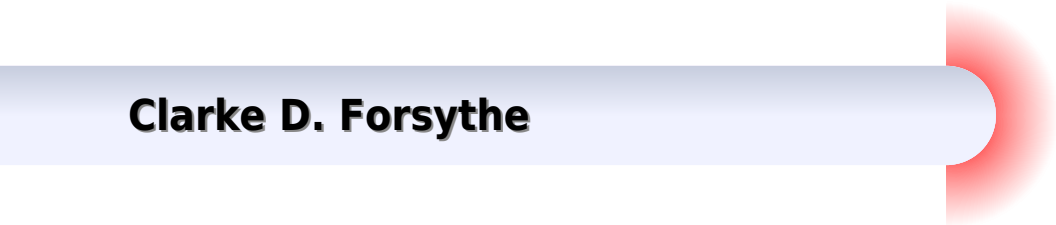




THE
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OPINIONS
OF THE
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The Unpublished Opinions Of The Burger Court

Clarke D. Forsythe



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legislation politics and public health The first half of the book looks at the mistakes made by the Justices based on the case files the oral arguments and the Justices papers The second half of the book critically examines the unintended consequences of the abortion decisions in law politics and women s health Why do the abortion decisions remain so controversial after almost 40 years despite more than 50 000 000 abortions numerous presidential elections and a complete turnover in the Justices Why did such a sweeping decision with such important consequences for public health producing such prolonged political turmoil come from the Supreme Court in 1973 Answering those questions is the aim of this book The controversy over the abortion decisions has hardly subsided and the reasons why are to be found in the Justices deliberations in 1971 1972 that resulted in the unprecedented decision they issued

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Liberty and Sexuality David J. Garrow, 2015-07-07 Pulitzer Prize winning author David J Garrow s stirring and essential history of the politics of abortion and America s battle for the right to choose In 1973 the Supreme Court handed down its landmark Roe v Wade decision legalizing abortion and more than forty years later the issue continues to spark controversy and divisiveness But behind this historic legal case lie the battles women fought to establish their rights to use contraceptives and choose to have an abortion Liberty and Sexuality traces these political and legal struggles in the decades leading up to Roe v Wade including the momentous 1965 Supreme Court ruling in Griswold v Connecticut that established a constitutional right to privacy Garrow personalizes the struggles by detailing the vital contributions made by dozens of crusaders who tirelessly paved the way This expansive and substantial work also addresses the threats to sexual privacy and the legality of abortion that have risen since Roe v Wade With abortion still a contentious subject on the national political landscape Liberty and Sexuality is not just a historical account of the right to choose but an indispensable read about preserving a freedom that continues to divide America

January 1973 James Robenalt, John W. Dean, 2015-05-01 American politics changed forever in January 1973 In the span of thirty one days the Watergate burglars went on trial the Nixon administration negotiated an end to the Vietnam War the Supreme Court issued its decision in Roe v Wade Lyndon Johnson died in Texas and Harry Truman passed away just a month earlier and Richard Nixon was sworn in for his second term The events had unlikely links and each worked along with the others to create a time of immense transformation Roe in particular pushed political opponents to the outer reaches of each party making compromise something that has become more and more difficult in our system of checks and balances Using newly released Nixon tapes author and historian James Robenalt provides readers a fly on the Oval Office wall look at events both fascinating and terrifying that transpired in the White House during this monumental month He also delves into the judge s chambers and courtroom drama during the Watergate break in trial and the inner sanctum of the US Supreme Court as it hashed out its decision in Roe v Wade Though the events took place more than forty years ago they re key to understanding today s political paralysis

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Politics and Judgment in Federal District Courts C. K. Rowland, Robert A. Carp, 1996 A major empirical and theoretical work that has the potential for becoming a classic in the field Sheldon Goldman author of *The Federal Courts as a Political System* This provocative theoretical approach should be of great interest to scholars and students of the federal bench Elliott E Slotnick editor of *Judicial Politics*

The Supreme Court Lawrence Baum, 1992 The Supreme Court provides a broad and detailed understanding of the U S Supreme Court describing how the Court works and presenting explanations for its behavior It also explains other political processes that affect the Court such as the nomination and confirmation of justices This seventh edition reflects recent developments such as the declining number of cases that the Court decides each year the impact of President Clinton's appointees on the Court and the Court's tightening reins on Congress's efforts to regulate the economy and society The book's glossary provides a quick guide to legal terms its bibliography and its new list of Web sources steer readers to additional information The case index provides a link between specific cases and general processes and developments

Splitting the Difference Martin Benjamin, 1990 Politics is often characterized as the art of compromise the implication being that compromise is desirable and that insight imagination discipline and skill are all necessary for a compromise Compromise in ethics however is quite another matter there it is usually regarded as a sign of weakness or lack of integrity From Socrates and Sir Thomas More to Elizabeth Cady Stanton Gandhi and Martin Luther King Jr we honour these men and women not only for the nature of their convictions but also for their unwavering refusal to compromise

Inside the Warren Court Bernard Schwartz, Stephan Leshner, 1983

Battles on the Bench Phillip J. Cooper, 1995 Felix Frankfurter's blustery depiction of debate within the Supreme Court suggests that combat sometimes supersedes collegiality in those hallowed halls In fact as Phillip Cooper shows conflict is an inescapable fact of life in the Marble Temple Cooper peels back the calm quiet public image of our judicial royalty to reveal their family feuds and squabbles He shows that whether motivated by deeply felt principle or by petty and vindictive impulses these disputes dramatically shape the court's decision making process the justices' relations with one another and the public's perception of the court Filled with wonderful vignettes and telling anecdotes *Battles on the Bench* illuminates the court's legendary and little known clashes from John Marshall to Ruth Ginsberg and helps us understand why they fight how they fight and why their fights matter In the process it reveals a long tradition of strategic flattery cajolery name calling threats subterfuge and sermonizing all in an effort to win over or run over fellow justices Conflict in such high stakes circumstances is hardly unexpected But some of the court's behavior is Fred Vinson going after Frankfurter with a clenched fist and shouting that no son of a bitch can ever say that to me Frankfurter's dismissal of Justice Reed's intellect as largely vegetable James McReynolds' undisguised anti-Semitism toward Louis Brandeis Antonin Scalia's harsh attacks on Sandra Day O'Connor and William Rehnquist's sarcastic recital of a

nursery rhyme and the Star Spangled Banner before his startled brethren Cooper however makes clear that to a surprising degree these justices do find ways to work together As Earl Warren noted life on the Court is like a marriage one can't tolerate it if it's one battle after another Appointed for life and completely independent these nine scorpions in a bottle are nevertheless compelled to furl their stingers from time to time for no justice can prevail without the support of at least four others Indeed one of the toughest questions Cooper tries to answer is why they don't fight more often A rich treasure trove mined from the vast resources of judicial biography Cooper's engaging study will be especially appealing to students and general readers with limited knowledge of the court's inner workings **Lectures and Memoirs** ,1991 **The Journal of Appellate Practice and Process** ,2001 *Harvard Law Review* ,1988 *Michigan Law Review* ,1995 *Print* Martha T. Mooney,1995 Excerpts from and citations to reviews of more than 8 000 books each year from 109 publications Electronic version with expanded coverage and retrospective version available see p 5 and p 31 Pricing Service Basis Books *He Shall Not Pass This Way Again* Stephen L. Wasby,1990 This is a collection of the papers of a 1989 conference held in recognition of the 50th anniversary of Justice Douglas appointment to the Supreme Court Wasby presents the views of 25 scholars on Douglas constitutional perspectives on the First Amendment civil rights criminal law privacy the environment and internationalism recorded during his record breaking service of 36 years The analysts contend that Douglas contributions to constitutional law are not impressive and that his opinions were often terse obscure easy to ignore and usually devoid of any doctrinal content They nevertheless agree that his defense of civil liberties in crisis times his concern for American Indians and the environment his liberal constitutional internationalism and his famous opinion on the right to privacy in *Griswold v Connecticut* 1965 serve to give Douglas a high rank among the justices ISBN 0 8229 3644 5 39 95

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