

American Constitutional Law University Textbook Series

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Constitutional Law for a Changing America: Rights, Liberties, and Justice (Ninth Edition) Lee Epstein 2015-09-15 The Ninth Edition continues well-loved features such as clear delineation between commentary and opinion excerpts, a "Facts" and "Arguments" section before every case, a superb photo program, "Aftermath" and "Global Perspective" boxes, and a wealth of tables, figures, and maps.

American Constitutional Interpretation Walter F. Murphy 1995
Handbook of American Constitutional Law Henry Campbell Black 1910
An Introduction to the American Legal System, Government, and Constitutional Law Diane S. Kaplan 2015-08-07 This new coursebook introduces students to the relationship among the American constitutional, governmental, and legal systems. With a clear and concise presentation, this book explores historical and contemporary events, judicial opinions, and constitutional provisions that demonstrate how the three systems accommodate social progress in an ever-changing and highly diverse nation. Perfect for LLM courses or even undergraduate classes, this book aims to teach students how to understand constitutional doctrines, brief judicial opinions, and how American history affects contemporary legal issues. Features: Clear and concise presentation and logical organization of material making it an excellent introductory book to the American legal system Inclusion of modern cases on relevant topics, such as same-sex marriage, legalization of marijuana, and homicidal laws affecting juveniles Chapter questions that facilitate basic legal analysis through hypotheticals, opinion briefing, and application of constitutional provisions Inclusion of important historical and political events, such as lawsuits brought against Presidents, congressional impeachment powers, the Electoral College System, the Supreme Court's resolution of voting issues, the Civil War and post Civil War constitutional amendments, the Civil Rights movement, presidential and congressional war powers, and Supreme Court opinions about Guantanamo Bay detainees

The Law of the Land Akhil Reed Amar 2015-04-14 From Kennebunkport to Kauai, from the Rio Grande to the Northern Rockies, ours is a vast republic. While we may be united under one Constitution, separate and distinct states remain, each with its own constitution and culture. Geographic idiosyncrasies add more than just local character. Regional understandings of law and justice have shaped and reshaped our nation throughout history. America's Constitution, our founding and unifying document, looks slightly different in California than it does in Kansas. In *The Law of the Land*, renowned legal scholar Akhil Reed Amar illustrates how geography, federalism, and regionalism have influenced some of the biggest questions in American constitutional law. Writing about Illinois, "the land of Lincoln," Amar shows how our sixteenth president's ideas about secession were influenced by his Midwestern upbringing and outlook. All of today's Supreme Court justices, Amar notes, learned their law in the Northeast, and New Yorkers of various sorts dominate the judiciary as never before. The curious *Bush v. Gore* decision, Amar insists, must be assessed with careful attention to Florida law and the Florida Constitution. The second amendment appears in a particularly interesting light, he argues, when viewed from the perspective of Rocky Mountain cowboys and cowgirls. Propelled by Amar's distinctively smart, lucid, and engaging prose, these essays allow general readers to see the historical roots of, and contemporary solutions to, many important constitutional questions. *The Law of the Land* illuminates our nation's history and politics, and shows how America's various local parts fit together to form a grand federal framework.

Constitutional Law For Dummies Smith 2011-12-13 Discover the ins and outs of Constitutional law Are you a student looking for trusted, plain-English guidance on the ins and outs of Constitutional law? Look no further! *Constitutional Law For Dummies* provides a detailed study guide tracking to this commonly required law course. It breaks down

complicated material and gives you a through outline of the parameters and applications of the U.S. Constitution in modern, easy-to-understand language. Critical information on the Constitution's foundations, powers, and limitations A modern analysis of the Constitution's amendments Detailed information on the Supreme Court and federalism Explaining outdated governmental jargon in current, up-to-date terms, *Constitutional Law For Dummies* is just what you need for quick learning and complete understanding. Students studying government will also find this to be a useful supplement to a variety of courses.

The Words That Made Us Akhil Reed Amar 2021-05-04 A history of the American Constitution's formative decades from a preeminent legal scholar When the US Constitution won popular approval in 1788, it was the culmination of thirty years of passionate argument over the nature of government. But ratification hardly ended the conversation. For the next half century, ordinary Americans and statesmen alike continued to wrestle with weighty questions in the halls of government and in the pages of newspapers. Should the nation's borders be expanded? Should America allow slavery to spread westward? What rights should Indian nations hold? What was the proper role of the judicial branch? In *The Words that Made Us*, Akhil Reed Amar unites history and law in a vivid narrative of the biggest constitutional questions early Americans confronted, and he expertly assesses the answers they offered. His account of the document's origins and consolidation is a guide for anyone seeking to properly understand America's Constitution today.

To End a Presidency Laurence Tribe 2018-05-15 As Congress prepares articles of impeachment of President Trump, read the definitive book on presidential impeachment and how it should be used today. Impeachment is our ultimate constitutional check against an out-of-control executive. But it is also a perilous and traumatic undertaking for the nation. In this authoritative examination, Laurence Tribe and Joshua Matz rise above the daily clamor to illuminate impeachment's proper role in our age of broken politics. Now revised with a new epilogue, *To End a Presidency* is an essential book for anyone seeking to understand how this fearsome power should be deployed.

Essential Supreme Court Decisions John R. Vile 2010-12-28 First published in 1954, this indispensable reference quickly became the gold standard for concise summaries of important U.S. Supreme Court cases. The only reference guide to Supreme Court cases organized both topically and chronologically within chapters so that readers understand how cases fit into a historical context, the 15th edition has been extensively revised to ensure that it remains the most up-to-date resource available. An essential resource for law students, lawyers, and everyone interested in our nation's Constitution and the Supreme Court decisions that explicate it.

American Constitutional Law Bernard Schwartz 1955
A Community Built on Words Jefferson Powell 2005-06 H. Jefferson Powell offers a powerful new approach to one of the central issues in American constitutional thinking today: the problem of constitutional law's historicity, or the many ways in which constitutional arguments and outcomes are shaped both by historical circumstances and by the political goals and commitments of various actors, including judges. The presence of such influences is often considered highly problematic: if constitutional law is political and historical through and through, then what differentiates it from politics per se, and what gives it integrity and coherence? Powell argues that constitutional theory has as its (sometimes hidden) agenda the ambition of showing how constitutional law can escape from history and politics, while much constitutional history seeks to identify an historically true meaning of the constitutional text that, once uncovered, can serve as a corrective to subsequent deviations from that truth. Combining history and theory, Powell analyzes a series of constitutional controversies from 1790 to 1944 to demonstrate that constitutional law from its very beginning has involved politically charged

and ideologically divisive arguments. Nowhere in our past can one find the golden age of apolitical constitutional thinking that a great deal of contemporary scholarship seeks or presupposes. Viewed over time, American constitutional law is a history of political dispute couched in constitutional terms. Powell then takes his conclusions one step further, claiming that it is precisely this historical tradition of argument that has given American constitutional law a remarkable coherence and integrity over time. No matter what the particular political disputes of the day might be, constitutional argument has provided a shared language through which our political community has been able to fight out its battles without ultimately fracturing. *A Community Built on Words* will be must reading for any student of constitutional history, theory, or law.

Originalism's Promise Lee J. Strang 2019-08-08 Provides the first natural law justification for an originalist interpretation of the American Constitution.

51 Imperfect Solutions Judge Jeffrey S. Sutton 2018-05-07 When we think of constitutional law, we invariably think of the United States Supreme Court and the federal court system. Yet much of our constitutional law is not made at the federal level. In *51 Imperfect Solutions*, U.S. Court of Appeals Judge Jeffrey S. Sutton argues that American Constitutional Law should account for the role of the state courts and state constitutions, together with the federal courts and the federal constitution, in protecting individual liberties. The book tells four stories that arise in four different areas of constitutional law: equal protection; criminal procedure; privacy; and free speech and free exercise of religion. Traditional accounts of these bedrock debates about the relationship of the individual to the state focus on decisions of the United States Supreme Court. But these explanations tell just part of the story. The book corrects this omission by looking at each issue—and some others as well—through the lens of many constitutions, not one constitution; of many courts, not one court; and of all American judges, not federal or state judges. Taken together, the stories reveal a remarkably complex, nuanced, ever-changing federalist system, one that ought to make lawyers and litigants pause before reflexively assuming that the United States Supreme Court alone has all of the answers to the most vexing constitutional questions. If there is a central conviction of the book, it's that an underappreciation of state constitutional law has hurt state and federal law and has undermined the appropriate balance between state and federal courts in protecting individual liberty. In trying to correct this imbalance, the book also offers several ideas for reform.

Introduction to American Constitutional Law: Structure and Rights

PROFESSOR WILLIAM F. FUNK 2020-02-05 Unlike most constitutional law books, this book does not assume that the students have any particular knowledge of American history, government, or law, so it begins with a rich introductory chapter to provide students with a necessary foundation for the rest of the material. Thereafter, it supplements the familiar cases with historical context and pictures and biographies of current and famous justices adjacent to their opinions. It makes the traditional canon accessible and enjoyable to the current generation. Easily covered over two semesters, the book manages through careful case selection to avoid drastic editing of all but the longest cases.

American Constitutional Law Louis Fisher 2011 This paperback volume (subtitled "Constitutional Rights: Civil Rights and Civil Liberties") includes chapters 10 through 19 of Fisher/Harriger, *American Constitutional Law*, Ninth Edition (hardback). Now in its ninth edition, *American Constitutional Law* is the only book that develops constitutional law in the comprehensive sense. Along with containing analyses and excerpts of court decisions, the book highlights the efforts of legislatures, executives, the states, and the general public to participate in an ongoing political dialogue rather than passively receive a series of unilateral judicial commands. It covers all new developments in case law, congressional statutes, presidential policies, and initiatives undertaken by states under their own constitutions. The book includes readings not only from cases but congressional floor debates, committee reports, committee hearings, presidential vetoes and other statements, state actions, Federalist papers, and professional journals. It also includes a chapter on equal protection that addresses immigration law and the rights of aliens.

United States Constitutional Law DANIEL A. SIEGEL FARBER (NEIL S.) 2019-02-06 *United States Constitutional Law* guides law students, political science students, and engaged citizens through the complexities of U.S. Supreme Court doctrine—and its relationship to constitutional politics—in key areas ranging from federalism and presidential power to equal protection and substantive due process. Rather than approach constitutional law as a static structure or imagine the Supreme Court as acting in isolation from society, the book elaborates and clarifies key

constitutional doctrines while also drawing on scholarship in law and political science that relates the doctrines to large social changes such as industrialization, social movements such as civil rights and second-wave feminism, and institutional tensions between governmental actors. Combining legal analysis with historical narrative and sensitivity to political context, the book provides deeper understanding of how constitutional law arises, functions, and changes in a complex, often-divided society.

Interpreting the Constitution Kent Greenawalt 2015 This book uniquely presents a sophisticated account of possible approaches to constitutional interpretation and also examines how major provisions in the U.S. Constitution are, and should be, interpreted.

American Constitutional Law Charles A. Shanor 2001

The Dynamic Constitution Richard H. Fallon, Jr 2013-04-22 In this revised and updated second edition of *The Dynamic Constitution*, Richard H. Fallon, Jr provides an engaging, sophisticated introduction to American constitutional law. Suitable for lawyers and non-lawyers alike, this book discusses contemporary constitutional doctrine involving such issues as freedom of speech, freedom of religion, rights to privacy and sexual autonomy, the death penalty, and the powers of Congress. Through examples of Supreme Court cases and portraits of past and present Justices, this book dramatizes the historical and cultural factors that have shaped constitutional law. *The Dynamic Constitution*, 2nd edition, combines detailed explication of current doctrine with insightful analysis of the political culture and theoretical debates in which constitutional practice is situated. Professor Fallon uses insights from political science to explain some aspects of constitutional evolution and emphasizes features of the judicial process that distinguish constitutional law from ordinary politics.

American Constitutional Law Laurence H. Tribe 1999

Constitutional Law for a Changing America Lee Epstein 2020-08-26 Political factors influence judicial decisions. Arguments and input from lawyers and interest groups, the ebb and flow of public opinion, and especially the ideological and behavioral inclinations of the justices all combine to shape the development of constitutional doctrine. Drawing on political science as much as from legal studies, *Constitutional Law for a Changing America: A Short Course* helps you realize that Supreme Court cases are more than just legal names and citations. With meticulous revising, the authors streamline material while accounting for recent landmark cases and new scholarship. Ideal for a one semester course, the Eighth Edition of *A Short Course* offers all the hallmarks of the *Rights and Powers* volumes in a more condensed format. Students and instructors benefit from the online Con Law Resource Center which houses the supplemental case archive, links to CQ Press reference materials, a moot court simulation, instructor resources, and more.

State Constitutional Law Randy James Holland 2010 This new case book addresses the constitutions of the 50 States. It is designed for a survey course, one that does not purport to cover every State's constitution in detail. Rather, like a traditional contracts, real property or torts textbook, it uses the most interesting state court decisions from around the country to illustrate the astonishing array of state constitutional issues at play in modern American law. The method of presentation emphasizes the function of state constitutions in our federal system. It sometimes does so by explaining how the U.S. Constitution deals with an issue before discussing how the state constitutions handle it, and it sometimes does so by explaining how the state constitutions contain provisions that have no parallel in the U.S. Constitution. A central theme of the book, explored in a variety of areas, is that state constitutions provide a source of rights independent of the Federal Constitution, and state courts frequently construe these provisions to grant more expansive protection for individual rights than the Federal Constitution provides. As the reader will see, the state courts' expansion of liberty and property rights under their constitutions stems from a variety of factors: differences in the text between the state and federal constitutional provisions, the smaller size of the state courts' jurisdiction, state constitutional history, unique state traditions and disagreement with the U.S. Supreme Court's interpretation of similar language. State constitutional law, like its federal counterpart, is not limited to individual rights. The book also explores the organization and structure of state and local governments, the method of choosing state judges, the ease with which most state constitutions can be amended, taxation, public finance and school funding. As the nightly news confirms, it is no exaggeration to say that many of the most ground-breaking constitutional debates of the day are being aired in the state courts under their own constitutions. The mission of this book is to introduce students to this increasingly significant

body of American law and to prepare them to practice effectively in it.

Constitutional Law and American Democracy Corey Brettschneider 2011-12-01 In what promises to become a foundational undergraduate and law school text, *Constitutional Law and American Democracy: Cases and Readings* goes beyond parsing cases, providing ample

American Constitutional Law Laurence H. Tribe 1978

American Constitutional Law Charles A. Shanor 2007-08 This law school casebook supplement reflects the major lines of Supreme Court authority, placing cases within an historical context and organizational framework appropriate for law students. Focuses on the structure of the Constitution and its reconstruction, both by amendment and by judicial interpretation. Does not cover the First Amendment. This supplement covers the U.S. Supreme Court's decisions from the current term, plus additional notes, questions, and review problems built around these cases and other developing areas of American Constitutional Law.

An Introduction to Constitutional Law Randy E. Barnett 2019-09-13 Buy a new version of this book and receive access to the video series that accompanies the text hosted on CasebookConnect.com. This multimedia platform combines a book and video series that will change the way you study constitutional law. *An Introduction to Constitutional Law* teaches the narrative of constitutional law as it has developed over the past two centuries. All students—even those unfamiliar with American history—will learn the essential background information to grasp how this body of law has come to be what it is today. An online library of sixty-three videos brings the Supreme Court's one hundred most important decisions to life. These videos are enriched by photographs, maps, and even audio from the Supreme Court. The book and videos are accessible for all levels: law school, college, high school, home school, and independent study. Students can read and watch these materials before class to prepare for lectures or study after class to fill in any gaps in their notes. And, come exam time, students can binge-watch the entire canon of constitutional law in about twelve hours. To receive access to the video series you must purchase a new version of the book.

Constitutional Law for a Changing America Lee Epstein 2017-09-27 Drawing on political science as much as from legal studies, *Constitutional Law for a Changing America* helps students realize that Supreme Court cases are more than just legal names and citations. Ideal for a one-semester course, the Short Course offers all of the hallmarks of the Rights and Powers volumes in a more condensed format. The authors are known for fastidious revising and streamlining of decisions. A recipient of 12 grants from the National Science Foundation for her work on law and legal institutions, Lee Epstein has authored or co-authored over 100 articles and essays, as well as 15 books, and received the Teaching and Mentoring Award from the Law and Courts Section of the American Political Science Association. Additionally, Thomas G. Walker is the Goodrich C. White Professor of Political Science at Emory University and co-author of *A Court Divided*, which won the V. O. Key, Jr. Award for the best book on southern politics.

American Constitutional Law, Volume I: Sources of Power and Restraint Otis Stephens, Jr. 2007-02-27 *AMERICAN CONSTITUTIONAL LAW, Volumes I and II*, combines cases, decisions, and authorial commentary to maximize your learning and understanding in this course. These comprehensive volumes cover the entire range of topics in constitutional law. Each of the chapters includes an extended essay providing the legal, historical, political, and cultural contexts for the set of edited decisions from the United States Supreme Court case that follows. In selecting, editing, and updating the materials, the authors emphasize recent trends in major areas of constitutional interpretation. At the same time, the authors include many landmark decisions, some of which retain importance as precedents while others illustrate the transient nature of constitutional interpretation. Because the book provides a good balance of decisions and authorial commentary, this text appeals to instructors of law as well as instructors of political science. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version.

Sex and the Constitution: Sex, Religion, and Law from America's Origins to the Twenty-First Century Geoffrey R. Stone 2017-03-21 A New York Times Book Review Editors' Choice Selection A "volume of lasting significance" that illuminates how the clash between sex and religion has defined our nation's history (Lee C. Bollinger, president, Columbia University). Lauded for "bringing a bracing and much-needed dose of reality about the Founders' views of sexuality" (New York Review of Books), Geoffrey R. Stone's *Sex and the Constitution* traces the evolution of legal and moral codes that have legislated sexual behavior from America's earliest days to today's fractious political climate. This

"fascinating and maddening" (Pittsburgh Post-Gazette) narrative shows how agitators, moralists, and, especially, the justices of the Supreme Court have navigated issues as divisive as abortion, homosexuality, pornography, and contraception. Overturning a raft of contemporary shibboleths, Stone reveals that at the time the Constitution was adopted there were no laws against obscenity or abortion before the midpoint of pregnancy. A pageant of historical characters, including Voltaire, Thomas Jefferson, Anthony Comstock, Margaret Sanger, and Justice Anthony Kennedy, enliven this "commanding synthesis of scholarship" (Publishers Weekly) that dramatically reveals how our laws about sex, religion, and morality reflect the cultural schisms that have cleaved our nation from its founding.

The Invisible Constitution Laurence H. Tribe 2008-09-17 As everyone knows, the United States Constitution is a tangible, visible document. Many see it in fact as a sacred text, holding no meaning other than that which is clearly visible on the page. Yet as renowned legal scholar Laurence Tribe shows, what is not written in the Constitution plays a key role in its interpretation. Indeed some of the most contentious Constitutional debates of our time hinge on the extent to which it can admit of divergent readings. In *The Invisible Constitution*, Tribe argues that there is an unseen constitution--impalpable but powerful--that accompanies the parchment version. It is the visible document's shadow, its dark matter: always there and possessing some of its key meanings and values despite its absence on the page. As Tribe illustrates, some of our most cherished and widely held beliefs about constitutional rights are not part of the written document, but can only be deduced by piecing together hints and clues from it. Moreover, some passages of the Constitution do not even hold today despite their continuing existence. Amendments may have fundamentally altered what the Constitution originally said about slavery and voting rights, yet the old provisos about each are still in the text, unrevised. Through a variety of historical episodes and key constitutional cases, Tribe brings to life this invisible constitution, showing how it has evolved and how it works. Detailing its invisible structures and principles, Tribe compellingly demonstrates the invisible constitution's existence and operative power. Remarkably original, keenly perceptive, and written with Tribe's trademark analytical flair, this latest volume in Oxford's Inalienable Rights series offers a new way of understanding many of the central constitutional debates of our time. About the Series: Combining authority with wit, accessibility, and style, Very Short Introductions offer an introduction to some of life's most interesting topics. Written by experts for the newcomer, they demonstrate the finest contemporary thinking about the central problems and issues in hundreds of key topics, from philosophy to Freud, quantum theory to Islam.

Constitutional Identity Gary J. Jacobsohn 2010 In *Constitutional Identity*, Gary Jeffrey Jacobsohn argues that a constitution acquires an identity through experience—from a mix of the political aspirations and commitments that express a nation's past and the desire to transcend that past. It is changeable but resistant to its own destruction, and manifests itself in various ways, as Jacobsohn shows in examples as far flung as India, Ireland, Israel, and the United States. Jacobsohn argues that the presence of disharmony—both the tensions within a constitutional order and those that exist between a constitutional document and the society it seeks to regulate—is critical to understanding the theory and dynamics of constitutional identity. He explores constitutional identity's great practical importance for some of constitutionalism's most vexing questions: Is an unconstitutional constitution possible? Is the judicial practice of using foreign sources to resolve domestic legal disputes a threat to vital constitutional interests? How are the competing demands of transformation and preservation in constitutional evolution to be balanced?

Keeping Faith with the Constitution Goodwin Liu 2010-08-05 Chief Justice John Marshall argued that a constitution "requires that only its great outlines should be marked [and] its important objects designated." Ours is "intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs." In recent years, Marshall's great truths have been challenged by proponents of originalism and strict construction. Such legal thinkers as Supreme Court Justice Antonin Scalia argue that the Constitution must be construed and applied as it was when the Framers wrote it. In *Keeping Faith with the Constitution*, three legal authorities make the case for Marshall's vision. They describe their approach as "constitutional fidelity"—not to how the Framers would have applied the Constitution, but to the text and principles of the Constitution itself. The original understanding of the text is one source of interpretation, but not the only one; to preserve the meaning and

authority of the document, to keep it vital, applications of the Constitution must be shaped by precedent, historical experience, practical consequence, and societal change. The authors range across the history of constitutional interpretation to show how this approach has been the source of our greatest advances, from *Brown v. Board of Education* to the New Deal, from the *Miranda* decision to the expansion of women's rights. They delve into the complexities of voting rights, the malapportionment of legislative districts, speech freedoms, civil liberties and the War on Terror, and the evolution of checks and balances. The Constitution's framers could never have imagined DNA, global warming, or even women's equality. Yet these and many more realities shape our lives and outlook. Our Constitution will remain vital into our changing future, the authors write, if judges remain true to this rich tradition of adaptation and fidelity.

American Constitutional Law, Volume II Ralph A. Rossum 2018-05-15

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.

Beginning Constitutional Law Nick Howard 2016-07-15 Whether you're new to higher education, coming to legal study for the first time or just wondering what Constitutional Law is all about, *Beginning Constitutional Law* is the ideal introduction to help you hit the ground running. Adopting a clear and simple approach with legal vocabulary explained in a detailed glossary available on the companion website, Nick Howard breaks the subject of constitutional law down using practical everyday examples to make it understandable for anyone, whatever their background. Diagrams and flowcharts simplify complex issues, important cases are identified and explained, and on-the-spot questions help you recognize potential issues or debates within the law so that you can contribute in classes with confidence. This second edition has been updated to keep up to date with developments both before and after the 2015 General Election as well as ongoing proposals for reform, including:

- The referendum on independence for Scotland, increased devolved powers and the continued threat of the break-up of the Union.
- Proposals to repeal the Human Rights Act 1998 and replace it with a British Bill of Rights.
- The in/out referendum on EU membership.
- Reform of the role and composition of the House of Lords.

Beginning Constitutional Law is an ideal first introduction to the subject for LLB, GDL or ILEX and especially international students, those enrolled on distance learning courses or on other degree programmes.

Jumpstart Constitutional Law Jethro Koller Lieberman 2013-09-01

Unlike Torts and Contracts, in which the facts are relatively consistent, cases that arise under the Constitution spring from a vast array of activities and appear to have little or no common thread. Shedding light on the threshold issues and substantive questions common to all constitutional law cases, *Jumpstart Constitutional Law: Reading and Understanding Constitutional Law Cases*, brings it all into focus. Key to constructing cogent answers on a Constitutional Law exam, Jethro K. Lieberman's straightforward approach teaches students how to spot the issues and respond to the relevant questions in any constitutional law case. *Jumpstart Constitutional Law* features:

- Perspective--A tour of the American Constitution from a bird's-eye-view
- Understanding threshold issues Who may decide Constitutional disputes? Under what circumstances may a court decide a case? Must the court take and answer a constitutional question in a proper case? Identifying substantive issues Determining the scope of governmental powers Federalism, and the relationship between federal and state powers Constitutional restraints that limit the exercise of governmental power Interpreting the Constitution Using tests to determine the limits of power and the extent of rights Tools of analysis for interpreting the Constitution The role of precedent and change Get into training--real preparation for taking the Constitutional Law exam A program for effective studying Sample constitutional law exam questions and answers Exam-taking strategie What are law students saying about *Jumpstart Constitutional Law*? "At the beginning of the semester in Con Law, I was overwhelmed by what was a

very unfamiliar field of law and required a different way of reviewing cases than my other first-year courses. I wish I'd had *Jumpstart Constitutional Law*. It teaches you how to take a heavy, dense amount of material and break it down into important bare facts."--M.C. "As a 1L, you are constantly overwhelmed by terms you thought you knew only to discover their legal meaning is entirely foreign (e.g., "standing" and "ripeness"). Having *Jumpstart Con Law's* mini-con law dictionary with its simple definitions will be extremely helpful to students."--KAB "Con Law is a difficult subject. For example, the 14th Amendment has so many tests, restrictions, definitions, and concepts that it was difficult for me to keep track of which one applied where and what test to use. *Jumpstart Constitutional Law* separates out and describes the different due processes, the time-place-manner test, notice, hearing, state action, and the scrutiny tests. The book would have prov

American Constitutional Law, Volume I Ralph A. Rossum 2018-05-04

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.

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.

Looking for Rights in All the Wrong Places Emily Zackin 2013-04-21

Unlike many national constitutions, which contain explicit positive rights to such things as education, a living wage, and a healthful environment, the U.S. Bill of Rights appears to contain only a long list of prohibitions on government. American constitutional rights, we are often told, protect people only from an overbearing government, but give no explicit guarantees of governmental help. *Looking for Rights in All the Wrong Places* argues that we have fundamentally misunderstood the American rights tradition. The United States actually has a long history of enshrining positive rights in its constitutional law, but these rights have been overlooked simply because they are not in the federal Constitution. Emily Zackin shows how they instead have been included in America's state constitutions, in large part because state governments, not the federal government, have long been primarily responsible for crafting American social policy. Although state constitutions, seemingly mired in trivial detail, can look like pale imitations of their federal counterpart, they have been sites of serious debate, reflect national concerns, and enshrine choices about fundamental values. Zackin looks in depth at the history of education, labor, and environmental reform, explaining why America's activists targeted state constitutions in their struggles for government

protection from the hazards of life under capitalism. Shedding much-needed light on the variety of reasons that activists pursued the creation of new state-level rights, *Looking for Rights in All the Wrong Places* challenges us to rethink our most basic assumptions about the American constitutional tradition.

Constitutional Law for a Changing America Lee Epstein 2013-04-09 Known for attentive revising and streamlining, the authors continue to strengthen the distinctive features of their best-selling text—its currency, scholarship, and the inclusion of both concurring and dissenting opinions—while closely following the pressing issues the Roberts Court has taken up in recent years. Author commentary preceding excerpted opinions includes: the case Facts and key Arguments made by the attorneys on both sides; Aftermath boxes that reveal what happened to litigants after a ruling; Global Perspective boxes that explain how U.S. case law compares to other nations; and NEW to these editions, Annotated Readings that give direction about where to go for more information.

How Rights Went Wrong Jamal Greene 2021-03-16 An eminent constitutional scholar reveals how the explosion of rights is dividing America, and shows how we can build a better system of justice. You have the right to remain silent and the right to free speech. The right to worship, and to doubt. The right to be free from discrimination, and to hate. The right to marry and to divorce; to have children and to terminate a pregnancy. The right to life, and the right to own a gun. Rights are a sacred part of American identity. Yet they were an afterthought for the Framers, and early American courts rarely enforced them. Only as a result of the racial strife that exploded during the Civil War—and a series of resulting missteps by the Supreme Court—did rights gain such outsized power. The result is a system of legal absolutism that distorts our law and debases our politics. Over and over again, courts have treated rights conflicts as zero-sum games in which awarding rights to one side means denying rights to others. As eminent legal scholar Jamal Greene shows in *How Rights Went Wrong*, we need to recouple rights with justice—before they tear society apart.