



## Rehnquist Justice: Understanding the Court Dynamic

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With seven of its justices appointed by Republican presidents, today's Supreme Court has significantly altered America's legal landscape since 1986 by tilting constitutional jurisprudence to the right. That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism, economic rights, and affirmative action. However, liberal issues such as abortion have moved only marginally to the right, while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left.

In this collection of original articles, prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed. Reflecting views across the political spectrum, the contributors help readers understand the Court dynamic, its constrained conservatism, and the forces that shape constitutional law in general.

As these authors show, the overall pattern of decision-making in the Rehnquist era cannot be attributed to any single, unified approach to constitutional analysis. Instead, today's Court can only be understood as the product of a complex interaction among individual justices, each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system.

These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench. From the staunch conservatism of Clarence Thomas, to the "accommodationism" of Sandra Day O'Connor, to the "liberal constitutionalism" of David Souter, the essays analyze the unique approach of each justice to interpreting the Constitution. They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one which favors experienced, often unknown jurists over high-profile public servants.

By concentrating attention on its members, *Rehnquist Justice* allows us to better understand the Supreme Court as a whole. And by assessing today's judiciary in light of a public philosophy that looks askance at government, it shows us that the Supreme Court has truly become a mirror of its times.

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