1.	Record Nr. Autore Titolo	UNINA9910462753303321 Berger Raoul <1901-2000.> Government by judiciary [[electronic resource]] : the transformation of the fourteenth amendment / / Raoul Berger ; with a foreword by Forrest McDonald
	Pubbl/distr/stampa	Indianapolis, : Liberty Fund, 1997
	ISBN	1-61487-774-2
	Edizione	[2nd ed.]
	Descrizione fisica	1 online resource (585 p.)
	Disciplina	342.73/085 347.30285
	Soggetti	Political questions and judicial power - United States Civil rights - United States Judge-made law - United States Electronic books.
	Lingua di pubblicazione	Inglese
	Formato	Materiale a stampa
	Livello bibliografico	Monografia
	Note generali	Description based upon print version of record.
	Nota di bibliografia	Includes bibliographical references (p. 493-516) and indexes.
	Nota di contenuto	 "Raol Berger, Government By Judiciary ""; ""Front Matter ""; ""Title Page ""; ""Copyright Details ""; ""Table of Contents, p. xiii ""; ""Foreword, p. xv ""; ""Preface to the Second Edition, p. xxi ""; ""Acknowledgments ""; ""Abbreviations, p. xxiv ""; ""Part I ""; "1. Introduction, p. 3 ""; "Supplementary Note on the Introduction, p. 18 ""; "2. ""Privileges or Immunities," p. 30 ""; ""Supplementary Note on the Civil Rights Act and the Fourteenth Amendment: Fundamental Rights, p. 44 ""; ""3. The ""Privileges or Immunities of a Citizen of the United States," p. 57"" "4. Negro Suffrage Was Excluded, p. 70 """Supplementary Note on Suffrage, p. 85 ""; "5. Reapportionment, p. 90 ""; ""6. The ""Open-Ended" Phraseology Theory, p. 116 ""; "7. Segregated Schools, p. 132 ""; "Supplementary Note on Segregated Schools, p. 146 ""; "8. Incorporation of the Bill of Rights in the Fourteenth Amendment, p. 155 "; "Supplementary Note on Incorporation, p. 174 ""; "9. Opposition Statements Examined, p. 190 ""; "10. ""Equal Protection of the Laws,"" p. 198 ""; ""11. "Due Process of Law," p. 211 ""; ""12. Section Five: ""Congress Shall Enforce," p. 245 ""

""""Supplementary Note on Abolitionist Influence, p. 266 ""; ""Part II ""; ""14. From Natural Law to Libertarian Due Process, p. 273 ""; "Supplementary Note on Natural Law and the Constitution, p. 302 ""; ""15. ""The Rule of Law,"" p. 307 ""; ""16. The Judiciary Was Excluded From Policymaking, p. 322 ""; ""Supplementary Note on Exclusion of the Judiciary, p. 332 ""; ""17. The Turnabout of the Libertarians, p. 337 ""; ""18. Liberals and the Burger Court, p. 358 ""; ""19. The Legitimacy of Judicial Review, p. 369 "" "Supplementary Note on the Role of the Court, p. 378 """"20. Why the ""Original Intention?"" p. 402 ""; ""Supplementary Note on Original Intention, p. 410 ""; ""21. Arguments for Judicial Power of Revision, p. 418 ""; ""22. ""Trial by Jury"": Six or Twelve Jurors?, p. 448 ""; ""23. Conclusion, p. 457 ""; ""Supplementary Note on the Conclusion, p. 466 ""; ""Appendix A. Van Alstyne's Critique of Justice Harlan's Dissent, p. 471 ""; ""Appendix B. Judicial Administration of Local Matters, p. 480 ""; ""The Writings of Raoul Berger, p. 485 ""; ""Bibliography, p. 493 ""; ""Index of Cases, p. 517 ""

""General Index, p. 525 ""