

1. Record Nr.	UNINA9910828982403321
Autore	Berger Raoul <1901-2000.>
Titolo	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
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	<p>""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 "" ""13. Incorporation of Abolitionist Theory in Section One, p. 253 """"Supplementary Note on Abolitionist Influence, p. 266 ""; ""Part II ""; ""14. From Natural Law to Libertarian Due Process, p. 273 "";</p>

""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 ""

---