



The Burger Court and the Rise of the Judicial Right

Michael J. Graetz, Linda Greenhouse

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A fresh and revelatory look at the Warren Burger Supreme Court finds that it was not a “moderate” or transitional court, as often portrayed, but a conservative one that still defines the constitutional landscape we live in today.

When Richard Nixon campaigned for the presidency in 1968 he promised to change the Supreme Court. With four appointments to the court, including Warren E. Burger as the chief justice, he did just that. In 1969, the Burger Court succeeded the famously liberal Warren Court, which had significantly expanded civil liberties and was despised by conservatives across the country.

The Burger Court is often described as a “transitional” court between the liberal Warren Court and the Rehnquist and Roberts Courts, a court where little of importance happened. But as Michael J. Graetz and Linda Greenhouse show, the Burger Court veered well to the right in such areas as criminal law, race, and corporate power. Even while declaring a right to abortion in *Roe v. Wade*, it drew the line at government funding for poor women. The authors excavate the roots of the most significant Burger Court decisions and show how their legacy affects us today.

The most comprehensive evaluation of the Burger Supreme Court ever written for a general audience, *The Burger Court and the Rise of the Judicial Right* draws on the personal papers of the justices as well as other archives to reveal how the Court shaped its major decisions. It will surprise even legal scholars and historians with its insights into a period that has received too little attention from either.

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