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Titolo	That eminent tribunal [[electronic resource]] : judicial supremacy and the constitution / / Christopher Wolfe, editor
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Altri autori (Persone)	WolfeChristopher
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Nota di contenuto	Is the Constitution whatever the winners say it is? / Gerard V. Bradley -- Nationhood and judicial supremacy / Robert F. Nagel -- Casey at the bat--taking another swing at Planned Parenthood v. Casey / Michael Zuckert -- Antijural jurisprudence : the vices of the judges enter a new stage / Hadley Arkes -- Judicial power and the withering of civil society / George W. Liebmann -- The academy, the courts, and the culture of rationalism / Steven D. Smith -- Judicial moral expertise and real-world constraints on judicial moral reasoning / Jack Wade Nowlin -- Toward a more balanced history of the Supreme Court / Michael W. McConnell -- Judicial review and republican government / Jeremy Waldron -- The Casey Five versus the Federalism Five : supreme legislator or prudent umpire? / Keith E. Whittington -- The Rhenquist Court and "conservative judicial activism" / Christopher Wolfe.
Sommario/riassunto	The role of the United States Supreme Court has been deeply controversial throughout American history. Should the Court undertake the task of guarding a wide variety of controversial and often unenumerated rights? Or should it confine itself to enforcing specific constitutional provisions, leaving other issues (even those of rights) to

the democratic process? That Eminent Tribunal brings together a distinguished group of legal scholars and political scientists who argue that the Court's power has exceeded its appropriate bounds, and that sound republican principles require greater limits on that power. They reach this conclusion by an interesting variety of paths, and despite varied political convictions. Some of the essays debate the explicit claims to constitutional authority laid out by the Supreme Court itself in *Planned Parenthood v. Casey* and similar cases, and others focus on the defenses of judicial authority found commonly in legal scholarship (e.g., the allegedly superior moral reasoning of judges, or judges' supposed track record of superior political decision making). The authors find these arguments wanting and contend that the principles of republicanism and the contemporary form of judicial review exercised by the Supreme Court are fundamentally incompatible. The contributors include Hadley Arkes, Gerard V. Bradley, George Liebmann, Michael McConnell, Robert F. Nagel, Jack Wade Nowlin, Steven D. Smith, Jeremy Waldron, Keith E. Whittington, Christopher Wolfe, and Michael P. Zuckert.
