts and long-winded prose. As a whole, I found the book very disappointing and the steep price tag wholly unwarranted. 9 of 12 people found the following review helpful. Subliminally Biased, but well researched

By David RudeIn terms of informational content and comprehensiveness, this text is quite good. Yarbrough cites many sources and gives the essence of most of the opinions on the cases he covers. That is to say that a given case may have three or four opinions, as justices can agree on the same verdict for different reasons, and Yarbrough does a fine job of explaining each on most of the decisions covered. My huge qualm with the work is the simple fact that Yarbrough commits one of the biggest sins possible in scholarly work: he sharply biases his work without seeming to. His language is subtly biased, and an unwary reader could easily be manipulated.

In *The Rehnquist Court and the Constitution*, Tinsley Yarbrough provides a comprehensive look at today's Supreme Court Justices and their record--a study all the more valuable for the Court's mixed decisions and hard-to-categorize course. An accomplished biographer, Yarbrough offers incisive portraits of the nine who now sit on the high bench, and tellingly reviews their nomination hearings. He also explores the workings of the Court, ranging from the selection and role of the clerks to the work load (including the end-of-term "June crunch") and assignment of opinions. But the heart of the book is a systematic exploration of the Court's record in such fields as government power, economic regulation, and criminal justice. In decision after decision, the author discusses the various justices' opinions, arguments, and legal theories; he also offers his own analysis (including a sharp critique of the decision to allow the Paula Jones lawsuit to move forward). Like many writers on the Rehnquist Court, Yarbrough finds a general continuity with the past, shaded by a conservative outlook (especially in matters of criminal justice and affirmative action), but he identifies a significant departure in its rulings on economic regulation. Since 1937, he writes, the Supreme Court had generally adopted an expansive view of federal power over economic matters; the Rehnquist Court has reversed that trend. The Rehnquist Court has not launched an all-out assault on the Warren Court's precedents, as many conservatives hoped, but as Yarbrough shows it has embarked on important new departures. Thoughtful, wide-ranging, intelligently written, this book will stand as the finest study of the Rehnquist Court for years to come.

From *Publishers Weekly*This is one of the most thorough and incisive guides to date on the thinking and deliberative process of the Supreme Court under Chief Justice William Rehnquist. Yarbrough (*The First Justice Harlan*), a professor of political science at East Carolina University, characterizes the Rehnquist court's record on civil liberties as decidedly mixed. Although he credits what he calls the "legal pragmatists" (such as Stephen Breyer and Ruth Bader Ginsburg) with partially derailing the Reagan/Bush conservative repudiation of the Warren era's human rights legacy, he notes that the Court has expanded opportunities for warrantless police searches and extended broad deference to the government in death penalty cases. On issues such as assisted suicide, gay rights and abortion, Yarbrough labels the Rehnquist court arbitrary. This casebook (which is too detailed for most general readers) examines a diversity of controversial cases, ranging from racial gerrymandering to pornography, displays of religious symbols on public property, libel of public figures, disposal of radioactive wastes and possession of firearms in school zones. Citing numerous recent cases signaling what he views as a rebirth of the Supreme Court's special solicitude for propertied and commercial interests, the author suggests that a full tilt in this direction may await only the election of a Republican president. The generally conservative drift of the Rehnquist court's decisions, he argues, raises serious questions about its continued commitment to the principle of equal justice for all. Yarbrough's withering, erudite critique is recommended reading for Supreme Court watchers. (Mar.) Copyright 2000 Reed Business Information, Inc.

From *Booklist*The Supreme Court may be an issue in the presidential election: seven of the justices were named by Republicans; just two (Ginsburg and Breyer) by a Democrat. Since the next president may nominate several, this analysis of the Rehnquist court is timely. Chief Justice Rehnquist has served nearly 30 years; he was named Chief Justice in 1986. Yarbrough offers brief biographies of sitting justices (including descriptions of the Senate's responses to their nominations) and then outlines how the Supreme Court operates. But the heart of the book is his study of the Rehnquist court's decisions in important areas: governmental power; the "double standard" (the '30s reversal of laissez faire jurisprudence, scrutinizing regulation of noneconomic matters more closely than economic regulation); unenumerated rights; freedom of religion, expression, and association; criminal justice; and equal protection. Among

the shifts Yarbrough notes are "expanded state immunity," movement toward "rejection or substantial modification of the constitutional double standard," and an "arguably unprecedented use . . . [of the] takings clause" in a regulatory context. Mary Carroll ". This is important as one of the first systematic academic analyses of the Rehnquist Court."--*American Historical* "This is one of the most thorough and incisive guides to date on the thinking and deliberative process of the Supreme Court under Chief Justice William Rehnquist."--*Publishers Weekly*"The Supreme Court may be an issue in the presidential election: seven of the justices were named by Republicans; just two by a Democrat. Since the next president may nominate several, this analysis of the Rehnquist Court is timely."--*Booklist*