**Honors Practical Law**

**“The Supreme Court: Episode IV**

**The Rehnquist Revolution”**

**Mr. Fernandez**

Answer each of the following as you view the PBS documentary:

1. What was Richard Nixon promising America in the presidential campaign of 1968?
2. What rare opportunity did President Nixon have before him in the late 1960s?
3. What qualities did President Nixon want in a Supreme Court Justice?
4. What was a “strict constructionist”?
5. Who did President Nixon nominate as the 15th Chief Justice of the U.S. Supreme Court?
6. How many nominees of President Nixon’s administration were rejected by the Senate in confirmation hearings?
7. Write a brief biographical sketch of William Rehnquist.
8. Describe Rehnquist’s confirmation hearings before the U.S. Senate.
9. What were Rehnquist’s thoughts concerning *Brown v. Board of Education of Topeka* (1954)?
10. How did President Nixon advise the Justice Rehnquist by telephone?
11. What Texas law came under review by the Supreme Court, even before Rehnquist had taken the oath of office?
12. How did the “right” to have an abortion apparently become synonymous with the women’s rights movement of the 1960s and 1970s?
13. What was Justice Blackmun’s response to hearing his wife and daughter’s opinions concerning the Texas abortion law?
14. Describe the Supreme Court’s opinion in *Roe v. Wade* (1973).
15. How did Justice Blackmun constitutionally justify his protection of the Texas abortion law?
16. What were Justice Rehnquist’s thoughts concerning *Roe v. Wade* (1973)?
17. What moniker did the clerks of the Supreme Court give Justice Rehnquist?
18. According to retired Justice Sandra Day O’Connor, what was Justice Rehnquist’s response to being the only dissenter on the court?
19. Explain the influence of Justice William J. Brennan on the Supreme Court.
20. Describe Justice Brennan’s style on the Court.
21. Describe Chief Justice Warren Burger.
22. “The Constitution is all \_\_\_\_\_\_\_\_ and no \_\_\_\_\_\_\_\_.” Chief Justice Burger
23. Who would lead the counter-revolution to the liberal Warren Court of the 1960s?
24. In what way was *Fay v. Noia* (1963) the high-water mark of the Warren Court, as well as Justice Brennan’s “magnum opus”?
25. Describe the background of *Wainwright v. Sykes* (1977).
26. How did Justice Rehnquist view the defense attorney?
27. What is the law’s duty, or job, according to Justice Rehnquist?
28. Describe the “Majority Opinion” in *Wainwright v. Sykes* (1977)?
29. In what way was *Wainwright* a victory for President Nixon?
30. Who became President of the United States in 1980?
31. Which Supreme Court Justice decided to step down in June 1981?
32. Who was the first woman to be nominated to serve as a Justice on the U.S. Supreme Court?
33. How did Sandra Day O’Connor know Justice Rehnquist?
34. What were the specific conservative hopes for Justice O’Connor?
35. Who came to President Reagan in 1986 to announce his retirement?
36. Who did President Reagan nominate as the 16th Chief Justice of the U.S. Supreme Court?
37. Who did President Reagan nominate to replace Justice Rehnquist?
38. Describe Antonin Scalia’s reputation.
39. What did Chief Justice Burger say he would miss the most about the Supreme Court?
40. What did people appreciate about the new Chief Justice?
41. Whose retirements in the early 1990s closed the era of liberalism associated with the Warren Court?
42. Name the three justices appointed between 1988 and 1991 who rounded out the conservative majority on the Supreme Court.
43. What case brought the controversial issue of abortion back to the U.S. Supreme Court in 1991?
44. Why did Justice O’Connor become such a figure of interest?
45. Describe the “Joint Opinion” written by Justices O’Connor, Kennedy, and Souter.
46. What was the “heart” of the opinion?
47. According to Justice O’Connor, why is the principle of “precedent” so important?
48. Which Justice was angry over the Supreme Court’s decision in *Casey*?
49. Why did Chief Justice Rehnquist believe there had to be limits on the powers of Congress under the “Commerce Clause”?
50. Describe the “Majority Opinion” in *U.S. v. Lopez* (1995). Explain the significance of this decision.
51. What issues had the Rehnquist Court NOT been successful in addressing in this “revolution”?
52. What were Chief Justice Rehnquist’s thoughts concerning *Miranda*?
53. Describe the Court’s opinion in *Dickerson v. United States* (2000).
54. What was the “overwhelming characteristic” of the Rehnquist Court?
55. What percentage of the U.S. public expressed confidence in the Supreme Court in 2000?
56. According to the Constitution, who has the final decision concerning the election of electors to the Electoral College?
57. Describe the decision of the Supreme Court in *Bush v. Gore* (2000).
58. How did this decision “slap down” the Florida Supreme Court?
59. What two conflicting views did Americans entertain concerning the Rehnquist Court’s decision in *Bush v. Gore* (2000)?
60. Explain the legacy of Chief Justice William Rehnquist.