



The Jurisprudential Vision of Justice Antonin Scalia (Studies in American Constitutionalism)

David A. Schultz, Christopher E. Smith

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When Antonin Scalia was appointed to the Supreme Court in 1986, conservatives hoped he would become the intellectual leader of President Reagan's judicial counter-revolution. In this first book-length analysis of Scalia's jurisprudence, David A. Schultz and Christopher E. Smith argue that Scalia's impact has been neither what conservatives hoped nor what liberals feared. The authors examine Scalia's political and judicial philosophy and they outline the areas of the law that Scalia has most profoundly affected, particularly constitutional protections for property rights. Citing Scalia's use of judicial review to check legislative power and his attempts to limit several types of individual rights developed during the Warren and Burger Courts, the authors conclude that Scalia's decisions reflect an effort to create a post-Carolene Products jurisprudence and to form a new pattern of assumptions regarding the role of the Supreme Court in American society. This is essential reading for students, scholars, and anyone interested in the Supreme Court and constitutional law.

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