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Legal Methods-Peter L. Strauss 2014-05-16 How should students begin their legal education? Professor Peter Strauss's innovative materials build on a Columbia Law School commitment reaching back to Karl Llewellyn's Bramble Bush--that legal education should start with orientation to the materials lawyers use and the institutions they deal with. Like its predecessors, the third edition builds both case analysis and statutory interpretation skills, with an increasing emphasis on the latter. After a general introduction, four chapters deal with three historical stages in American legal development Karl Llewellyn and Grant Gilmore had identified--"Discovery" at the nation's beginnings; "Faith" as judges turned formalist in the late Nineteenth Century; "Anxiety" as progressive legislation challenged judges and legal realism emerged --and "Modern Times," the current day. Each chapter presents both case and statutory materials--simple at first and gradually becoming more complex, with statutes increasingly dominating. The first three of these chapters, "Discovery," "Faith," and "Anxiety," follow the development of product liability law, wholly a common law matter, and workplace injury law, which begins in the courts and is displaced by statutes. The distribution of authority between federal and state courts, that begins with *Swift v. Tyson* and ends with *Erie RR v. Thomson*, is a secondary theme. That displacement is signaled, for teaching purposes, by the Railroad Safety Appliances Act of 1893. Innovative teaching materials reflect the realities of law practice by engaging the students with practical problems the railroads were required to solve, legislative materials they would have been attentive to, and Interstate Commerce Commission reports on the negotiated implementation of the Act, hours before they encounter the first judicial dealings with its interpretation. That they will quickly reach an understanding of the statute that initially eludes the judges is, in itself, an important lesson. "Modern Times," brings product liability developments through the ALI's Third Restatement of Torts. On the statutory side, a unit on litigation fee reimbursement, structured along the same lines as the Railway Safety Appliances Act materials, engages students in contemporary congressional materials and lawyers' briefs, in the courts' increasing struggles over interpretive technique, and in the difficulties of contemporary legislative-judicial "conversation. The interpretive debate is then revisited in extensive passages from the writings of Judge Stephen Breyer, purposivist, and John Manning, textualist, supplemented by many shorter excerpts from the literature. The chapter ends by setting three interpretive problems for students to resolve for themselves before turning the page to discover how the Supreme Court very recently resolved them. In proceeding from the early 19th Century to the greater complexities of the current day, then, the casebook explores the sources, forms, and development of law, the analysis and synthesis of judicial precedents, the interpretation of statutes, the coordination of judge-

made and statute law, and the uses of legal reasoning. Understanding that today's lawyer must often deal with transactions governed by the civil law, the dominant legal system in much of the rest of the world, the casebook attempts briefly to expose the student to its development as well. With this casebook, a student will have acquired skills essential to work in other law school classes, an appreciation for the changing styles of legal analysis that American jurists have brought to their work over time, and an awareness of current disputes about the modern role of judges, particularly in relation to the work of legislatures. The Living Constitution-David A. Strauss 2010-05-19 Supreme Court Justice Antonin Scalia once remarked that the theory of an evolving, "living" Constitution effectively "rendered the Constitution useless." He wanted a "dead Constitution," he joked, arguing it must be interpreted as the framers originally understood it. In The Living Constitution, leading constitutional scholar David Strauss forcefully argues against the claims of Scalia, Clarence Thomas, Robert Bork, and other "originalists," explaining in clear, jargon-free English how the Constitution can sensibly evolve, without falling into the anything-goes flexibility caricatured by opponents. The living Constitution is not an out-of-touch liberal theory, Strauss further shows, but a mainstream tradition of American jurisprudence--a common-law approach to the Constitution, rooted in the written document but also based on precedent. Each generation has contributed precedents that guide and confine judicial rulings, yet allow us to meet the demands of today, not force us to follow the commands of the long-dead Founders. Strauss explores how judicial decisions adapted the Constitution's text (and contradicted original intent) to produce some of our most profound accomplishments: the end of racial segregation, the expansion of women's rights, and the freedom of speech. By contrast, originalism suffers from fatal flaws: the impossibility of truly divining original intent, the difficulty of adapting eighteenth-century understandings to the modern world, and the pointlessness of chaining ourselves to decisions made centuries ago. David Strauss is one of our leading authorities on Constitutional law--one with practical knowledge as well, having served as Assistant Solicitor General of the United States and argued eighteen cases before the United States Supreme Court. Now he offers a profound new understanding of how the Constitution can remain vital to life in the twenty-first century.

Barbarous Souls-David L. Strauss 2010-11-30 Abandoning other potential leads, the police quickly focused their investigation on the grieving husband. What followed was a tragic miscarriage of justice. Barbarous Souls tells the story of Darrel Parker's wrongful conviction for Nancy's murder and the decades-long struggle to clear his name. --

Statutory and Common Law Interpretation-Kent Greenawalt 2012-11-29 Kent Greenawalt's second volume on aspects of legal interpretation analyzes statutory and common law interpretation, suggesting that multiple factors are important for each, and that the relation between them influences both. The book argues against any simple "textualism," claiming that even reader understanding of statutes depends partly on perceived intent. In respect to common law interpretation, use of reasoning by analogy is defended and any simple dichotomy of "holding" and "dictum" is resisted.

Get Your Business Funded-Steven D. Strauss 2011-06-28 Explore the many options available to get the money you need for your business Whether your business is a new start-up, an established company attempting to grow, or somewhere in between, Get Your Business Funded gives you the full range of options for raising capital in today's challenging economy. Covering everything from bank loans to angel investors to equity financing to more unorthodox methods, this complete guide uses clear, easy-to-understand language to explain each approach. Divided into two sections: "Sources and Funding" and "What You Need to Know" Explains such unorthodox financing sources as peer-to-peer lending, online grants, business plan competitions, and the "friends and family plan" Reveals untapped funding streams available through the government Follows on the success of the author's previous work The Small Business Bible Pick up this reader-friendly guide and discover the many ways you can Get Your Business Funded right now.

Researching the World of Work-George Strauss 2018-05-31 This book, the first on industrial relations research methods, comes at a time when the field of industrial relations is in flux and research strategy has become more complex and varied. Research that once focused on the relationship between labor and management now involves a wider range of issues. This change has raised a number of key questions about how research should be done. The contributors represent four countries and a range of fields, including economics, sociology, psychology, law, history, and industrial relations. They identify distinctive research strategies and suggest approaches that might be appropriate in the future. Among their concerns are the relative value of qualitative and quantitative methods, of using primary and secondary data, and of single versus multimethod techniques.

Administrative Law Stories-Peter L. Strauss 2006 Essay after essay in this fascinating book explores the statutory and historical setting of the cases discussed,

rather than mere doctrine, examining in detail lawyers' judgments and tactics. Many use recently revealed papers of Supreme Court Justices to discuss often surprising elements of the decision by the Court. Students can learn a good deal about the handling of these disputes at the administrative level, before they ever get to court -- a perspective essential to understanding the field, but hard to pick up from the reported cases. Attention is paid to the ways in which many of these decisions affected future developments, with primary focus on context and on understanding the ways in which administrative disputes develop, and the roles that lawyers play in developing them.

Plaintiff in Chief-James D. Zirin 2019-09-24 A comprehensive analysis of Donald Trump's legal history reveals his temperament, methods, character, and morality. Unlike all previous presidents who held distinguished positions in government or the military prior to entering office, Donald Trump's political worldview was molded in the courtroom. He sees law not as a system of rules to be obeyed and ethical ideals to be respected, but as a weapon to be used against his adversaries or a hurdle to be sidestepped when it gets in his way. He has weaponized the justice system throughout his career, and he has continued to use these backhanded tactics as Plaintiff in Chief. In this book, distinguished New York attorney James D. Zirin presents Trump's lengthy litigation history as an indication of his character and morality, and his findings are chilling: if you partner with Donald Trump, you will probably wind up litigating with him. If you enroll in his university or buy one of his apartments, chances are you will want your money back. If you are a woman and you get too close to him, you may need to watch your back. If you try to sue him, he's likely to defame you. If you make a deal with him, you had better get it in writing. If you are a lawyer, an architect, or even his dentist, you'd better get paid up front. If you venture an opinion that publicly criticizes him, you may be sued for libel. A window into the president's dark legal history, Plaintiff in Chief is as informative as it is disturbing.

Legal Methods-Jane C. Ginsburg 2004 Ginsburg's casebook provides detailed information on legal methods and the tools for fast, easy, on-point research. Part of the University Casebook Series®, it includes selected cases designed to illustrate the development of a body of law on a particular subject. Text and explanatory materials designed for law study accompany the cases.

User-friendly Legal Science-Petri Mäntysaari 2017-03-28 This book defines the characteristics of a new discipline that is both legal and scientific: user-friendly legal science. Focusing on how legal tools and practices can be used to achieve objectives in different contexts, it offers an alternative to doctrinal research, law-and-something disciplines, and the traditional interdisciplinary approach. The book not only defines the new discipline's research approach, point of view, theory-building, and research methods, it also shows how it relates to other scientific disciplines and how existing doctrinal legal disciplines can be upgraded into scientific disciplines.

The Argument and the Action of Plato's Laws-Leo Strauss 2014-12-10 The posthumous publication of The Argument and the Action of Plato's "Laws" was compiled shortly before the death of Leo Strauss in 1973. Strauss offers an insightful and instructive reading through careful probing of Plato's classic text. "Strauss's The Argument and the Action of Plato's 'Laws' reflects his interest in political thought, his dogged method of following the argument of the Laws step by step, and his vigorous defense of this dialogue's integrity in respect to the ideals of the Republic."—Cross Currents "The unique characteristics of this commentary on the Laws reflect the care and precision which were the marks of Professor Strauss's efforts to understand the complex thoughts of other men."—Allan D. Nelson, Canadian Journal of Political Science "Thorough and provocative, an important addition to Plato scholarship."—Library Journal "The major purpose of the commentary is to provide a reading of the dialogue which displays its structural arrangement and the continuity of the argument."—J. W. Dy, Bibliographical Bulletin of Philosophy "The reader of Strauss's book is indeed guided closely through the whole text."— M. J. Silverthorne, The Humanities Association Review Leo Strauss (1899-1973) was the Robert Maynard Hutchins Distinguished Service Professor Emeritus of political science at the University of Chicago.

Four Overarching Patterns of Culture-Robert Strauss 2019-08-20 Justice has been the dominant cultural framework of people in the West for two centuries, ever since the rise of constitutional democracies. Consciously or not, most people in the West have a strong awareness of right and wrong. Their sense of morality is generally rooted in an obligation to the rule of law. In democratic societies, the rule of law ultimately relies on constitutional documents ratified by a widely-accepted process of development and implementation. For millennia, honor has been the dominant cultural framework of most people in the East and Middle East. Here, people know that speech and behavior display respect or disrespect. While pervasive in all relationships, honor and shame are most

important in the family, extended family, and local community. In the East, honor is not necessarily an internal feeling, as it is in a justice culture. Honor is more often an external attribution bestowed by others rather than claimed by oneself. Harmony is prevalent globally in indigenous cultures. Many indigenous peoples do not distinguish between the supernatural and natural worlds. All aspects of life are connected. Interactions with spirit beings are the key to maintaining harmony in order to be secure. Reciprocity is a common cultural framework in the Global South. Here, one learns to develop connections with the right people in given circumstances for needed resources. These connections may or may not be characterized as “friendships” and provide not so much close friendships as reciprocal exchange. In some places, reciprocity is the means whereby one survives.

Grounded Theory in Practice-Anselm Strauss 1997-03-11 Grounded theory methodology and procedure have become one of the most influential modes of carrying out qualitative research when generating theory is a principle aim of the researcher. This volume presents a series of readings that emphasize different aspects of grounded theory methodology and methods. The selections are written by former students of the late Anselm Strauss and have been chosen for their accessibility and range.

Limited Liability Company & Partnership Answer Book, 4th Edition-Frazier, Strauss 2019-11-18 Limited Liability Company and Partnership Answer Book  
Qualitative Analysis for Social Scientists-Anselm L. Strauss 1987-06-26 The teaching of qualitative analysis in the social sciences is rarely undertaken in a structured way. This handbook is designed to remedy that and to present students and researchers with a systematic method for interpreting qualitative data', whether derived from interviews, field notes, or documentary materials. The special emphasis of the book is on how to develop theory through qualitative analysis. The reader is provided with the tools for doing qualitative analysis, such as codes, memos, memo sequences, theoretical sampling and comparative analysis, and diagrams, all of which are abundantly illustrated by actual examples drawn from the author's own varied qualitative research and research consultations, as well as from his research seminars. Many of the procedural discussions are concluded with rules of thumb that can usefully guide the researchers' analytic operations. The difficulties that beginners encounter when doing qualitative analysis and the kinds of persistent questions they raise are also discussed, as is the problem of how to integrate analyses. In addition, there is a chapter on the teaching of qualitative analysis and the giving of useful advice during research consultations, and there is a discussion of the preparation of material for publication. The book has been written not only for sociologists but for all researchers in the social sciences and in such fields as education, public health, nursing, and administration who employ qualitative methods in their work.

Natural Right and History-Leo Strauss 2013-12-27 In this classic work, Leo Strauss examines the problem of natural right and argues that there is a firm foundation in reality for the distinction between right and wrong in ethics and politics. On the centenary of Strauss's birth, and the fiftieth anniversary of the Walgreen Lectures which spawned the work, Natural Right and History remains as controversial and essential as ever. "Strauss . . . makes a significant contribution towards an understanding of the intellectual crisis in which we find ourselves . . . [and] brings to his task an admirable scholarship and a brilliant, incisive mind."—John H. Hallowell, American Political Science Review  
Leo Strauss (1899-1973) was the Robert Maynard Hutchins Distinguished Service Professor Emeritus in Political Science at the University of Chicago.

Leo Strauss and His Catholic Readers-Geoffrey M. Vaughan 2018-05-11 This book looks at the work and influence of Leo Strauss in a variety of ways that will be of interest to readers of political philosophy. It will be of particular interest to Catholics and scholars of other religious traditions. Strauss had a great deal of interaction with his contemporary Catholic scholars, and many of his students or their students teach or have taught at Catholic colleges and universities in America. Leo Strauss and His Catholic Readers brings together work by scholars from two continents, some of whom knew Strauss, one of whom was his student at the University of Chicago. The first section of essays considers Catholic responses to Strauss's project of recovering Classical natural right as against modern individual rights. Some of the authors suggest that his approach can be a fruitful corrective to an uncritical reception of modern ideas. Nevertheless, most point out that the Catholic cannot accept all of Strauss's project. The second section deals with areas of overlap between Strauss and Catholics. Some of the chapters explore encounters with his contemporary scholars while others turn to more current concerns. The final section approaches the theological-political question itself, a question central to both Strauss's work and that of the Catholic intellectual tradition. This section of the book considers the relationship of Strauss's work to Christianity and Christian commitments at a broader level. Because Christianity does not have an explicit political doctrine,

Christians have found themselves as rulers, subjects, and citizens in a variety of political regimes. Leo Strauss's return to Platonic political philosophy can provide a useful lens through which his Catholic readers can assess what it means for there to be a best regime.

Leo Strauss and the Crisis of Rationalism-Corine Pelluchon 2014-02-01 Examines the German and Jewish sources of Strauss's thought and the extent to which his philosophy can shed light on the crisis of liberal democracy. How can Leo Strauss's critique of modernity and his return to tradition, especially Maimonides, help us to save democracy from its inner dangers? In this book, Corine Pelluchon examines Strauss's provocative claim that the conception of man and reason in the thought of the Enlightenment is self-destructive and leads to a new tyranny. Writing in a direct and lucid style, Pelluchon avoids the polemics that have characterized recent debates concerning the links between Strauss and neoconservatives, particularly concerns over Strauss's relation to the extreme right in Germany. Instead she aims to demystify the origins of Strauss's thought and present his relationship to German and Jewish thought in the early twentieth century in a manner accessible not just to the small circles devoted to the study of Strauss, but to a larger public. Strauss's critique of modernity is, she argues, constructive; he neither condemns modernity as a whole nor does he desire a retreat back to the Ancients, where slaves existed and women were not considered citizens. The question is to know whether we can learn something from the Ancients and from Maimonides—and not merely about them.

Basics of Qualitative Research-Anselm Strauss 1998-09-29 The Second Edition of this best-selling textbook continues to offer immensely practical advice and technical expertise that will aid researchers in analyzing and interpreting their collected data, and ultimately build theory from it. The authors provide a step-by-step guide to the research act. Full of definitions and illustrative examples, the book presents criteria for evaluating a study as well as responses to common questions posed by students of qualitative research.

Philosophy and Law-Leo Strauss 2012-02-01 A groundbreaking study of the political philosophy of Maimonides and his Islamic predecessors.

Administrative Law-Walter Gellhorn 1979

Comparative Law and Regulation-Francesca Bignami 2016-09-30 Governance by regulation - rules propounded and enforced by bureaucracies - is taking a growing share of the sum total of governance. Once thought to be an American phenomenon, it is now a central form of state action in every part of the world, including Europe, Latin America, and Asia, and it is at the core of much international lawmaking. In Comparative Law and Regulation, original contributions by leading scholars in the field focus both on the legal dimension of regulation and on how this dimension operates in those places that have turned to regulation to meet their obligations.

Managing Multimedia Projects-Roy Strauss 1997 With the increased popularity of multimedia, a growing number of people are now becoming involved in producing multimedia applications. Based on real-world experience and current development techniques, this book provides a solid framework for managing all types of multimedia projects, from simple presentations to custom kiosk displays, retail CD-ROM titles and World Wide Web sites. It shows how to manage the project dimensions, plan and schedule projects, do cost estimations and budgeting, organize and run development teams, work in both external and internal development situations, and understand multimedia technologies and tools. Anyone involved in multimedia projects will find this book a clear, concise, and thorough introduction to the complex task of project management. By focusing on multimedia as software, and using a software development approach, Strauss provides the reader with a real-world method, based on well-tested software development techniques that can be adapted and used for any multimedia project. The book guides the reader through the software development process, including the phases of Analysis and Planning, Design, Alpha, Beta, Gamma, Quality Assurance Testing, and Support and Maintenance. It also contains special chapters on selecting the right development tool, and contracting with external developers. This book prepares the reader to develop a high-quality program, on time and on budget.

The Oxford Handbook of the History of Political Philosophy-George Klosko 2011-05-26 Fifty distinguished contributors survey the entire history of political philosophy. They consider questions about how the subject should best be studied; they examine historical periods and great theorists in their intellectual contexts; and they discuss aspects of the subject that transcend periods, such as democracy, the state, and imperialism.

Human Rights in the United States : a Special Issue Celebrating the 10th Anniversary of the Human Rights Institute at Columbia Law School- 2008

The Order of Genocide-Scott Straus 2013-01-19 Winner of the Award for Excellence in Government and Political Science (AAP) The Rwandan genocide has become a touchstone for debates about the causes of mass violence and the responsibilities of the international community. Yet a number of key questions

about this tragedy remain unanswered: How did the violence spread from community to community and so rapidly engulf the nation? Why did individuals make decisions that led them to take up machetes against their neighbors? And what was the logic that drove the campaign of extermination? According to Scott Straus, a social scientist and former journalist in East Africa for several years (who received a Pulitzer Prize nomination for his reporting for the *Houston Chronicle*), many of the widely held beliefs about the causes and course of genocide in Rwanda are incomplete. They focus largely on the actions of the ruling elite or the inaction of the international community. Considerably less is known about how and why elite decisions became widespread exterminatory violence. Challenging the prevailing wisdom, Straus provides substantial new evidence about local patterns of violence, using original research—including the most comprehensive surveys yet undertaken among convicted perpetrators—to assess competing theories about the causes and dynamics of the genocide. Current interpretations stress three main causes for the genocide: ethnic identity, ideology, and mass-media indoctrination (in particular the influence of hate radio). Straus's research does not deny the importance of ethnicity, but he finds that it operated more as a background condition. Instead, Straus emphasizes fear and intra-ethnic intimidation as the primary drivers of the violence. A defensive civil war and the assassination of a president created a feeling of acute insecurity. Rwanda's unusually effective state was also central, as was the country's geography and population density, which limited the number of exit options for both victims and perpetrators. In conclusion, Straus steps back from the particulars of the Rwandan genocide to offer a new, dynamic model for understanding other instances of genocide in recent history—the Holocaust, Armenia, Cambodia, the Balkans—and assessing the future likelihood of such events.

Leo Strauss-Daniel Tanguay 2007 Since political theorist Leo Strauss's death in 1973, American interpreters have heatedly debated his intellectual legacy. Daniel Tanguay recovers Strauss from the atmosphere of partisan debate that has dominated American journalistic, political, and academic discussions of his work. Tanguay offers in crystal-clear prose the first assessment of the whole of Strauss's thought, a daunting task owing to the vastness and scope of Strauss's writings. This comprehensive overview of Strauss's thought is indispensable for anyone seeking to understand his philosophy and legacy. Tanguay gives special attention to Strauss's little-known formative years, 1920-1938, during which the philosopher elaborated the theme of his research, what he termed the "theological-political problem." Tanguay shows the connection of this theme to other major elements in Strauss's thought, such as the Quarrel between the Ancients and Moderns, the return to classical natural right, the art of esoteric writing, and his critique of modernity. In so doing, the author approaches what is at the heart of Strauss's work: God and politics. Rescuing Strauss from polemics and ill-defined generalizations about his ideas, Tanguay provides instead an important and timely analysis of a major philosophical thinker of the twentieth century.

A Dictionary of Statutory Interpretation-William D. Popkin 2007 Each entry in this dictionary includes a definition, an explanation of the relevance of the term and ideas for statutory interpretation, some history about its use, and a concise discussion of contemporary issues.

Gellhorn And Byse's Administrative Law, 2007-Peter L. Strauss 2007-08 This is the 2007 Supplement to Gellhorn and Byse' Administrative Law, Cases and Comments, Revised 10th Edition. Like the volume it supplements, these materials are built on the premise that the basic Administrative Law course is not a single set of canonical cases, topics, and readings that all teachers should cover, but will reflect the interests of its particular instructor, the needs of his or her students, and the rest of the school's curriculum. With the publication of this 2007 Supplement, Professor Gillian Metzger of Columbia Law School has joined Professors Peter Strauss, Todd Rakoff, and Cynthia Farina as an editor of the book that remains the defining casebook in Administrative Law. The supplement addresses many important recent decisions and administrative law developments.

Carl Schmitt and Leo Strauss in the Chinese-Speaking World-Kai Marchal 2017-02-22 Carl Schmitt and Leo Strauss in the Chinese-Speaking World: Reorienting the Political examines the reception of Carl Schmitt and Leo Strauss in China and Taiwan. The legacies of both Schmitt, the German legal theorist and thinker who joined the Nazi party, and Strauss, the German-Jewish classicist and political philosopher who became famous after his emigration to the United States, are highly controversial. Since the 1990s, however, these thinkers have had a powerful resonance for Chinese scholars. Today, when Chinese intellectuals debate the Chinese state, the future role of China in the world, the liberal international order, and even the meaning of Confucian civilization, they often employ Schmittian and Straussian concepts like "the political," "friend-enemy," "state of exception," "liberal education," and "natural right." The very possibility of a genuine Chinese political theory is often thought to be tied to the legacy of these two thinkers. This volume explores this complex phenomenon with a cross-cultural and interdisciplinary approach. The twelve essays in this volume are written from a range of perspectives by philosophers, political theorists, historians,

and legal scholars from China, Germany, Taiwan, and the United States.

Marriage Is Not For Chickens-Margaret Rutherford 2018-11-18 When Dr. Margaret sat down to write about her almost 24 year-old marriage, what emerged was the same number of feisty and honest thoughts about what marriage is, and what it definitely is not. Now accompanied by evocative images from around the world by photographers Deborah Strauss and Christine Mathias, her words bring a knowing smile, a nod of the head, and a recognition of hard-earned truth. This slim volume packs a punch and is a perfect gift to honor those who've loved each other for years, to guide those who've only recently considered commitment...or to keep for yourself. Keywords: Dr. Margaret Rutherford, humor and love marriage books, advice books for newly married couples, marriage books for couples, great gift books for weddings

State Formation in China and Taiwan-Julia C. Strauss 2019-10-31 An ambitious comparative study of regime consolidation in the 'revolutionary' People's Republic of China and 'conservative' Taiwan in the early 1950s.

Controlling EU Agencies-Miroslava Scholten 2020-05-29 Controlling EU Agencies launches the debate on how to build a comprehensive system of controls in light of the ongoing trends of agencification and Europeanisation of the executive in the EU.

Keeping Faith with the Constitution-Goodwin Liu 2010-08-05 Chief Justice John Marshall argued that a constitution "requires that only its great outlines should be marked [and] its important objects designated." Ours is "intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs." In recent years, Marshall's great truths have been challenged by proponents of originalism and strict construction. Such legal thinkers as Supreme Court Justice Antonin Scalia argue that the Constitution must be construed and applied as it was when the Framers wrote it. In Keeping Faith with the Constitution, three legal authorities make the case for Marshall's vision. They describe their approach as "constitutional fidelity"--not to how the Framers would have applied the Constitution, but to the text and principles of the Constitution itself. The original understanding of the text is one source of interpretation, but not the only one; to preserve the meaning and authority of the document, to keep it vital, applications of the Constitution must be shaped by precedent, historical experience, practical consequence, and societal change. The authors range across the history of constitutional interpretation to show how this approach has been the source of our greatest advances, from Brown v. Board of Education to the New Deal, from the Miranda decision to the expansion of women's rights. They delve into the complexities of voting rights, the malapportionment of legislative districts, speech freedoms, civil liberties and the War on Terror, and the evolution of checks and balances. The Constitution's framers could never have imagined DNA, global warming, or even women's equality. Yet these and many more realities shape our lives and outlook. Our Constitution will remain vital into our changing future, the authors write, if judges remain true to this rich tradition of adaptation and fidelity.

Leo Strauss and the American Right-Shadia B. Drury 1997 In 1980, Ronald Reagan was elected President, and the conservative revolution emerged. Who provoked this revolution? Author Shadia Drury provides a fascinating answer to the question, as she looks at the work of Leo Strauss, a German Jewish emigre and scholar, who was one of the most influential individuals in the conservative movement. Among his disciples are Chief Justice Clarence Thomas and Speaker of the House Newt Gingrich.

Hannah Arendt and Leo Strauss-Peter Graf Kielmansegg 1997-06-13 Examines influence of Arendt's and Strauss' background in pre-World War II Germany on their perception of American democracy.

Studies in Platonic Political Philosophy-Leo Strauss 1985-05-15 One of the outstanding thinkers of our time offers in this book his final words to posterity. Studies in Platonic Political Philosophy was well underway at the time of Leo Strauss's death in 1973. Having chosen the title for the book, he selected the most important writings of his later years and arranged them to clarify the issues in political philosophy that occupied his attention throughout his life. As his choice of title indicates, the heart of Strauss's work is Platonism—a Platonism that is altogether unorthodox and highly controversial. These essays consider, among others, Heidegger, Husserl, Nietzsche, Marx, Moses Maimonides, Machiavelli, and of course Plato himself to test the Platonic understanding of the conflict between philosophy and political society. Strauss argues that an awesome spiritual impoverishment has engulfed modernity because of our dimming awareness of that conflict. Thomas Pangle's Introduction places the work within the context of the entire Straussian corpus and focuses especially on Strauss's late Socratic writings as a key to his mature thought. For those already familiar with Strauss, Pangle's essay will provoke thought and debate; for beginning readers

of Strauss, it provides a fine introduction. A complete bibliography of Strauss's writings is included.

Administrative Law, Cases and Comments - CasebookPlus-Peter L. Strauss 2018-12-12 The 12th edition of this comprehensive casebook draws both from its history and current debates to create a lively and rich set of materials appropriate for introductory as well as advanced courses. In addition, the new edition of the casebook offers a leaner presentation of many topics and more cues for helping students process the materials. With two new editors, this latest edition offers major changes including: new substantial chapter on legislative process and statutory interpretation (opening and closing with problems rather than judicial opinions) so that the casebook can be used for an introductory legislation and regulation course new introductory case study on the Department of Transportation's regulation of commercial airlines' tarmac delays new streamlined chapter that combines separate previous chapters on adjudication and due process new cases throughout that are more accessible and engaging for students more primary materials outside of judicial decisions (including statutes, administrative materials, and complaints) discussion of President Trump's Administration in many areas (including presidential power, rulemaking, and transparency) streamlining of notes, with more emphasis on strategic choices by agencies and challengers to agency action, across all three branches The new edition retains the casebook's classic cases and commentary as well as its modular approach--allowing instructors to choose the order of topics. Although there is considerable new material, the casebook's arrangement remains stable, facilitating continued use by those who have adopted the 11th edition. Going forward, the casebook will be updated at least annually through a free on-line supplement for students.

Theory and Method in Socio-Legal Research-Reza Banakar 2005-12-19 Socio-legal researchers increasingly recognise the need to employ a wide variety of methods in studying law and legal phenomena, and the need to be informed by an understanding of debates about theory and method in mainstream social science. The papers in this volume illustrate how a range of topics, including EU law, ombudsmen, judges, lawyers, Shariah Councils and the quality assurance industry can be researched from a socio-legal perspective. The objective of the collection is to show how different methods can be used in researching law and legal phenomena, how methodological issues and debates in sociology are relevant to the study of law, and the importance of the debate between "structural" and "action" traditions in researching law. It also approaches the methodological problem of how sociology of law can address the content of legal practice from a variety of perspectives and discusses the relationship between pure and applied research. The editors provide a critical introduction to each of the six sections, and a general introduction on law, sociology and method. The collection will provide an invaluable resource for socio-legal researchers, law school researchers and postgraduates.

How to Read the Bible in Changing Times-Mark L. Strauss 2011-08-01 Many find it difficult to take words that were written thousands of years ago and apply them to twenty-first-century life in the Western world. How do we read God's unchanging Word in a world that is increasingly defined by change? How to Read the Bible in Changing Times shows everyday Christians how to interpret and apply the Scriptures regardless of time and culture. Rather than seeing the Bible as a magic answer book, a list of commands to obey, or a series of promises to claim, this insightful book allows the Bible to retain its identity as a complex, inspired document while showing that the truth it contains is relevant and life-changing. It shows the reader how to determine the meaning of the text in its original context identify culturally relative features understand what the text teaches about God, his will, and his purposes apply the truths discovered to contemporary life situations It even shows readers how to discern God's will on the many modern issues that the Bible does not directly address.

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