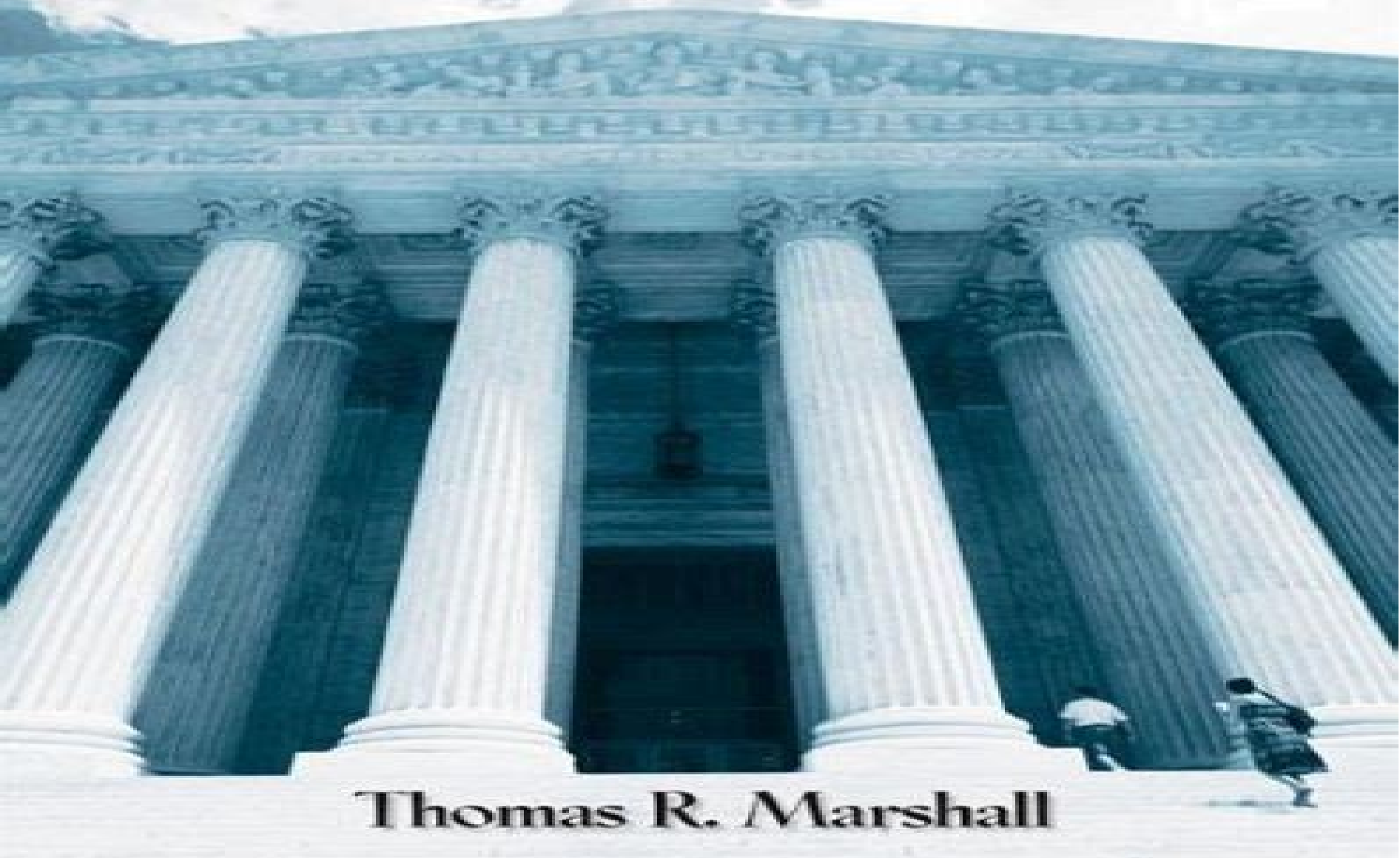


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**Martin Scheinin, Helle Krunke, Marina
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In Defense of a Political Court Terri Jennings Peretti, 2001-10-29 Can the Supreme Court be free of politics Do we want it to be Normative constitutional theory has long concerned itself with the legitimate scope and limits of judicial review Too often theorists seek to resolve that issue by eliminating politics from constitutional decisionmaking In contrast Terri Peretti argues for an openly political role for the Supreme Court Peretti asserts that politically motivated constitutional decisionmaking is not only inevitable it is legitimate and desirable as well When Supreme Court justices decide in accordance with their ideological values or consider the likely political reaction to the Court s decisions a number of benefits result The Court s performance of political representation and consensus building functions is enhanced and the effectiveness of political checks on the Court is increased Thus political motive in constitutional decision making does not lead to judicial tyranny as many claim but goes far to prevent it Using pluralist theory Peretti further argues that a political Court possesses instrumental value in American democracy As one of many diverse and redundant political institutions the Court enhances both system stability and the quality of policymaking particularly regarding the breadth of interests represented

US Supreme Court Opinions and their Audiences Ryan C. Black, Ryan J. Owens, Justin

Wedeking, Patrick C. Wohlfarth, 2016-04-07 This book is the first study specifically to investigate the extent to which US Supreme Court justices alter the clarity of their opinions based on expected reactions from their audiences The authors examine this dynamic by creating a unique measure of opinion clarity and then testing whether the Court writes clearer opinions when it faces ideologically hostile and ideologically scattered lower federal courts when it decides cases involving poorly performing federal agencies when it decides cases involving states with less professionalized legislatures and governors and when it rules against public opinion The data shows the Court writes clearer opinions in every one of these contexts and demonstrates that actors are more likely to comply with clearer Court opinions **Routledge Handbook of**

Judicial Behavior Robert M. Howard, Kirk A. Randazzo, 2017-10-02 Interest in social science and empirical analyses of law courts and specifically the politics of judges has never been higher or more salient Consequently there is a strong need for theoretical work on the research that focuses on courts judges and the judicial process The Routledge Handbook of Judicial Behavior provides the most up to date examination of scholarship across the entire spectrum of judicial politics and behavior written by a combination of currently prominent scholars and the emergent next generation of researchers Unlike almost all other volumes this Handbook examines judicial behavior from both an American and Comparative perspective Part 1 provides a broad overview of the dominant Theoretical and Methodological perspectives used to examine and understand judicial behavior Part 2 offers an in depth analysis of the various current scholarly areas examining the U S Supreme Court Part 3 moves from the Supreme Court to examining other U S federal and state courts and Part 4 presents a comprehensive overview of Comparative Judicial Politics and Transnational Courts Each author in this volume provides perspectives on the most current methodological and substantive approaches in their respective areas along with suggestions for future research The chapters contained within will generate additional scholarly and public interest by focusing on topics most salient to the academic legal and policy communities Queen's Court

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Judges as Guardians of Constitutionalism and Human Rights Martin Scheinin, Helle Krunke, Marina Aksenova, 2016-04-29 There are many challenges that national and supranational judges have to face when fulfilling their roles as guardians of constitutionalism and human rights This book brings together academics and judges from different jurisdictions in an endeavour to uncover the intricacies of the judicial function The contributors discuss several points that each represent contemporary challenges to judging analysis of judicial balancing of conflicting considerations the

nature of courts legitimacy and its alleged dependence on public support the role of judges in upholding constitutional values in the times of transition to democracy surveillance and the fight against terrorism and the role of international judges in guaranteeing globally recognized fundamental rights and freedoms This book will be of interest to human rights scholars focusing on the issues of judicial oversight as well as constitutional law scholars interested in comparative perspectives on the role of judges in different contexts It will also be useful to national constitutional court judges and law clerks aiming to familiarise themselves with judicial practices within other jurisdictions Supreme Court Confirmation Hearings and Constitutional Change Paul M. Collins, Lori A. Ringhand, 2013-06-24 This book demonstrates that the hearings to confirm Supreme Court nominees are in fact a democratic forum for the discussion and ratification of constitutional change **The Supreme Court** Paul Finkelman, 2014-01-15 An insightful chronological by chief justice examination of the Supreme Court that enables students and readers to understand and appreciate the constitutional role the Court plays in American government and society American citizens need to understand the importance of the Supreme Court in determining how our government and society operates regardless of whether or not they agree with the Court's opinions Unfortunately the role and powers of the third branch of government are not well understood by the American public After an introduction and overview to the history of the Supreme Court from 1789 to 2013 this book examines the Court's decisions chronologically by Chief Justice allowing readers to grasp how the role and powers of the Court have developed and shifted over time The chapters depict the Court as the essential agent of review and an integrated part of the government regardless of the majority minority balance on the Court and of which political party is in the White House or controlling the House or Senate

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