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Original methods originalism is real, is substantive, is honest originalism. But it has to be fought at philosophical, well reasoned levels and modes. As has been argued in this forum, natural law and natural rights need to be rehabilitated, reinstituted, but more basic problems are at issue as well, a priori vs a posteriori modes of reasoning, nominalism vs realism/universals are two areas of note.

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Parker, Kunal M., " Writing Legal History Then and Now: A Brief Reflection," American Journal of Legal History 56 (2016): 168 -78, at 169; Cornell, Saul, " Meaning and Understanding in the History of Constitutional Ideas: The Intellectual History Alternative to Originalism," Fordham Law Review 82 (2013): 721 -55; and Gordon, Robert W., " Introduction: J. Willard Hurst and the ...

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Her article "Common Law Confrontations" appears in the Law and History Review symposium on originalism and legal history (volume 37.3). Originalist jurists frequently turn to the common law of the Founding Era to illuminate the meaning of the Bill of Rights. This practice resonates with Founding Era protests against the initial body of the Constitution, many of which claimed that it failed to secure common law rights for Americans.

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Common Good Originalism - The American Mind
February 15, 2016 by Bruce Petrie. Justice Scalia called his judicial

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approach to the Constitution "originalism" or "textualism". The idea of Originalism/Textualism is that the Constitution means no more or less than what it meant to those who originally wrote and ratified it. This is seen as a counter-approach to the "living Constitution" idea where the text is interpreted in light of current times, culture and society.

What is Originalism/Textualism? - Graydon Law

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Originalism is a theory of the interpretation of legal texts, including the text of the Constitution. Originalists believe that the constitutional text ought to be given the original public meaning that it would have had at the time that it became law.

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On Originalism in Constitutional Interpretation | The ...
Fossum, Donna, " Law Professors: A Profile of the Teaching Branch of the Legal Profession," American Bar Foundation Research Journal 5 (1980): 501 -54; Elizabeth Mertz, Frances Tung, Katherine Barnes, Wamucii Njogu, Molly Heiler, and Joanne Martin, "After Tenure: Post-Tenure Law Professors in the United States," Law School Admission Council, Grants Report 11-02 (October 2011): 3; and ...

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