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Nota di contenuto	Special Issue Constitutional Politics in a Conservative Era; Copyright page; Contents; List of Contributors; Editorial board; Chapter 1. Understanding the impact and visibility of ideological change on the supreme court; Introduction: Rights, majorities, and Warren Court hangovers; Five do's and don'ts for assessing ideological shift on the court and the impact of judicial rulings on democratic politics; Future directions of the court; Notes; References; Cases cited; Chapter 2. An indifference thesis: Constitutional law and politics in an era of "conservative domination" of the judiciary Introduction: An indifference thesis about commentaryHypotheses for locating "domination" of the judiciary; Concepts of a "conservative" judiciary; The benchmarks: A tangled political and judicial web; Rapanos and "conservative domination of the judiciary"; Conclusion; Notes; References; Cases cited; Chapter 3. Popular constitutionalism:

The new living constitutionalism; The Turn to Popular Constitutionalism; The Progressive Roots of Popular Constitutionalism; Conservative Politics and Contemporary Constitutional Theory  
Judicial Conservatism and the Incongruities of Constitutional Development  
Legal Liberalism's Break with the New Deal; Conclusion: A Conservative Era?; Notes; References; Cases cited; Chapter 4. Political regimes and the future of the First Amendment; The influence of political regimes; The Rehnquist Court and the religion clauses; The Rehnquist Court and the non-religion First Amendment cases; Explaining the divergence(s); The conservative First Amendment; Notes; References; Chapter 5. Confirmation obfuscation: Supreme Court confirmation politics in a conservative era; 1. Introduction  
2. The confirmation process in historical perspective: Keeping nominees at a distance  
3. A new role for senators? Inviting the public into the confirmation process; 4. "Packing the courts": Social conservatives adopt a new political strategy; 5. Senate hearings as "show business": The modern-day confirmation charade; 6. A public left behind: The confirmation process at the start of the 21st century; 7. Conclusion; Notes; Acknowledgments; References  
Chapter 6. Why Does a Moderate/Conservative Supreme Court in a Conservative Age Expand Gay Rights?: Lawrence v. Texas (2003) in Legal and Political Time  
Introduction; Planned Parenthood of Southeastern Pennsylvania v. Casey (1992) and Lawrence v. Texas (2003): Principled bi-directional Supreme Court decision making; Social scientists and legal scholars failed to explain (much less predict) the expansion of gay rights; The legitimacy of PBD: A defining fissure On and Off the Supreme Court; Conclusion; Notes; References; Cases cited

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Sommario/riassunto

Aims to bring together the work of leading scholars of Constitutionalism, Constitutional law, and politics in the United States to take stock of the field to chart its progress, and point the way for its future development.

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