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Constitutional Deliberation in Congress: The Impact of Judicial Review in a Separated System

By J. Mitchell Pickerill

Duke University Press. Paperback. Book Condition: new. BRAND NEW, Constitutional Deliberation in Congress: The Impact of Judicial Review in a Separated System, J. Mitchell Pickerill, In Constitutional Deliberation in Congress J. Mitchell Pickerill analyses the impact of the Supreme Court's constitutional decisions on Congressional debates and statutory language. Based on a thorough examination of how Congress responds to key Court rulings and strategises in anticipation of them, Pickerill argues that judicial review--or the possibility of it--encourages Congressional attention to constitutional issues. Revealing critical aspects of how laws are made, revised, and refined within the separated system of government of the United States, he makes an important contribution to "constitutionalism outside the courts" debates. Pickerill combines legislative histories, extensive empirical findings, and interviews with current and former members of Congress, congressional staff, and others. He examines data related to all of the federal legislation struck down by the Supreme Court from the beginning of the Warren Court in 1953 through the 1996-97 term of the Rehnquist Court. By looking at the legislative histories of Congressional acts that invoked the Commerce Clause and presented Tenth Amendment conflicts--such as the Child Labor Act (1916), the Civil Rights Act (1965), the Gun-Free School Zones...



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