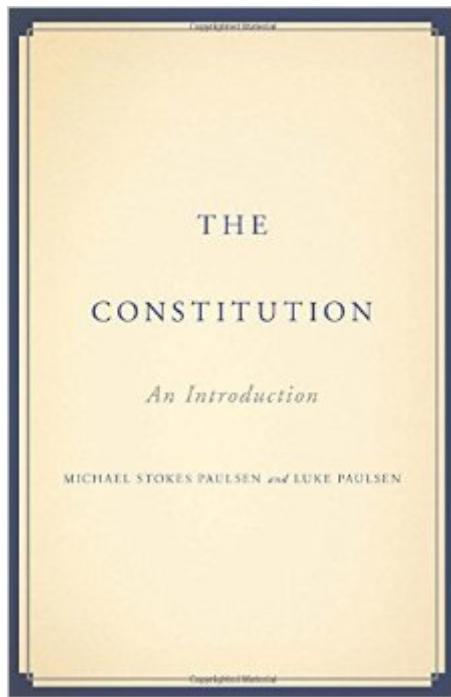


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# The Constitution: An Introduction



## Synopsis

From war powers to health care, freedom of speech to gun ownership, religious liberty to abortion, practically every aspect of American life is shaped by the Constitution. This vital document, along with its history of political and judicial interpretation, governs our individual lives and the life of our nation. Yet most of us know surprisingly little about the Constitution itself, and are woefully unprepared to think for ourselves about recent developments in its long and storied history. The Constitution: An Introduction is the definitive modern primer on the US Constitution. Michael Stokes Paulsen, one of the nation's most provocative and accomplished scholars of the Constitution, and his son Luke Paulsen, a gifted young writer and lay scholar, have combined to write a lively introduction to the supreme law of the United States, covering the Constitution's history and meaning in clear, accessible terms. Beginning with the Constitution's birth in 1787, Paulsen and Paulsen offer a grand tour of its provisions, principles, and interpretation, introducing readers to the characters and controversies that have shaped the Constitution in the 200-plus years since its creation. Along the way, the authors provide correctives to the shallow myths and partial truths that pervade so much popular treatment of the Constitution, from school textbooks to media accounts of today's controversies, and offer powerful insights into the Constitution's true meaning. A lucid and engaging guide, The Constitution: An Introduction provides readers with the tools to think critically and independently about constitutional issues—a skill that is ever more essential to the continued flourishing of American democracy.

## Book Information

Hardcover: 368 pages

Publisher: Basic Books (May 5, 2015)

Language: English

ISBN-10: 0465053726

ISBN-13: 978-0465053728

Product Dimensions: 6.1 x 1.2 x 9.2 inches

Shipping Weight: 1.3 pounds (View shipping rates and policies)

Average Customer Review: 4.7 out of 5 starsÂ See all reviewsÂ (65 customer reviews)

Best Sellers Rank: #79,779 in Books (See Top 100 in Books) #58 in Books > Politics & Social Sciences > Politics & Government > Political Science > Constitutions #95 in Books > Law > Constitutional Law > General #532 in Books > Politics & Social Sciences > Politics & Government > Political Science > History & Theory

## Customer Reviews

This book has two parts. Part I delineates the story of the creation, formation, and development of the Constitution, and it does so in an engaging and illuminating way, highlighting its revolutionary distinctiveness. To me, the most interesting section of Part I is Paulsen's delineation as to how the 'Bill of Rights' became integral to the Constitution. Part II is the history of how the Supreme Court, decision after decision, and decade after decade has interpreted, reinterpreted, and to no small measure has extrapolated its own policy preferences into the fabric of Constitutional law. In this part of the book, which is by far the most interesting part, Paulsen shows his colors as a strict (as opposed to a 'broad') constitutional lawyer, mincing no words as to when, where and how various Supreme Court justices have - in disregard of the clear meaning of the text itself - have created their own version of the Constitution via a methodology known as 'substantive due process' through which they interpret the constitution in terms of their own policy preferences. In so doing, says Paulsen, with which I agree, they, in effect, take off their judicial robes, and become legislators from their benches on the court. Paulsen sees this as a subversion of the original intent of the Founder's tripartite division of labor between the Executive, Legislative, and Judiciary components of the U.S. Government. Bottom-line, this fine piece of work makes one realize anew, not only how precious our original constitution is, but also, how precarious it is.

I am currently a second-year law student. The typical first year constitutional law course at law schools, in concession to the brevity of life, necessarily focuses purely on Supreme Court decisions to learn about constitutional law. Despite having spent last year reading several hundred Supreme Court cases and spending hundreds of hours studying the topic, I still found this book very informative. This book provides a much-needed background of the formation of the document itself and the various influences and political philosophies that inspired its provisions. Unfortunately, this was something I never received in school even through my four years of undergrad. This information helped put my current knowledge about constitutional law doctrine into perspective, in a "big-picture" sort of way that is missing even in law school. I give this book four stars simply because I found the later quarter of the book to be somewhat disingenuous. The author hammers home the point for three quarters of the book that the judicial branch has no greater authority to interpret the constitution than its coordinate branches, or the states. Yet it runs into the problem that every approach like this eventually does: the author gets to *Brown v. Bd. of Educ.* and applauds it as a magnificent decision true to constitutional doctrine, the states' protests notwithstanding. This simply cannot be. He utters the weak line that "Plessy was simply wrong the entire time and *Brown* was

right". Is this not exactly the entire crux of this issue? Who is the Supreme Court to tell (nearly half) of the sovereign states that their own interpretation of the Constitution is incorrect? Sure, african-americans being provided subpar education certainly violates the clear meaning of the Equal Protection clause.

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