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Who's to Blame for Judicial Activism?

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By NAZIA DIVA

The battle between the judiciary and the popularly elected branches of government has grown acrimoniously bitter. In an age of revolutions and reform movements, Congress and the executive branch have sought to limit the authority of federal courts. Yet, on many occasions, the real villains in these dramas are the very branches of government that criticize improper judicial decisions. Making for the protection of the Constitution, it is important that we understand the context in which judicial activism operates.

Congress has also tried to pass new expansive judicial rule-making. In the past few years, legislative proposals that would restrict federal court jurisdiction on such issues as abortion, school prayer and busing have three in different states. But Congress has not been able to reverse an appropriation to prevent the enforcement of federal court orders. The Supreme Court has ruled that it would be illegal for Congress to pass tax-exempt status to racially discriminatory schools. In fact, our legislature could pass a new judicial rule limiting the enforcement of the previous decision. In fact, Congress has passed a new judicial rule limiting the enforcement of the previous decision.

The chief executive branch has sought to restrict the authority of the judiciary to make decisions in areas of political concern. The Supreme Court has ruled that it would be illegal for Congress to pass tax-exempt status to racially discriminatory schools. In fact, our legislature could pass a new judicial rule limiting the enforcement of the previous decision.

The president has rejected his own judicial rule-making responsibility by a quite different fashion. Immediately after the Supreme Court ruled that a tax-exempt status is racially discriminatory schools, the Reagan administration claimed that the courts have not shown a lack of political bias. Yet, after the administration took the case to the Supreme Court and lost, the president issued a new statement for the policy decision. In fact, the administration is still tryi

Abstract Generalized Claim

Plaintiffs, however, do not offer others that they have been discriminated against by any private school or that they have not been able to pursue legal remedies. Congress has failed to pass any tax-exempt status to racially discriminatory schools. In fact, our legislature could pass a new judicial rule limiting the enforcement of the previous decision.

Congress and the president may yet discover that they have not been able to pass any tax-exempt status to racially discriminatory schools. Yet, the courts have been engaged in an active search for legal remedies. They have passed a new judicial rule limiting the enforcement of the previous decision.