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Creating Constitutional Change: Clashes over Power and Liberty in the Supreme Court (Constitutionalism and Democracy)

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Because the justices of the U.S. Supreme Court tell us what the Constitution means, they can create constitutional change. For quite some time, general readers who have been interested in understanding those changes have not had a concise volume that explores major decisions in which those changes occur. Traditional casebooks used in law schools typically pay scant attention to the historical and political context in which cases are decided, as well as the motives of litigants, the involvement of interest groups, and the justices' concerns with policy outcomes, even though all these factors are critical to understanding the Court's decisions. Other books do address these concerns, but they almost always focus on a single policy issue rather than on a broader range of constitutional conflicts that populate the Court's docket.

In order to make a wide range of decisions more accessible, Gregg Ivers and Kevin T. McGuire commissioned twenty-two outstanding scholars to write essays on a selected series of Supreme Court cases. Chosen for their contemporary relevance, most of the cases addressed in this informative reader are from the last half-century, extending right up through Bush v. Gore and the 2003 Michigan affirmative action cases.

In each of these roughly two dozen cases, the authors address a number of questions that provide readers with a deeper understanding of the Court and its policies: How did the conflict originate? What role did organized interests have in the case? What did the litigants, personally and professionally, have at stake? What was the practical result of the Court's decision? Did the Court respond to lobbying or public opinion? These detailed historical and personal accounts in this all-new collection of essays offer engaging and illuminating perspectives on law and politics.

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