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Split Decisions

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Overtured Clarke Rountree, 2024-12-17 A timely and lively summary and analysis of the Supreme Court's justifications for overruling nearly 300 prior rulings in its history An audacious US Supreme Court is overturning a number of long standing precedents and *Overtured* offers a lively account of the court's history of overturning prior cases and examples and analyses of 300 cases overruled in its history The immense controversy surrounding the case of *Dobbs v Jackson Women's Health Organization* in 2022 which overruled *Roe v Wade* and erased the constitutional right to abortion in the United States has focused public attention on how and why the Supreme Court knocks down long established precedents In his vivid and accessible style scholar Clarke Rountree recounts the rhetorical pirouettes and linguistic acrobatics the court has deployed to explain its reversal of *Dobbs* and numerous other landmark decisions He reviews strategies the court uses to undermine a previous court's standing without undermining its own He analyzes overrulings across time by type constitutional cases versus statutory and common law cases by the ages of the overturned precedents with changes in the court's membership and through other variables Rountree gives engrossing accounts of pivotal overrulings in the past such as when Lincoln's Treasury Secretary Salmon Chase used the Legal Tender Act in 1862 to raise money for the Civil War then ruled the same law unconstitutional in 1870 when he served as chief justice Rountree retells Thomas Edison's attempt to monopolize the burgeoning film industry which was stopped only when the Supreme Court overturned an earlier patent rights case in 1917 Finally Rountree applies his myriad insights to the politically fraught *Dobbs* case *Overtured* makes a valuable contribution to law rhetoric politics and history and readers interested in the role and function of America's highest

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