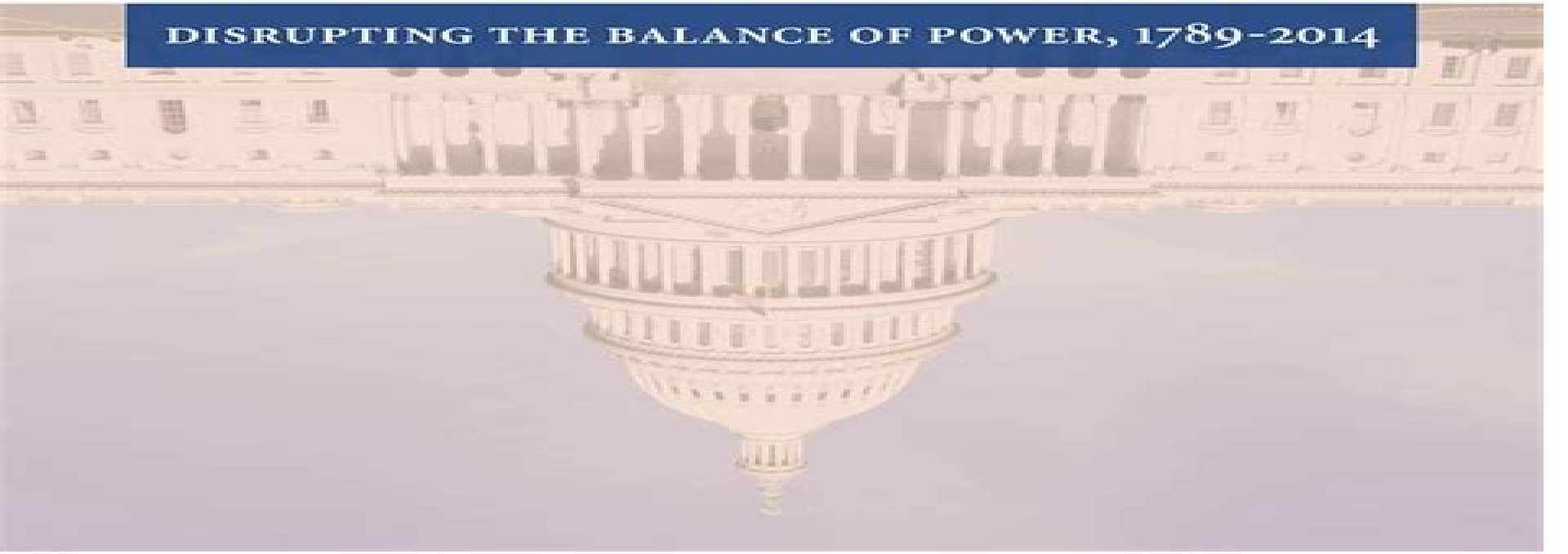


A faded, light-colored image of the Supreme Court Building in Washington, D.C., featuring its iconic portico with six columns.

William B. Glidden

THE SUPREME COURT versus CONGRESS

A faded, light-colored image of the U.S. Capitol building, showing the wings and the dome, which is reflected in a body of water at the bottom of the frame.

DISRUPTING THE BALANCE OF POWER, 1789-2014

Court Versus Congress

Lauren Gardner



Court Versus Congress:

The Court Vs. Congress Edward Keynes,Randall K. Miller,1989 Since the early 1960s the Supreme Court and its congressional critics have been locked in a continuing dispute over the issues of school prayer busing and abortion Although for years the Court s congressional foes have introduced legislation designed to curb the powers of the federal courts in these areas they have until now failed to enact such proposals It is likely that these legislative efforts and the present confrontation with the Court will continue Edward Keynes and Randall Miller argue that Congress lacks the constitutional power to legislate away the powers of the federal courts and to prevent individuals from seeking redress for presumed infringements of their constitutional rights in these areas They demonstrate that neither the framers nor ratifiers of the Constitution intended the Congress to exercise plenary power over the appellate jurisdiction of the Supreme Court Throughout its history the Court has never conceded unlimited powers to Congress and until the late 1950s Congress had not attempted to gerrymander the Court s jurisdiction in response to specific decisions But the authors contend this is just what the sponsors of recent legislative attacks on the Court intend and they see such efforts as threatening the Court s independence and authority as defined in the separation of powers clauses of the Constitution 108-1 Hearing: Potential Congressional Responses to The Supreme Court's Decision In State Farm Mutual Automobile Ins. Co. V. Campbell, Etc., Serial No. 48, September 23, 2003, *,2003 **Congressional Record** United States. Congress,1996 *Private Claims Act and Congressional References* Marion Tinsley Bennett,1968 Catalogue of the Public Documents of the ... Congress and of All Departments of the Government of the United States for the Period from ... to ... ,1937 A Digest of the United States Supreme Court Reports from the Organization of the Court to October, 1885 Henry Gold Danforth,1885 *Constitutional Immunity of Members of Congress* United States. Congress. Joint Committee on Congressional Operations,1973 *The Congressional Globe* United States. Congress,1872 The Old Guard ,1870 **United States Reports, Supreme Court** United States. Supreme Court,1883 **Congressional Record** United States. Congress,1981 *Digest of the Decisions of the Supreme Court of the State of New York* Oliver Lorenzo Barbour,1880 **Congress and the Courts** ,1978 The Revised Statutes of the State of Illinois Illinois,1874 **United States Digest: a Digest of Decisions of the Various Courts Within the United States, from the Earliest Period to the Year 1870** ,1874 The Revised Statutes of the State of Ohio Ohio,1896 **Congressional Record** ,1880 *Official Gazette of the United States Patent Office* USA Patent Office,1897 World Almanac and Encyclopedia ,1897 Reports of Cases Determined in the Supreme Court of the Territory of New Mexico New Mexico. Supreme Court,John Abbott,Paul A. F. Walter,1890

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