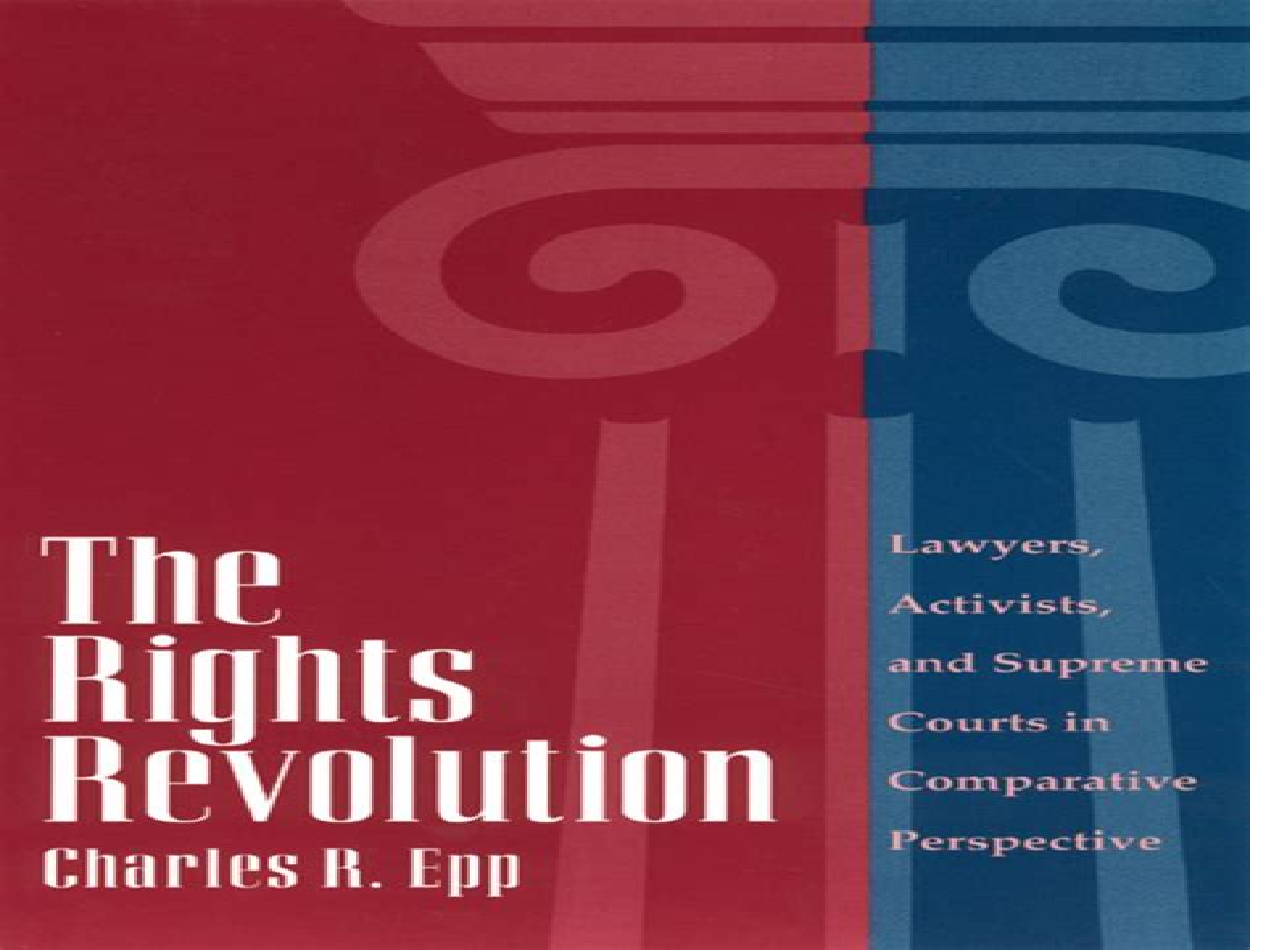


The book cover features a vertical split background of red on the left and blue on the right. Faint, stylized classical columns are visible in the background, spanning both colors. The title is written in a large, white, serif font on the red side.

The Rights Revolution

Charles R. Epp

Lawyers,
Activists,
and Supreme
Courts in
Comparative
Perspective

Rights Revolution Lawyers Activists And Supreme Courts In Comparative Perspective

Nancy L. Maveety



Rights Revolution Lawyers Activists And Supreme Courts In Comparative Perspective:

The Rights Revolution Charles R. Epp, 2020-05-14 It is well known that the scope of individual rights has expanded dramatically in the United States over the last half century. Less well known is that other countries have experienced rights revolutions as well. Charles R. Epp argues that far from being the fruit of an activist judiciary, the ascendancy of civil rights and liberties has rested on the democratization of access to the courts, the influence of advocacy groups, the establishment of governmental enforcement agencies, the growth of financial and legal resources for ordinary citizens, and the strategic planning of grass roots organizations. In other words, the shift in the rights of individuals is best understood as a bottom up rather than a top down phenomenon. **The Rights Revolution** is the first comprehensive and comparative analysis of the growth of civil rights, examining the high courts of the United States, Britain, Canada, and India within their specific constitutional and cultural contexts. It brilliantly revises our understanding of the relationship between courts and social change. **The Most**

Activist Supreme Court in History Thomas M. Keck, 2010-02-15 When conservatives took control of the federal judiciary in the 1980s, it was widely assumed that they would reverse the landmark rights protecting 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. **Courts in Latin America**

Gretchen Helmke, Julio Ríos-Figueroa, 2011-01-17 To what extent do courts in Latin America protect individual rights and limit governments? This volume answers these fundamental questions by bringing together today's leading scholars of judicial politics. Drawing on examples from Argentina, Brazil, Chile, Mexico, Colombia, Costa Rica, and Bolivia, the authors demonstrate that there is widespread variation in the performance of Latin America's constitutional courts. In accounting for this variation, the contributors push forward ongoing debates about what motivates judges: whether institutions, partisan politics, and public support shape inter-branch relations and the importance of judicial attitudes and legal culture. The authors deploy a range of methods, including qualitative case studies, paired country comparisons, statistical analysis, and game theory. **Foundations of Public Law** Martin Loughlin, 2010-06-03 This text develops Martin Loughlin's distinctive and provocative theory of public law. Tracing the historical evolution of the concept of public law, the book rethinks the foundational concepts of state, constitution, and government, arguing that public power is created, not controlled, by law. **Partisan Supremacy** Terri

Jennings Peretti, 2020-11-20 I have no agenda US Supreme Court Chief Justice John Roberts proclaimed at his Senate confirmation hearing My job is to call balls and strikes and not to pitch or bat This declaration was in keeping with the avowed independence of the judiciary It also when viewed through the lens of Roberts's election law decisions appears to be false With a scrupulous reading of judicial decisions and a careful assessment of partisan causes and consequences Terri Jennings Peretti tells the story of the GOP's largely successful campaign to enlist judicial aid for its self interested election reform agenda Partisan Supremacy explores four contemporary election law issues voter identification gerrymandering campaign finance and the preclearance regime of the Voting Rights Act to uncover whether Republican politicians and Republican judges have collaborated to tilt America's election rules in the GOP's favor Considering cases from *Shelby County v Holder* which enfeebled the Voting Rights Act to *Crawford v Marion County Election Board* which upheld restrictive voter identification laws to *Citizens United* and *McCutcheon* which loosened campaign finance restrictions Peretti lays bare the reality of friendly judicial review and partisan supremacy when it comes to election law She nonetheless finds a mixed verdict in the redistricting area that reveals the limits of partisan control over judicial decisions Peretti's book helpfully places the current GOP's voter suppression campaign in historical context by acknowledging similar efforts by the post-Civil War Democratic Party While the modern Democratic Party seeks electoral advantage by expanding voting by America's minorities and youth arguably hewing closer to democratic principles neither party is immune to the powerful incentive to bend election rules in its favor In view of the evidence that Partisan Supremacy brings to light we are left with a critical and pressing question Can democracy survive in the face of partisan collaboration across the branches of government on critical election issues

Under the Starry Flag Lucy E. Salyer, 2018-10-15 Winner of the Myrna F Bernath Book Award A stunning accomplishment As the Trump administration works to expatriate naturalized U S citizens understanding the history of individual rights and state power at the heart of *Under the Starry Flag* could not be more important Passport A brilliant piece of historical writing as well as a real page turner Salyer seamlessly integrates analysis of big complicated historical questions allegiance naturalization citizenship politics diplomacy race and gender into a gripping narrative Kevin Kenny author of *The American Irish* In 1867 forty Irish American freedom fighters outfitted with guns and ammunition sailed to Ireland to join the effort to end British rule They were arrested for treason as soon as they landed The Fenians as they were called claimed to be American citizens but British authorities insisted that they remained British subjects Following the Civil War the Fenian crisis dramatized the question of whether citizenship should be considered an inalienable right This gripping legal saga a prelude to today's immigration battles raises important questions about immigration citizenship and who deserves to be protected by the law

The Pioneers of Judicial Behavior Nancy L. Maveety, 2009-11-16 Examines the contributions of the pioneers of research into judicial behavior

The Myth of the Sacred Donald E. Abelson, Patrick James, Michael Lusztig, 2002 In this collection the authors challenge the myth of the sacred the idea that certain aspects of the constitutional

process judicial political behaviour interest group politics and centralization of power are untouchable politically They suggest that certain actors and institutions have contributed to a myth about the normative basis of Canadian constitutional politics a myth perpetuated through the popular media as well as much of the scholarly literature Such actors often disguise their overtly political behavior with a cloak of impartiality presenting their actions as furthering the public good and therefore immune to challenge The Myth of the Sacred seeks to challenge this ideal At its core this myth embodies the Trudeauian ideal of Canadian society one that features a constitution that empowers impartial judges at the expense of politically motivated legislators one that allows each individual to enjoy a uniform range of rights freedoms and means of belonging to the larger Canadian society and one that seeks to ensure the primacy of the national government rather than the provincial Trudeau called his vision the Just Society But justice is an illusive and amorphous concept Defining it much less institutionalizing it is fraught with risk In modern liberal democracies justice is typically understood as the product of some mix of liberty and equality process and substance with the amount of each component varying according to taste It is not unusual for political actors to seek to institutionalize their own formulas for justice but it is also not reasonable to expect these formulas to go unchallenged Such a challenge represents the dominant theme of this volume Contributors include Donald E Abelson Tom Flanagan University of Calgary Patrick James James B Kelly Brock University Michael Lusztig Christopher P Manfredi McGill University Hudson Meadwell McGill University Anthony A Peacock Utah State University Mark Rush Washington and Lee University and Shannon I Smithey Kent State University

Constitutional Deliberation in Congress J. Mitchell Pickerill, 2004-05-17 Analyzes the impact of the Supreme Court's constitutional decisions and its judicial review of statutes on lawmaking in Congress

Queer Alliances Erin Mayo-Adam, 2020-07-14 A unique investigation into how alliances form in highly polarized times among LGBTQ immigrant and labor rights activists revealing the impacts within each rights movement Queer Alliances investigates coalition formation among LGBTQ immigrant and labor rights activists in the United States revealing how these new alliances impact political movement formation In the early 2000s the LGBTQ and immigrant rights movements operated separately from and sometimes in a hostile manner towards each other Since 2008 by contrast major alliances have formed at the national and state level across these communities Yet this new coalition formation came at a cost Today coalitions across these communities have been largely reluctant to address issues of police brutality mass incarceration economic inequality and the ruthless immigrant regulatory complex Queer Alliances examines the extent to which grassroots groups bridged historic divisions based on race gender class and immigration status through the development of coalitions looking specifically at coalition building around expanding LGBTQ rights in Washington State and immigrant and migrant rights in Arizona Erin Mayo Adam traces the evolution of political movement formation in each state and shows that while the movements expanded they simultaneously ossified around goals that matter to the most advantaged segments of their respective communities Through a detailed multi method study that

involves archival research and in depth interviews with organization leaders and advocates Queer Alliances centers local coalition based mobilization across and within multiple movements rather than national campaigns and court cases that often occur at the end of movement formation Mayo Adam argues that the construction of common political movement narratives and a shared core of opponents can help to explain the paradoxical effects of coalition formation On the one hand the development of shared political movement narratives and common opponents can expand movements in some contexts On the other hand the episodic nature of rights based campaigns can simultaneously contain and undermine movement expansion reinforcing movement divisions Mayo Adam reveals the extent to which inter and intra movement coalitions formed to win rights or thwart rights losses represent and serve intersectionally marginalized communities who are often absent from contemporary accounts of social movement formation

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