Record Nr. UNINA9910819186103321 Autore **Keck Thomas Moylan** Titolo The most activist supreme court in history: the road to modern judicial conservatism / / Thomas M. Keck Chicago,: University of Chicago Press, c2004 Pubbl/distr/stampa **ISBN** 0-226-42886-9 9786612537738 1-282-53773-3 Edizione [1st ed.] Descrizione fisica 1 online resource (394 p.) Disciplina 347.73/26 Conservatism - United States Soggetti Law - Political aspects Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references (p. [339]-355) and index. Nota di contenuto The New Deal revolution and the reconstruction of constitutional law. 1937-1949 -- Frankfurter's failure: the rise and decline of judicial self-restraint, 1949-1962 -- The Warren court and its critics, 1962-1969 -- The Nixon court and the conservative turn, 1969-1980 -- The Reagan court and the conservative ascendance, 1980-1994 -- Activism and restraint on the Rehnquist court -- Law and politics on the Rehnquist court. Sommario/riassunto When conservatives took control of the federal judiciary in the 1980s, it was widely assumed that they would reverse the landmark rightsprotecting precedents set by the Warren Court and replace them with a broad commitment to judicial restraint. Instead, the Supreme Court under Chief Justice William Rehnquist has reaffirmed most of those liberal decisions while creating its own brand of conservative judicial activism. Ranging from 1937 to the present, The Most Activist Supreme Court in History traces the legal and political forces that have shaped the modern Court. Thomas M. Keck argues that the tensions within modern conservatism have produced a court that exercises its own power quite actively, on behalf of both liberal and conservative ends.

Despite the long-standing conservative commitment to restraint, the justices of the Rehnquist Court have stepped in to settle divisive

political conflicts over abortion, affirmative action, gay rights, presidential elections, and much more. Keck focuses in particular on the role of Justices O'Connor and Kennedy, whose deciding votes have shaped this uncharacteristically activist Court.