

AMERICA'S PROPHETS



DAVID R. DOW

America's Prophets: How Judicial Activism Makes America Great

G Orfield

America's Prophets How Judicial Activism Makes America Great:

America's Prophets David R. Dow, 2009-04-30 America's Prophets How Judicial Activism Makes America Great fills a major void in the popular literature by providing a thorough definition and historical account of judicial activism and by arguing that it is a method of prophetic adjudication which is essential to preserving American values Dow confounds the allegation of the Christian right that judicial activism is legally and morally unsound by tracing the roots of American judicial activism to the methods of legal and moral interpretation developed by the prophets of the Hebrew Bible He claims that Isaiah Amos and Jesus are archetypal activist judges and conversely that modern activist judges are America's prophets Dow argues that judicial restraint is a priestly method of adjudication and that it not judicial activism is the legally and morally unsound method Race and gender discrimination separation of church and state privacy rights and same sex marriage are all issues that have divided our nation and required judicial intervention Every time the courts address a hot button issue and strike down entrenched bias or bigotry critics accuse the justices of being judicial activists whose decisions promote their personal biases and flout constitutional principles This term despite its widespread currency as a pejorative has never been rigorously defined Critics of judicial activism properly point out that when judges overturn laws that enforce popular norms they thwart the will of the majority But Dow argues that so called activist judges uphold two other American legal values that are as deeply embedded in American legal culture as majoritarianism liberty and equality He challenges the notion that judicial activism is unprincipled and he provides a vocabulary and historical context for defending progressive decisions

The British National Bibliography Arthur James Wells, 2009 **America, History and Life** , 2005 Article abstracts and citations of reviews and dissertations covering the United States and Canada Imprisoned Intellectuals Joy

James, 2004-09-01 Prisons constitute one of the most controversial and contested sites in a democratic society The United States has the highest incarceration rate in the industrialized world with over 2 million people in jails prisons and detention centers with over three thousand on death row it is also one of the few developed countries that continues to deploy the death penalty International Human Rights Organizations such as Amnesty International have also noted the scores of political prisoners in U S detention This anthology examines a class of intellectuals whose analyses of U S society politics culture and social justice are rarely referenced in conventional political speech or academic discourse Yet this body of outlawed public intellectuals offers some of the most incisive analyses of our society and shared humanity Here former and current U S political prisoners and activists writers from the civil rights black power women's gay lesbian American Indian Puerto Rican Independence and anti war movements share varying progressive critiques and theories on radical democracy and revolutionary struggle This rarely referenced resistance literature reflects the growing public interest in incarceration sites intellectual and political dissent for social justice and the possibilities of democratic transformations Such anthologies also spark new discussions and debates about reading for as Barbara Harlow notes Reading prison writing must demand a

correspondingly activist counterapproach to that of passivity aesthetic gratification and the pleasures of consumption that are traditionally sanctioned by the academic disciplining of literature Barbara Harlow 1 1 Barbara Harlow Barred Women Writing and Political Detention New England Wesleyan University Press 1992 Royalties are reserved for educational initiatives on human rights and U S incarceration New York Magazine ,1992-09-14 New York magazine was born in 1968 after a run as an insert of the New York Herald Tribune and quickly made a place for itself as the trusted resource for readers across the country With award winning writing and photography covering everything from politics and food to theater and fashion the magazine s consistent mission has been to reflect back to its audience the energy and excitement of the city itself while celebrating New York as both a place and an idea

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