



# Equality and Liberty in the Golden Age of State Constitutional Law

*Jeffrey M Shaman*

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The rise of the New Judicial Federalism movement in the 1970s marked a sea-change in the history of state constitutional law by shifting the focus of power away from the central government in ways that had not occurred since the Equal Protection Clause was enacted in 1868. With New Judicial Federalism, many states rediscovered that they were empowered to enact their own constitutions and to interpret them as they saw fit, which enabled states to recognize civil rights and liberties beyond those recognized under the Federal Constitution.

*Equality and Liberty in the Golden Age of State Constitutional Law* closely examines the evolution of the rights of liberty and equality under state constitutions from both a historical and jurisprudential perspective. In it, Professor Jeffrey M. Shaman explains that as New Judicial Federalism gained ground, state constitutional law became an important source for the protection of individual rights and liberties. States have since expanded the right of the citizen well beyond the limits of federal law by striking down laws that led to de facto segregation in public schools, discriminated against women, or allocated public benefits inequitably. State courts were the first to recognize a right of intimate association, spurring the U.S. Supreme Court to follow suit. *Equality and Liberty in the Golden Age of State Constitutional Law* is essential reading for anyone interested in this manifestation of law that has developed beyond the purview of national attention and in the resulting evolution of power in U.S. constitutional law.

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