



On Constitutional Ground

John Hart Ely

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John Hart Ely is a leading contemporary writer on political theory from the standpoint of American constitutional law. This collection covers a full range of topics of constitutional interpretation: federalism, separation of powers, freedom of expression, religious freedom, criminal procedure, racial discrimination, "substantive due process," and honesty in government. Organized under these heads and linked by the author's witty explanatory and autobiographical remarks, the essays and other documents--many previously unpublished in any forum--range chronologically over the past three decades, from memoranda he wrote as a student working with lead counsel Abe Fortas on the landmark case of *Gideon v. Wainwright* to a comment on the constitutional implications of the O. J. Simpson verdict.

Before beginning his academic career, Ely was the junior member of the Warren Commission's sixteen-lawyer staff, Chief Justice Earl Warren's law clerk, and a public defender in San Diego; and during the Ford Administration he took time off to serve as the third-ranking official of the U.S. Department of Transportation. This book reflects his various experience. It comments on many of the past quarter century's "hot button" issues--including abortion, affirmative action, anti-Communist legislation, busing, flag burning, governmental display of nativity scenes, the Nixon impeachment, "trial by newspaper," the Clarence Thomas-Anita Hill contretemps, congressionally unauthorized war in the Persian Gulf and Bosnia, and whether the Warren Commission Report should be officially reexamined.

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