Contents

Contributors

Introduction
Diana Kapiszewski, Gordon Silverstein, and Robert A. Kagan

1. EXPANDING JUDICIAL ROLES IN NEW OR RESTORED DEMOCRACIES

1. The Politics of Courts in Democratization: Four Junctures in Asia
   Tom Ginsburg
   45

   Alexei Trochev
   67

3. Constitutional Authority and Judicial Pragmatism: Politics and Law in the Evolution of South Africa’s Constitutional Court
   Heinz Klug
   93

4. Distributing Political Power: The Constitutional Tribunal in Post-Authoritarian Chile
   Druscilla L. Scribner
   114

5. The Transformation of the Mexican Supreme Court into an Arena for Political Contestation
   Mónica Castillejos-Aragón
   138
II. EXPANDING JUDICIAL ROLES IN ESTABLISHED DEMOCRACIES

6. Courts Enforcing Political Accountability: The Role of Criminal Justice in Italy
   Carlo Guarnieri

7. The Dutch Hoge Raad: Judicial Roles Played, Lost, and Not Played
   Nick Huls

8. A Consequential Court: The U.S. Supreme Court in the Twentieth Century
   Robert A. Kagan

9. Judicial Constitution Making in a Divided Society: The Israeli Case
   Amnon Reichman

10. Public Interest Litigation and the Transformation of the Supreme Court of India
    Manoj Mate

11. The Judicial Dynamics of the French and European Fundamental Rights Revolution
    Mitchel de S.-O.-l'E. Lasser

12. Constitutional Courts as Bulwarks of Secularism
    Ran Hirschl

III. FOUR “PROVOCATIONS”

13. Why the Legal Complex is Integral to Theories of Consequential Courts
    Terence C. Halliday

14. Judicial Power: Getting it and Keeping it
    John Ferejohn

15. Constitutional Politics in the Active Voice
    Mark A. Graber
16. The Mighty Problem Continues
   Martin Shapiro

Conclusion: Of Judicial Ships and Winds of Change
   Diana Kapiszewski, Gordon Silverstein, and Robert A. Kagan

Index