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Brennan and Democracy

By Frank I. Michelman

Princeton University Press, United States, 2005. Paperback. Book Condition: New. Revised ed.. 229 x 152 mm. Language: English . Brand New Book. In Brennan and Democracy, a leading thinker in U.S. constitutional law offers some powerful reflections on the idea of constitutional democracy, a concept in which many have seen the makings of paradox. Here Frank Michelman explores the apparently conflicting commitments of a democratic governmental system where key aspects of such important social issues as affirmative action, campaign finance reform, and abortion rights are settled not by a legislative vote but by the decisions of unelected judges. Can we--or should we--embrace the values of democracy together with constitutionalism, judicial supervision, and the rule of law? To answer this question, Michelman calls into service the judicial career of Supreme Court Justice William Brennan, the country's model activist judge for the past forty years. Michelman draws on Brennan's record and writings to suggest how the Justice himself might have understood the judiciary's role in the simultaneous promotion of both democratic and constitutional government. The first chapter prompts us to reflect on how tough and delicate an act it is for the members of a society to attempt living...



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