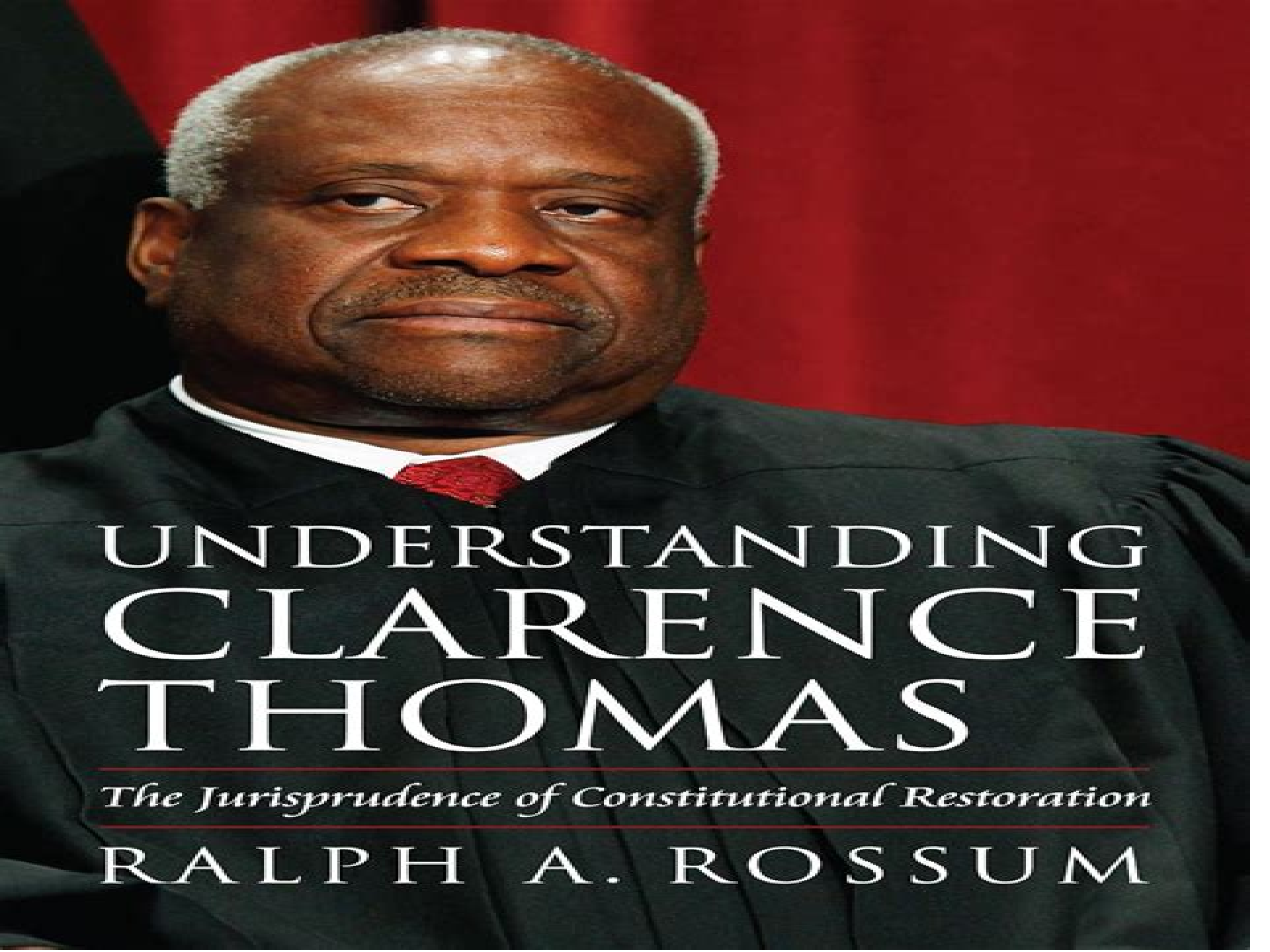


A portrait of Clarence Thomas, a Black man with a serious expression, wearing a black judicial robe over a white shirt and a red tie. He is seated against a solid red background. The text is overlaid on the lower half of the image.

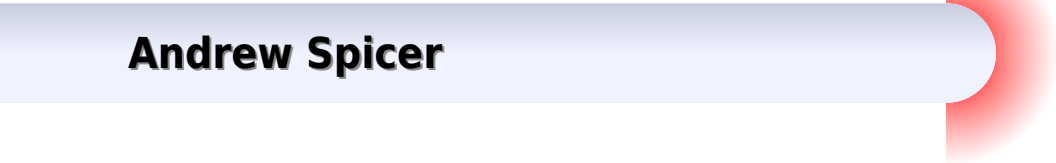
UNDERSTANDING CLARENCE THOMAS

The Jurisprudence of Constitutional Restoration

RALPH A. ROSSUM

Understanding Clarence Thomas The Jurisprudence Of Constitutional Restoration

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Understanding Clarence Thomas The Jurisprudence Of Constitutional Restoration:

Understanding Clarence Thomas Ralph A. Rossum, 2014-02-10 Though Clarence Thomas has been a Supreme Court Justice for nearly 25 years and has written close to five hundred opinions legal scholars and pundits have given him short shrift often in fact dismissing him as a narrow partisan a silent presence on the bench an enemy of his race a tool of Antonin Scalia And yet as this book makes clear few justices of the Supreme Court have developed as clear and consistent a constitutional jurisprudence as Thomas Also little known but apparent in Ralph A Rossum s detailed assessment of the justice s jurisprudence is how profound Thomas s impact has been in certain areas of constitutional law not only on the bench but also even among some of his erstwhile disparaging critics During his years on the Court Thomas has pursued an original general meaning approach to constitutional interpretation he has been unswayed by claims of precedent by the gradual build up of interpretations that to his mind come to distort the original meaning of the constitutional provision in question leading to muddled decisions and contradictory conclusions In a close reading of Thomas s hundreds of well crafted extensively researched and passionately argued majority concurring and dissenting opinions Rossum explores how the justice applies this original meaning approach to questions of constitutional structure as they relate to federalism substantive rights found in the First Amendment s religion and free speech and press clauses the Second Amendment s right to keep and bear arms the Fifth Amendment s restrictions on the taking of private property and the Fourteenth Amendment regarding abortion rights and various criminal procedural provisions found in the Ex Post Facto Clauses and the Bill of Rights Thomas grounds his original general meaning approach in the Declaration of Independence and its self evident truth that all men are created equal that truth he insists precedes and underlies the Constitution Understanding Clarence Thomas traces the many consequences that for Thomas flow from the centrality of that self evident truth and how these shape his opinions in cases concerning desegregation racial preference and voting rights The most thorough explication ever given of the jurisprudence of this prolific but little understood justice this work offers a unique opportunity to grasp not just the meaning of Clarence Thomas s opinions but their significance for the Supreme Court and constitutional interpretation in our day **The Enigma of Clarence Thomas** Corey Robin, 2019-09-24 The Enigma of Clarence Thomas is a groundbreaking revisionist take on the Supreme Court justice everyone knows about but no one knows One of the marvels of Robin s razor sharp book is how carefully he marshals his evidence It isn t every day that reading about ideas can be both so gratifying and unsettling The New York Times Most people can tell you two things about Clarence Thomas Anita Hill accused him of sexual harassment and he almost never speaks from the bench Here are some things they don t know Thomas is a black nationalist In college he memorized the speeches of Malcolm X He believes white people are incurably racist In the first examination of its kind Corey Robin one of the foremost analysts of the right The Reactionary Mind delves deeply into both Thomas s biography and his jurisprudence masterfully reading his Supreme Court opinions against the backdrop of his autobiographical and political

writings and speeches The hidden source of Thomas s conservative views Robin shows is a profound skepticism that racism can be overcome Thomas is convinced that any government action on behalf of African Americans will be tainted by racism the most African Americans can hope for is that white people will get out of their way There s a reason Robin concludes why liberals often complain that Thomas doesn t speak but seldom pay attention when he does Were they to listen they d hear a racial pessimism that often sounds similar to their own Cutting across the ideological spectrum this unacknowledged consensus about the impossibility of progress is key to understanding today s political stalemate *Transactions of the Royal Historical Society* Andrew Spicer,2017-06-29 A collection of major articles representing some of the best historical research by some of the world s most distinguished historians *American Constitutional Law, Volume I* Ralph A Rossum,Taylor & Francis Group,Professor G Alan Tarr,2019-05-07 A comprehensive account and examination of the nation s defining document its foundation and how it has since been interpreted *American Constitutional Law, Volume II* Ralph A Rossum,Taylor & Francis Group,Professor G Alan Tarr,2019-05-07 A comprehensive account and examination of the nation s defining document its foundation and how it has since been interpreted **American Constitutional Law, Volume II** Ralph A. Rossum,G. Alan Tarr,2016-07-12 American Constitutional Law Volume II provides a comprehensive account of the nation s defining document examining how its provisions were originally understood by those who drafted and ratified it and how they have since been interpreted by the Supreme Court Congress the President lower federal courts and state judiciaries Clear and accessible chapter introductions and a careful balance between classic and recent cases provide students with a sense of how the law has been understood and construed over the years The Tenth Edition has been fully revised to include twelve new cases including key decisions *Obergefell v Hodges* *Burwell v Hobby Lobby Stores* *Shelby County v Holder* *Horne v Department of Agriculture* and *Riley v California* A revamped and expanded companion website offers access to even more additional cases an archive of primary documents and links to online resources making this text essential for any constitutional law course *Regent University law review* ,1997 **Minnesota Law Review** ,2004 **American Constitutional Law, Volume I** Ralph A. Rossum,G. Alan Tarr,2016-07-12 American Constitutional Law Volume I provides a comprehensive account of the nation s defining document examining how its provisions were originally understood by those who drafted and ratified it and how they have since been interpreted by the Supreme Court Congress the President lower federal courts and state judiciaries Clear and accessible chapter introductions and a careful balance between classic and recent cases provide students with a sense of how the law has been understood and construed over the years The Tenth Edition has been fully revised to include seven new cases including key decisions *National Labor Relations Board v Noel Canning* *Zivotofsky v Kerry* *Adoptive Couple v Baby Girl* *Horne v Department of Agriculture* and *Comptroller of the Treasury of Maryland v Wynne* A revamped and expanded companion website offers access to even more additional cases an archive of primary documents and links to online resources making this text essential for any constitutional law course **The Law**

Times ,1896 *Rehnquist Justice* Earl M. Maltz,2003 With seven of its justices appointed by Republican presidents today s Supreme Court has significantly altered America s legal landscape since 1986 by tilting constitutional jurisprudence to the right That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism economic rights and affirmative action However liberal issues such as abortion have moved only marginally to the right while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left In this collection of original articles prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed Reflecting views across the political spectrum the contributors help readers understand the Court dynamic its constrained conservatism and the forces that shape constitutional law in general As these authors show the overall pattern of decision making in the Rehnquist era cannot be attributed to any single unified approach to constitutional analysis Instead today s Court can only be understood as the product of a complex interaction among individual justices each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench From the staunch conservatism of Clarence Thomas to the accommodationism of Sandra Day O Connor to the liberal constitutionalism of David Souter the essays analyze the unique approach of each justice to interpreting the Constitution They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one which favors experienced often unknown jurists over high profile public servants By concentrating attention on its members Rehnquist Justice allows us to better understand the Supreme Court as a whole And by assessing today s judiciary in light of a public philosophy that looks askance at government it shows us that the Supreme Court has truly become a mirror of its times **The Journal of College and University Law** ,2001

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