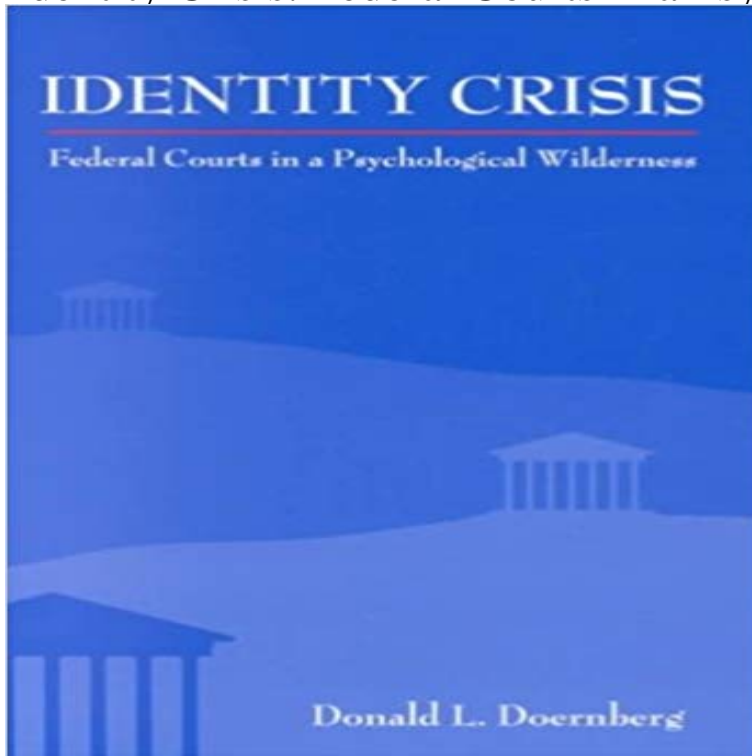


# Identity Crisis: Federal Courts in a Psychological Wilderness



This volume discerns and defines a positive institutional role for the federal courts, which have developed a vast body of institutional doctrine in their more than two centuries of existence. It is remarkable how much of that doctrine expresses only a highly negative institutional role for these courts and how little of it gives much sense of the federal courts mission. The federal courts lack of a positive sense of self has caused their doctrine to become highly fragmented, arcane, and often contradictory. The federal courts need more ideas about what they are, and they need to decrease their emphasis on what they are not. This book focuses on how the courts relate to Congress and the President, and how they relate to the states. This is a particularly important time to look at the federal courts institutional functioning, because in recent years the Supreme Court has undertaken a wide-ranging redefinition, couched in constitutional terms, of American federalism. Doernberg offers a perspective from which to view those changes.

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