



Military Recruiting on College Campuses: Legal, Theoretical and Practical Implications of Rumsfeld v. FAIR (Law and Society: Recent Scholarship)

Daryl R. Privott

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Rumsfeld v. Forum for Academic and Institutional Rights (FAIR), settled the issue of military recruiting on college campuses. Privott provides the legislative and litigative histories of the Solomon Amendment, and offers a theoretical analysis of the unanimous decision handed down by the Supreme Court. The legislative history provides insight on Congresses Spending Clause authority and tests Jeffrey Rosen's theory on the role of the Supreme Court in our governance structure. The litigative history describes the First Amendment challenges presented by FAIR, and offers an opportunity to examine the judicial decision making of Chief Justice Roberts through the lens provided by Judge Benjamin Cardozo.

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