

Table of Contents

Publisher's Note	ix
Introduction.....	xi
Historical Timeline	xxi
1. The Making of an Institution	
<i>The Origins of the Supreme Court (1789–1801)</i>	1
2. The Balance of Powers	
<i>Three Branches of Government (1803–1833)</i>	15
3. On the Nature of Nations	
<i>The Supreme Court and American Indians (1832)</i>	31
4. Legalizing Oppression	
<i>The Infamous Dred Scott Case in History and Popular Culture (1857)</i>	51
5. The Powers of the Presidency	
<i>Executive Authority and the Supreme Court (1789–1801)</i>	65
6. Adapting to Integration	
<i>Reconstructing the Court (1864–1888)</i>	85
7. Sex and Politics in the Court	
<i>Women's Rights and the Constitution (1848–1875)</i>	113
8. The Court of the Gilded Age	
<i>The Supreme Court and Workers' Rights (1888–1908)</i>	133
9. The Rule of Reason	
<i>The White Court on Free Speech and Child Welfare (1910–1921)</i>	157

10. Presidential Law

The Taft Court and the Bill of Rights (1789–1801) 179

11. The Switch in Time

The Hughes Court and the Constitutional Revolution of 1937 (1930–1937) 197

12. Constitutional Patriotism

The Stone Court and The Second World War (1941–1946) 225

13. The Cold War in the Court

The Ideological Battleground of the Vinson Court (1789–1801) 253

14. Separate Is Not Equal

The Warren Court and the March of Justice (1954) 273

15. Equal Protection Under the Law

The Warren Court and the Rights of the Accused (1789–1801) 293

16. Matters of the Heart

The Warren Court and American Private Life (1967) 319

17. Gender Roles in the Courts

The Burger Court and the Right to Work (1969–1975) 341

18. Sexual Privacy

Reproductive Freedom and the Supreme Court (1965–1973) 363

19. The Religious Establishment

The Separation of Church and State (1962–1971) 381

20. Socially Redeeming Value

The Law of Obscenity (1953–1973) 405

21. The Capital Court

The Supreme Court and Capital Punishment (1972–1976) 429

22. Returning to Conservatism*The Rehnquist Court and Neo Conservatism (1986–2005)* 459**23. For the Love of Guns***The Supreme Court and Gun Control (1789–1801)*..... 483**24. Corporate Personhood***The Supreme Court and Money in Politics (1990–2010)*..... 503**25. The Right to Marry***The Supreme Court on Marital Rights (1789–1801)* 525**26. The Right to Discriminate***The Supreme Court and Business Discrimination (2018–2023)*..... 551**27. The Right to Choose***Abortion and the Court (1973–2023)*..... 571**28. The Value of Racial Experience***The Supreme Court and Affirmative Action (1620–2023)*..... 599**29. Conclusion***Evaluating the Supreme Court*..... 633**Appendixes**

Notes..... 651

Primary & Secondary Sources..... 665

Glossary 673

The Justices of the Supreme Court..... 705

Historical Snapshots..... 737

Bibliography 767

About the Author 791

Index 793