

Cambridge University Press

978-1-107-02653-7 - Consequential Courts: Judicial Roles in Global Perspective

Edited by Diana Kapiszewski, Gordon Silverstein and Robert A. Kagan

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CONSEQUENTIAL COURTS

In the early twenty-first century, courts have become versatile actors in the governance of many constitutional democracies, and judges play a variety of roles in politics and policy making. Assembling papers penned by an array of academic specialists on high courts around the world, and presented during a year-long Andrew W. Mellon Foundation John E. Sawyer Seminar at the University of California, Berkeley, this volume maps the roles in governance that courts are undertaking and the ways in which they have come to matter in the political life of their nations. It offers empirically rich accounts of dramatic judicial actions in the Americas, the Middle East, Europe, and Asia, exploring the political conditions and judicial strategies that have fostered those assertions of power, and evaluating when and how courts' performance of new roles have been politically consequential. By focusing on the content and consequences of judicial power, the book advances a new agenda for the comparative study of courts.

Diana Kapiszewski is Assistant Professor of Political Science at the University of California, Irvine. She is the author of *High Courts and Economic Governance in Argentina and Brazil*, which draws on her PhD dissertation, winner of the American Political Science Association's Edward S. Corwin Award for Best Dissertation in Public Law, and is also coauthoring *Field Research in Political Science*, the discipline's first book-length treatment of fieldwork. Her articles have appeared in *Perspectives on Politics*, *PS: Political Science and Politics*, *Law & Society Review*, *Law and Social Inquiry*, and *Latin American Politics and Society*.

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Robert A. Kagan is Professor Emeritus of Political Science and Law at the University of California, Berkeley. He is the author of numerous works on regulatory enforcement and compliance and on the relationships between political structures, legal systems, and courts, including *Regulatory Justice: Implementing a Wage-Price Freeze*; *Going by the Book: The Problem of Regulatory Unreasonableness*; *Adversarial Legalism: The American Way of Law*; and *Shades of Green: Business, Regulation, and Environment*. He is a Fellow of the American Academy of Arts and Sciences and recipient of the Law and Society Association's Harry Kalven Prize for distinguished sociolegal scholarship and its Stanton Wheeler Award for teaching and mentorship, as well as a Lifetime Achievement Award from the Law and Courts Section of the American Political Science Association. He has served as coeditor of *Regulation & Governance* and as director of the Center for the Study of Law and Society at UC Berkeley.

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Consequential Courts

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