

1. Record Nr.	UNINA9910780770903321
Titolo	We dissent [[electronic resource]] : talking back to the Rehnquist court : eight cases that subverted civil liberties and civil rights / / edited by Michael Avery
Pubbl/distr/stampa	New York, : New York University Press, c2009
ISBN	0-8147-0778-5 0-8147-0737-8
Descrizione fisica	1 online resource (246 p.)
Altri autori (Persone)	AveryMichael <1944->
Disciplina	342.7308/5
Soggetti	Civil rights - United States
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 and index.
Nota di contenuto	Alden v. Maine : sovereign immunity -- a vestige of monarchy inconsistent with democratic values / Erwin Chemerinsky -- Arkansas Educational Television Commission v. Forbes : betraying freedom of political expression and undermining democracy / Jamin Raskin -- Cuyahoga Falls v. Buckeye : the Supreme Court's "intent doctrine" - undermining viable discrimination claims and remedies for people of color / Eva Paterson and Susan Kiyomi Serrano -- United States v. Whren : The Fourth Amendment problem with pretextual traffic stops / Tracey Maclin -- County Of Sacramento v. Lewis : protecting life and liberty under the Constitution - reckless indifference to life does not shock the conscience of the Supreme Court / Michael Avery -- Chavez v. Martinez : the court fails to hold that interrogation by means of torture is unconstitutional / Marjorie Cohn -- Saucier v. Katz : qualified immunity as a doctrine of dilution of constitutional rights / David Rudovsky -- Strickland v. Washington : gutting Gideon and providing cover for incompetent counsel / Abbe Smith.
Sommario/riassunto	The lawyers and legal commentators who contribute to <i>We Dissent</i> unanimously agree that during Chief Justice William Rehnquist's nineteen-year tenure, the Supreme Court failed to adequately protect civil liberties and civil rights. This is evident in majority opinions written for numerous cases heard by the Rehnquist Court, and eight of those cases are re-examined here, with contributors offering dissents

to the Court's decisions. The Supreme Court opinions criticized in *We Dissent* suggest that the Rehnquist Court placed the interests of government above the people, and as the dissents in this book demonstrate, the Court strayed far from our constitutional ideals when it abandoned its commitment to the protection of the individual rights of Americans. Each chapter focuses on a different case—ranging from torture to search and seizure, and from racial profiling to the freedom of political expression—with contributors summarizing the case and the decision, and then offering their own dissent to the majority opinion. For some cases featured in the book, the Court's majority decisions were unanimous, so readers can see here for the first time what a dissent might have looked like. In other cases, contributors offer alternative dissents to the minority opinion, thereby widening the scope of opposition to key civil liberties decision made by the Rehnquist Court. Taken together, the dissents in this unique book address the pressing issue of Constitutional protection of individual freedom, and present a vision of constitutional law in the United States that differs considerably from the recent jurisprudence of the United States Supreme Court. Contributors: Michael Avery, Erwin Chemerinsky, Marjorie Cohn, Tracey Maclin, Eva Paterson, Jamin Raskin, David Rudovsky, Susan Kiyomi Serrano, and Abbe Smith.
