

OFFICIAL BALLOT, GENERAL ELECTION
PALM BEACH COUNTY, FLORIDA
NOVEMBER 7, 2000

R I C H A R D A.

POSNER

(RE)
PAT BUCHANAN
EZOLA FOSTER • VICE PRESIDENT

(SO)
DAVID M. ...
MARY CAL HOLLIS • VICE PRESIDENT

(CONS)
HOWARD PHILLIPS • PRESIDENT
J. CURTIS ...

(WORK)
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GLORIA ...

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4

6

8

10

B R E A K I N G

A

T H E D E A D L O C K

3

5

7

9

11

13

(REPUBLICAN)
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DICK CHENEY • VICE PRESIDENT

(DEMOCRATIC)
AL GORE • PRESIDENT
JOE LIEBERMAN • VICE PRESIDENT

(LIBERTARIAN)
HANNY BROWNE • PRESIDENT
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(SOCIALIST WORKERS)
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BERNARD ...

(NATURAL LAW)
JAMES ...
WALT ...

THE 2000 ELECTION

THE CONSTITUTION, AND THE COURTS

OFFICIAL BALLOT, GENERAL ELECTION
PALM BEACH COUNTY, FLORIDA
NOVEMBER 7, 2000

Breaking The Deadlock The 2000 Election The Constitution And The Courts

M Walker



Breaking The Deadlock The 2000 Election The Constitution And The Courts:

Breaking the Deadlock Richard A. Posner, 2001-07-05 The 2000 Presidential election ended in a collision of history law and the courts It produced a deadlock that dragged out the result for over a month and consequences real and imagined that promise to drag on for years In the first in depth study of the election and its litigious aftermath Judge Posner surveys the history and theory of American electoral law and practice analyzes which Presidential candidate really won the popular vote in Florida surveys the litigation that ensued evaluates the courts the lawyers and the commentators and ends with a blueprint for reforming our Presidential electoral practices The book starts with an overview of the electoral process including its history and guiding theories It looks next at the Florida election itself exploring which candidate really won and whether this is even a meaningful question The focus then shifts to the complex litigation both state and federal provoked by the photo finish On the basis of the pragmatic jurisprudence that Judge Posner has articulated and defended in his previous writings this book offers an alternative justification for the Supreme Court s decision in Bush v Gore while praising the Court for averting the chaotic consequences of an unresolved deadlock Posner also evaluates the performance of the lawyers who conducted the post election litigation and of the academics who commented on the unfolding drama He argues that neither Gore s nor Bush s lawyers blundered seriously but that the reaction of the legal professoriat to the litigation exposed serious flaws in the academic practice of constitutional law While rejecting such radical moves as abolishing the Electoral College or creating a national ballot Posner concludes with a detailed plan of feasible reforms designed to avoid a repetition of the 2000 election fiasco Lawyers political scientists pundits and politicians are waiting to hear what Judge Posner has to say But this book is written for and will be welcomed by all who were riveted by the recent crisis of presidential succession

Constitutional Law for a Changing America Lee Epstein, Thomas G. Walker, 2017-09-27 Drawing on political science as much as from legal studies *Constitutional Law for a Changing America* helps students realize that Supreme Court cases are more than just legal names and citations Ideal for a one semester course the Short Course offers all of the hallmarks of the Rights and Powers volumes in a more condensed format The authors are known for fastidious revising and streamlining of decisions A recipient of 12 grants from the National Science Foundation for her work on law and legal institutions Lee Epstein has authored or co authored over 100 articles and essays as well as 15 books and received the Teaching and Mentoring Award from the Law and Courts Section of the American Political Science Association Additionally Thomas G Walker is the Goodrich C White Professor of Political Science at Emory University and co author of *A Court Divided* which won the V O Key Jr Award for the best book on southern politics *The Constitution in Wartime* Mark Tushnet, 2005-01-26 Essays by leading constitutional scholars on the relationship between war powers and the Constitution in general and in the aftermath of September 11th *Antonin Scalia and American Constitutionalism* Edward A. Purcell, 2020 *Antonin Scalia and American Constitutionalism* is an in depth study of Justice Antonin Scalia s jurisprudence his work on the Supreme Court and

his significance in the history of American constitutionalism This book reviews and criticizes his general jurisprudential theory arguing that he failed to produce either the objective method he claimed or the correct constitutional results he promised

Judicial Recusal R Grant Hammond, 2009-07-27 The doctrine of judicial recusal enables and may require a judge who is lawfully appointed to hear and determine a case to stand down from that case leaving its disposition to another colleague or colleagues The subject is one of considerable import and moment not only to insiders in the judiciary but also to litigants and their lawyers Understanding the principles which guide recusal is also to understand the fundamentals of judging in the common law tradition The subject is therefore of considerable interest both at practical and theoretical levels for it tells us most of what we need to know about what it means to be a judge and what the discharge of that constitutional duty entails Unsurprisingly therefore the subject has attracted controversy and some of the most savage criticisms ever directed at particular judges The book commences with an introduction which is followed by an analysis of the essential features of the law the legal principles common law origins the law today in the USA UK and Commonwealth and the difficulties which currently arise in the cases and by operation of statute The third part looks at process including waiver necessity appellate review and final appeals Three specific problem areas judicial misconduct in court prior viewpoints and unconscious bias are then discussed The book ends with the author's reflections on future developments and possible reforms of recusal law

The Future of American Democratic Politics Gerald M. Pomper, Marc D. Weiner, 2003 A collection of essays by leading scholars contemplating the future of American democracy

Rhetorical Perspectives on Argumentation David Zarefsky, 2014-04-01 This book contains 20 essays tracing the work of David Zarefsky a leading North American scholar of argumentation from a rhetorical perspective The essays cohere around 4 general themes objectives for studying argumentation rhetorically approaches to rhetorical study of argumentation patterns and schemes of rhetorical argumentation and case studies illustrating the potential of studying argumentation rhetorically These articles are drawn from across Zarefsky's 45 year career Many of these articles originally appeared in publications that are difficult to access today and this collection brings the reader up to date on the topic Zarefsky's scholarship focuses on the role of language in political argumentation the ways in which argumentation creates public knowledge and belief the influence of framing and context on what is said and understood the deployment of particular patterns and schemes of argumentation in public reasoning and the influence of debate on politics and governance All these topics are addressed in this book Each of the conceptual essays includes brief application to specific cases and five extended case studies are also presented in this volume The case studies cover different themes two explore famous political debates the third focuses on presidential rhetoric across the course of United States history the fourth on the arguments for liberalism at a time of political polarization and the fifth on the contemporary effort to engage the United States with the Muslim world This book is of interest to scholars in the fields of philosophy logic law philosophy of law and legal history The range of topics and concepts addressed the interplay of

concepts and cases and the unifying perspective of rhetorical argumentation make this book a valuable read for students of argumentative practice whether rhetorically or otherwise **America and Enlightenment Constitutionalism G.**

McDowell,J. O'Neill,2006-09-18 Please note this is a Palgrave to Order title PTO Stock of this book requires shipment from an overseas supplier It will be delivered to you within 12 weeks This book shows in detail the Enlightenment origin of the US Constitution It provides vivid analysis of how the Enlightenment s basic ideas were reformulated in the context of America

Judgment Calls Daniel A. Farber,Suzanna Sherry,2009 Judgement Calls tackles one of the most important and controversial legal questions in contemporary America How should judges interpret the Constitution Our Constitution contains a great deal of language that is vague broad or ambiguous making its meaning uncertain Many people believe this uncertainty allows judges too much discretion They suggest that constitutional adjudication is just politics in disguise and that judges are legislators in robes who read the Constitution in accordance with their own political views Some think that political decision making by judges is inevitable and others think it can be restrained by strict constructionist theories like textualism or originalism But at bottom both sorts of thinkers believe that judging has to be either tightly constrained and inflexible or purely political and unfettered There is they argue no middle ground Farber and Sherry disagree and in this book they describe and defend that middle ground They show how judging can be and often is both principled and flexible In other words they attempt to reconcile the democratic rule of law with the recognition that judges have discretion They explain how judicial discretion can be exercised responsibly describe the existing constraints that guide and cabin such discretion and suggest improvements In exploring how constitutional adjudication works in practice and how it can be made better Farber and Sherry cover a wide range of topics that are relevant to their thesis and also independently important including judicial opinion writing the use of precedent the judicial selection process the structure of the American judiciary and the nature of legal education They conclude with a careful look at how the Supreme Court has treated three of the most significant and sensitive constitutional issues terrorism abortion and affirmative action Timely trenchant and carefully argued Judgment Calls is a welcome addition to the literature on the intersection of constitutional interpretation and American politics

Rehnquist Herman Obermayer,2009-09-15 In Rehnquist former editor and publisher Herman Obermayer completes the historical portrait of Supreme Court Justice William H Rehnquist through personal observations and recollections a memoir of friendship and a final act of posthumous loyalty The impact of Chief Justice William Rehnquist who served as a Supreme Court justice for a third of a century and headed the federal judiciary under four presidents cannot be overstated His dissenting opinion in Roe v Wade and his strongly stated positions on issues as various as freedom of the press school prayer and civil rights would guarantee his memory on their own Chiefly though William Rehnquist will always be remembered for his highly visible role in two of the most important and contentious political events of recent American history the impeachment trial of President Bill Clinton in 1999 and the Supreme Court s decision that made George W Bush

the victor in the presidential election of 2000 Despite his importance as a public figure however William Rehnquist scrupulously preserved his private life And while his judicial opinions often inflamed passions and aroused both ire and praise they were rarely personal The underlying quirks foibles and eccentricities of the man were always under wraps Now however journalist Herman J Obermayer has broken that silence in a memoir of their nineteen year friendship that is both factually detailed and intensely moving his own personal tribute to his dearest friend In these pages we meet for the first time William Rehnquist the man in a portrait that can only serve to enhance the legacy of a Chief Justice who will be remembered in history as being among America s most influential

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