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| Nota di contenuto | The post-war Constitution 2. The judiciary and private rights Crisis of 1890s 4. The new jurisprudence 5. The due process dialectic 6. Toward a Federal police power 7. Rooseveltian progressivism 8. The Lochner incident 9. Court and Constitution in crisis 10. Taft and the Republican crack-up 11. Wilsonian progressivism 12. The new freedom 13. The new Wilson 14. The Great War 15. The return of the regular Tepublicans 16. The Taft court 17. The last progressive 18. The hundred days 19. To the brink 20. The Second New Deal 21. The court fight 22. The abortive Third New Deal 23. The New Deal court. |
| Sommario/riassunto | This book tells the story of constitutional government in America during the period of the 'social question'. After the Civil War and Reconstruction, and before the 'second Reconstruction' and cultural revolution of the 1960s, Americans dealt with the challenges of the urban and industrial revolutions. In the crises of the American Revolution and the Civil War, the American founders - and then Lincoln |

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and the Republicans - returned to a long tradition of Anglo-American constitutional principles. During the Industrial Revolution, American political thinkers and actors gradually abandoned those principles for a set of modern ideas, initially called progressivism. The social crisis, culminating in the Great Depression, did not produce a Lincoln to return to the founders' principles, but rather a series of leaders who repudiated them. Since the New Deal, Americans have lived in a constitutional twilight, not having completely abandoned the naturalrights constitutionalism of the founders, nor embraced the entitlement-based welfare state of modern liberalism.