



# EDWARD DOUGLASS WHITE

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*Defender of the  
Conservative Faith*

Robert B. Highsaw

# Edward Douglass White Defender Of The Conservative Faith

**Stuart Banner**



## **Edward Douglass White Defender Of The Conservative Faith:**

**Edward Douglass White, Defender of the Conservative Faith** Robert Baker Highsaw, 1981-01-01      **Edward Douglass White** Robert B. Highsaw, 1999-03-01 Elite personable and persuasive Edward Douglass White a large and bearish man from Louisiana served on the United States Supreme Court for twenty seven years During his tenure first as an associate justice 1894 1910 and then as the ninth chief justice 1910 1921 White significantly influenced American public law Robert Highsaw s extensive judicial biography stresses White s constitutional thought and philosophy Several chapters discuss his early years in Louisiana his training in Jesuit schools there and at Georgetown University and his early legal career in New Orleans The emphasis however remains on White s theories and applications of the judicial and constitutional processes Edward Douglass White looked upon the American constitutional system as a model for a well ordered society that must be preserved White s concept of a federal system in which the national and state governments each operated within a defined sphere of powers underlay many of his opinions White considered farm issues that developed after the closing of the western frontier economic issues precipitated by a growing laboring class and tense political issues of civil liberties that emerged during World War I He played an important part in developing administrative law and was perhaps most responsible for strengthening dual federalism of commerce and taxing powers His pragmatism evidenced in the Insular cases where his doctrine of incorporated and unincorporated territories synthesized American constitutional law with the political reality of American imperialism White was a conservative but unlike the conservative justices of the 1920s and 1930s whose intransigence produced the judicial revolution of 1937 he saw that injury to the Constitution might result from its consistent use as a barrier to social progress Significantly Edward Douglass White demonstrates that the judicial revolution of 1937 and the ensuing decades of the Court s history are meaningless unless we know what happened fifty or so years earlier      **The Supreme Court Under Edward Douglass White, 1910-1921** Walter F. Pratt, 1999 This volume chronicles a transformation in American jurisprudence that mirrored the widespread political economic and social upheavals of the early 20th century White s tenure coincided with a shift from a rural to an urban society and the emergence of the US as a world power      **The Supreme Court** Peter Charles Hoffer, William James Hull Hoffer, N. E. H. Hull, 2018-08-28 For more than two centuries the U S Supreme Court has provided a battleground for nearly every controversial issue in our nation s history Now a veteran team of talented historians including the editors of the acclaimed Landmark Law Cases and American Society series have updated the most readable astute single volume history of this venerated institution with a new chapter on the Roberts Court The Supreme Court chronicles an institution that dramatically evolved from six men meeting in borrowed quarters to the most closely watched tribunal in the world Underscoring the close connection between law and politics the authors highlight essential issues cases and decisions within the context of the times in which the decisions were handed down Deftly combining doctrine and judicial biography with case law they demonstrate how the justices have shaped the law

and how the law that the Court makes has shaped our nation with an emphasis on how the Court responded or failed to respond to the plight of the underdog Each chapter covers the Court's years under a specific Chief Justice focusing on cases that are the most reflective of the way the Court saw the law and the world and that had the most impact on the lives of ordinary Americans Throughout the authors reveal how in times of war class strife or moral revolution the Court sometimes voiced the conscience of the nation and sometimes seemed to lose its moral compass Their extensive quotes from the Court's opinions and dissents illuminate its inner workings as well as the personalities and beliefs of the justices and the often contentious relationships among them Fair minded and sharply insightful The Supreme Court portrays an institution defined by eloquent and pedestrian decisions and by justices ranging from brilliant and wise to slow witted and expedient An epic and essential story it illuminates the Court's role in our lives and its place in our history in a manner as engaging for general readers as it is rigorous for scholars

**Chief Justice Profiles** Philip Secor, 2013-09 This book is a companion to my two previous works in this series on American leaders Presidential Profiles 2008 and Vice Presidential Profiles 2013 It provides short biographies of the seventeen men who have served as Chief Justice of the United States Supreme Court As such they have had the unchecked power to invalidate laws of Congress and State governments as well as acts of Presidents Because these men have always been largely removed from public view and yet so important to the development of our country I have called them our hidden leaders In each biographical sketch the reader will learn about the childhood family life educational background and career of the Chief Justice

*The Chief Justiceship of Melville W. Fuller, 1888-1910* James W. Ely, 2012-11-01 A study of the man who led the Supreme Court as the nineteenth century ended and the twentieth began exploring issues of property government authority and more In this comprehensive interpretation of the Supreme Court during the pivotal tenure of Melville W Fuller James W Ely Jr provides a judicial biography of the man who led the Court from 1888 until 1910 as well as a comprehensive and thoughtful analysis of the jurisprudence dispensed under his leadership Highlighting Fuller's skills as a judicial administrator Ely argues that a commitment to economic liberty the security of private property limited government and states rights guided Fuller and his colleagues in their treatment of constitutional issues Ely directly challenges the conventional idea that the Fuller Court adopted laissez faire principles in order to serve the needs of business Rather Ely presents the Supreme Court's efforts to safeguard economic rights not as a single minded devotion to corporate interests but as a fulfillment of the property conscious values that shaped the constitution making process in 1787 The resulting study illuminates a range of related legal issues including the Supreme Court's handling of race relations criminal justice governmental authority and private law disputes

Bicentennial of the United States Constitution, 1990 *Deciding to Leave* Artemus Ward, 2012-02-01 While much has been written on Supreme Court appointments *Deciding to Leave* provides the first systematic look at the process by which justices decide to retire from the bench and why this has become increasingly partisan in recent years Since 1954 generous retirement provisions and

decreasing workloads have allowed justices to depart strategically when a president of their own party occupies the White House Otherwise the justices remain in their seats often past their ability to effectively participate in the work of the Court While there are benefits and drawbacks to various reform proposals Ward argues that mandatory retirement goes farthest in combating partisanship and protecting the institution of the Court The American Supreme Court Robert G. McCloskey, 2010-07-15 Celebrating its fiftieth anniversary Robert McCloskey's classic work on the Supreme Court's role in constructing the U S Constitution has introduced generations of students to the workings of our nation's highest court For this new fifth edition Sanford Levinson extends McCloskey's magisterial treatment to address the Court's most recent decisions As in prior editions McCloskey's original text remains unchanged In his historical interpretation he argues that the strength of the Court has always been its sensitivity to the changing political scene as well as its reluctance to stray too far from the main currents of public sentiments In two revised chapters Levinson shows how McCloskey's approach continues to illuminate developments since 2005 including the Court's decisions in cases arising out of the War on Terror which range from issues of civil liberty to tests of executive power He also discusses the Court's skepticism regarding campaign finance regulation its affirmation of the right to bear arms and the increasingly important nomination and confirmation process of Supreme Court justices including that of the first Hispanic justice Sonia Sotomayor The best and most concise account of the Supreme Court and its place in American politics McCloskey's wonderfully readable book is an essential guide to the past present and future prospects of this institution **The Supreme Court Justices** Melvin Urofsky, 1994-09-01 First published in 1994 In the two centuries of governance under the Constitution 105 men and two women have sat as justices on the nation's highest tribunal the Supreme Court of the United States Each of them has brought some unique insights or talents to that position Contributors to this volume were asked to concentrate on the judicial tenure of their subjects and to interpret those careers and evaluate their importance They were asked to deal with the pre Court years only insofar as those experiences had a major impact on jurisprudence The Supreme Court A-Z Kenneth Jost, 2013-11-26 This comprehensive alphabetical encyclopedia of more than 300 easy to read entries is the first resource for anyone who wants reliable information or background material on the significant decisions of the Supreme Court the history of the Court the justices every justice is profiled the powers of the Court and how the institution has evolved from its origins to the present Outstanding Academic Book *A Machine That Would Go of Itself* Russell Fraser, Michael Kammen, 2017-07-12 In this volume Pulitzer Prize winning historian Michael Kammen explores the U S Constitution's place in the public consciousness and its role as a symbol in American life from ratification in 1788 to our own time As he examines what the Constitution has meant to the American people perceptions and misperceptions uses and abuses knowledge and ignorance Kammen shows that although there are recurrent declarations of reverence most of us neither know nor fully understand our Constitution How did this gap between ideal and reality come about To explain it Kammen examines the complex and contradictory feelings about the Constitution

that emerged during its preparation and that have been with us ever since He begins with our confusion as to the kind of Union we created especially with regard to how much sovereignty the states actually surrendered to the central government This confusion is the source of the constitutional crisis that led to the Civil War and its aftermath Kammen also describes and analyzes changing perceptions of the differences and similarities between the British and American constitutions turn of the century debates about states rights versus national authority and disagreements about how easy or difficult it ought to be to amend the Constitution Moving into the twentieth century he notes the development of a cult of the Constitution following World War I and the conflict over policy issues that persisted despite a shared commitment to the Constitution

**Supreme Court A to Z** Kenneth Jost, 2012-03-14 The Supreme Court A to Z offers accessible information about the Supreme Court including its history traditions organization dynamics and personalities The entries in The Supreme Court A to Z are arranged alphabetically and are extensively cross referenced to related information This volume also has a detailed index reference materials on Supreme Court nominations a seat chart of the justices the U S Constitution online sources of decisions and a bibliography to help simplify research The fifth edition of The Supreme Court A to Z has been thoroughly updated to incorporate coverage of significant new cases and recent changes on the bench and includes more than 350 alphabetized entries Presented in an engaging reader friendly design this edition includes Biographies of recently appointed Associate Justices Elena Kagan and Sonia Sotomayor Updated entries on key issues and concepts including abortion campaigns and elections civil rights class action due process freedom of the press retired justices reapportionment and redistricting school desegregation and war powers New entries on criminal law and media and the court which highlights the Court s online presence This timely resource also includes updated seat charts of the justices online sources for finding decisions and a selected bibliography The Supreme Court A to Z is part of CQ Press s five volume American Government A to Z series

*A Treasure Chest of Hidden History* Rusty Glover, 2013-09-16 As a high school history teacher for the past 25 years I have collected and read hundreds of books pertaining to my subjects taught On the completion of each book I would carefully take notes on the most interesting events quotes or interpretations that I felt would enhance instruction for my students After filling numerous notepads of information on over 800 books I contemplated a project of sharing my most interesting findings The result of this twenty plus year project is this book This book is divided into 16 chapters based on the various topics presented Some chapters contain a small amount of entries such as Nicknames Espionage or Labor while chapters on the Presidents or quotes will fill over thirty pages The first chapter puts emphasis on the role my home state of Alabama has played on the national scene One chapter is entitled Miscellaneous Odds and Ends due to the subject matter not fitting into any other classification

*Leaving the Bench* David Neal Atkinson, 1999 Examining each of the nearly 100 men who have left the US Supreme Court explores their resignations and retirements from the lifetime tenure Considers the diverse circumstances under which they leave and clarifies why they often are reluctant to do so finding factors such as

pensions party loyalty and personal pride Also relates physical ailments to mental faculties to explain how a justice's disability can affect Court decisions Annotation copyrighted by Book News Inc Portland OR **Glass and Gavel** Nancy Maveety, 2018-12-15 In *Glass and Gavel* noted legal expert Nancy Maveety has written the first book devoted to alcohol in the nation's highest court of law the United States Supreme Court Combining an examination of the justices' participation in the social use of alcohol across the Court's history with a survey of the Court's decisions on alcohol regulation Maveety illustrates the ways in which the Court has helped to construct the changing culture of alcohol Intoxicating liquor is one of the few things so plainly material to explicitly merit mention not once but twice in the amendments to the U S Constitution Maveety shows how much of our constitutional law Supreme Court rulings on the powers of government and the rights of individuals has been shaped by our American love/hate relationship with the bottle and the barroom From the tavern as a judicial meeting space to the bootlegger as both pariah and patriot to the individual freedom issue of the sobriety checkpoint there is the Supreme Court adjudicating but also partaking in the temperance of the times In an entertaining and accessible style Maveety shows that what the justices say and do with respect to alcohol provides important lessons about their times our times and our constitutional cocktail of limited governmental power and individual rights *The Most Powerful Court in the World* Stuart Banner, 2025-02-04 Stuart Banner's *The Most Powerful Court in the World* is an authoritative history of the United States Supreme Court from the Founding era to the present Not merely a history of the Court's opinions and jurisprudence it is also a rich account of the Court in the broadest sense of the sorts of people who become justices and the methods by which they are chosen of how the Court does its work and of its relationship with other branches of government Rather than praising or criticizing the Court's decisions Banner makes the case that one cannot fully understand the decisions without knowing about the institution that produced them *The Fuller Court* James W. Ely Jr., 2003-08-13 A fresh interpretation of the workings and legacy of the Supreme Court during the tenure of Chief Justice Melville W Fuller *The Fuller Court* Justices Rulings and Legacy presents an in-depth analysis of the decisions and impact of the U S Supreme Court during the twenty-two year reign of Chief Justice Melville W Fuller An exploration of key Court decisions ranging from railroad rate regulation and the Due Process Clause to the 1894 income tax reveals how the Court assigned a high priority to individual liberty which it defined largely in economic terms A revealing discussion of the Commerce Clause and the Interstate Commerce Commission shows how the Fuller Court both limited and accepted some expansion of federal authority Profiles of the nineteen justices who served on the Fuller Court place a special emphasis on those who made the most significant impact including John Marshall Harlan Samuel F Miller and Oliver Wendell Holmes Jr *David J. Brewer* Michael J. Brodhead, 1994 As a rare and fascinating record of one person's rise through the American judicial system this book is an indispensable addition to the libraries of all lawyers legal scholars legal and constitutional historians and political scientists *The Supreme Court in Conference (1940-1985)* Del Dickson, 2001-07-12 *The Supreme Court in Conference* offers a

fascinating and unprecedented look at the private debates between Justices on nearly 300 landmark cases from 1940 1985 Major decisions such as Roe v Wade and Brown v Board of Education are covered and the notes of Justices Felix Frankfurter William O Douglas Frank Murphy Robert Jackson Harold Burton Tom Clark Earl Warren and William Brennan are opened to shed light on what goes on behind the closed doors of the secretive conference room In this unique and revealing work on some of the most profound rulings made at a turbulent time in American history the reader is given insight into how and why certain decisions were reached With expert editing by Del Dickson who provides annotations and an introduction to each case placing them in legal and historical context cases on issues such as free speech the rights of the accused religion Presidential power equal protection affirmative action and the death penalty are discussed Dickson also includes a lively and incisive history of the Supreme Court from its beginning to the present illuminating how the conference works how it has evolved its various animosities triumphant successes and glaring failures As the first major reference work on this subject this easy to use book offers the most reliable evidence available on the internal workings of the Supreme Court It is the ideal source for scholars law students historians and anyone interested in how Supreme Court decisions are truly made



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