

Courts Law And Politics In Comparative Perspective

Kermit L. Hall, Kevin T. McGuire



Courts Law And Politics In Comparative Perspective:

Courts, Law, and Politics in Comparative Perspective Herbert Jacob, 1996 This comprehensive book compares the intersection of political forces and legal practices in five industrial nations the United States England France Germany and Japan The authors eminent political scientists and legal scholars investigate how constitutional courts function in each country how the adjudication of criminal justice and the processing of civil disputes connect legal systems to politics and how both ordinary citizens and large corporations use the courts For each of the five countries the authors discuss the structure of courts and access to them the manner in which politics and law are differentiated or amalgamated whether judicial posts are political prizes or bureaucratic positions the ways in which courts are perceived as legitimate forms for addressing political conflicts the degree of legal consciousness among citizens the kinds of work lawyers do and the manner in which law and courts are used as social control mechanisms The authors find that although the extent to which courts participate in policymaking varies dramatically from country to country judicial responsiveness to perceived public problems is not a uniquely American phenomenon

Courts, Law, and Politics in Comparative Perspective Herbert Jacob, Erhard Blankenburg, Herbert M. Kritzer, Doris Marie Provine, Joseph Sanders, 1996-01-01 This comprehensive book compares the intersection of political forces and legal practices in five industrial nations the United States England France Germany and Japan The authors eminent political scientists and legal scholars investigate how constitutional courts function in each country how the adjudication of criminal justice and the processing of civil disputes connect legal systems to politics and how both ordinary citizens and large corporations use the courts For each of the five countries the authors discuss the structure of courts and access to them the manner in which politics and law are differentiated or amalgamated whether judicial posts are political prizes or bureaucratic positions the ways in which courts are perceived as legitimate forms for addressing political conflicts the degree of legal consciousness among citizens the kinds of work lawyers do and the manner in which law and courts are used as social control mechanisms The authors find that although the extent to which courts participate in policymaking varies dramatically from country to country judicial responsiveness to perceived public problems is not a uniquely American phenomenon

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

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The Pioneers of Judicial Behavior Nancy L. Maveety, 2009-11-16 In *The Pioneers of Judicial Behavior* prominent political scientists critically examine the contributions to the field of public law of the pioneering scholars of judicial behavior C Hermann Pritchett Glendon Schubert S Sidney Ulmer Harold J Spaeth Joseph Tanenhaus Beverly Blair Cook Walter F Murphy J Woodward Howard David J Danelski David Rohde Edward S Corwin Alpheus Thomas Mason Robert G McCloskey Robert A Dahl and Martin Shapiro Unlike past studies that have traced the emergence and growth of the field of judicial studies *The Pioneers of Judicial Behavior* accounts for the emergence and exploration of three current theoretical approaches to the study of judicial behavior attitudinal strategic and historical institutionalist and shows how the research of these foundational scholars has contributed to contemporary debates about how to conceptualize judges as policy makers Chapters utilize correspondence of and interviews with some early scholars and provide a format to connect the concerns and controversies of the first political scientists of law and courts to contemporary challenges and methodological debates among today s judicial scholars The volume s purpose in looking back is to look forward to contribute to an ecumenical research agenda on judicial decision making and ultimately to the generation of a unified general theory of judicial behavior *The Pioneers of Judicial Behavior* will be of interest to graduate students in the law and courts field political scientists interested in the philosophy of social science and the history of the discipline legal practitioners and researchers and political commentators interested in academic theorizing about public policy making Nancy L Maveety is Associate Professor of Political Science Tulane University

Research Handbook on Judicial Politics Michael P. Fix, Matthew D. Montgomery, 2024-09-06 This timely Research Handbook offers a comprehensive examination of judicial politics both in the US and across the globe Taking a broad view of the judiciary in all levels of the court it examines the present state of the field and raises new questions for future scholarly exploration

Encyclopedia of Government and Politics Mary Hawkesworth, Maurice Kogan, 2013-11-07 This is a brand new edition of the critically acclaimed *Encyclopedia of Government and Politics* which has been fully revised and updated to provide a systematic account of politics and political studies at the beginning of the new millennium Providing a penetrating analysis of government and politics at a global regional and nation state level the *Encyclopedia* assesses both traditional and contemporary approaches and projects the paths of future research The articles provide a degree of critical analysis far beyond a simple descriptive outline of the subject Internationally respected contributors have been carefully selected to present contending approaches to related topics both to clarify the

political implications of the various methodologies and to enrich the portrayal of political life With its expanded revised and updated coverage Encyclopedia of Government and Politics is more than ever an indispensable tool for students teachers professional analysts and policy makers

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Embedded Courts Kwai Hang Ng,Xin He,2017-10-26 Embedded Courts is laden with tension Chinese courts are organized as a singular and unified system yet grassroots courts in urban and rural regions differ greatly in the way they use the law and are as diverse as the populations they serve Based on extensive fieldwork and in depth interviews this book offers a penetrating discussion of the operation of Chinese courts It explains how Chinese judges rule and how the law is not the only script they follow political administrative social and economic factors all influence verdicts This landmark work will revise our understanding of the role of law in China one that cannot be easily understood through the standard lens of judicial independence and separation of powers Ng and He make clear the struggle facing frontline judges as they bridge the gap between a rule based application of law and an instrumentalist view that prioritizes stability maintenance

The Judicial Branch Kermit L. Hall,2005 Presents a collection of essays that provide an examination of the judicial branch of the American government including its history its impact and its future

International Encyclopedia of Political Science Bertrand Badie,Dirk Berg-Schlosser,Leonardo Morlino,2011-09-07 With entries from leading international scholars from around the world this eight volume encyclopedia offers the widest possible coverage of key areas both regionally and globally The International Encyclopedia of Political Science provides a definitive comprehensive picture of all aspects of political life recognizing the theoretical and cultural pluralism of our approaches and including findings from the far corners of the world The eight volumes cover every field of politics from political theory and methodology to political sociology comparative politics public policies and international relations Entries are arranged in alphabetical order and a list of entries by subject area appears in the front of each volume for ease of use The encyclopedia contains a detailed index as well as extensive bibliographical references Filling the need for an exhaustive overview of the empirical findings and reflections on politics this reference resource is suited for undergraduate or graduate students who wish to be informed effectively and quickly on their field of study for scholars seeking information on relevant research findings in their area of specialization or in related fields and for lay readers who may lack a formal background in political science but have an interest in the field nonetheless The International Encyclopedia of Political Science provides an essential authoritative guide to the state of political science at the start of the 21st century and for decades to come making it an invaluable resource for a global readership including researchers students

citizens and policy makers The encyclopedia was developed in partnership with the International Political Science Association Key Themes Case and Area Studies Comparative Politics Theory and Methods Democracy and Democratization Economics Epistemological Foundations Equality and Inequality Gender and Race Ethnicity International Relations Local Government Peace War and Conflict Resolution People and Organizations Political Economy Political Parties Political Sociology Public Policy and Administration Qualitative Methods Quantitative Methods Religion **The Oxford Handbook of Political Science** Robert E. Goodin, 2011-07-07 Drawing on the rich resources of the ten volume series of The Oxford Handbooks of Political Science this one volume distillation provides a comprehensive overview of all the main branches of contemporary political science political theory political institutions political behavior comparative politics international relations political economy law and politics public policy contextual political analysis and political methodology Sixty seven of the top political scientists worldwide survey recent developments in those fields and provide penetrating introductions to exciting new fields of study Following in the footsteps of the New Handbook of Political Science edited by Robert Goodin and Hans Dieter Klingemann a decade before this Oxford Handbook will become an indispensable guide to the scope and methods of political science as a whole It will serve as the reference book of record for political scientists and for those following their work for years to come **Judicial Politics in the United States** Mark C. Miller, 2018-09-03 Judicial Politics in the United States examines the role of courts as policymaking institutions and their interactions with the other branches of government and other political actors in the U S political system Not only does this book cover the nuts and bolts of the functions structures and processes of our courts and legal system it goes beyond other judicial process books by exploring how the courts interact with executives legislatures and state and federal bureaucracies It also includes a chapter devoted to the courts interactions with interest groups the media and general public opinion and a chapter that looks at how American courts and judges interact with other judiciaries around the world Judicial Politics in the United States balances coverage of judicial processes with discussions of the courts interactions with our larger political universe making it an essential text for students of judicial politics Judicial Power and National Politics, Second Edition Patricia J. Woods, 2017-02-21 In Judicial Power and National Politics Second Edition Patricia J Woods returns to an issue that has only grown in relevance since the first edition s publication in 2008 the religious secular conflict in Israel The first edition focused on the role that courts and justices play in deeply charged political battles In the last quarter of the twentieth century social groups turned to the judicial arm of the state in an effort to force the state to change its laws and policies on religious personal status law or family law Through an extensive case study of the interactions of the women s movement with the High Court of Justice Woods argues that the most important determining factor explaining when why and how national courts enter into the world of divisive politics is found in the intellectual or judicial communities with whom justices live work and think about the law The interaction among members of this community over time culminates in new legal norms This second

edition takes into account what has happened in the past decade with public debate over religion and the state moving away from the court and into the realm of popular politics on the Knesset floor in the media in shopping malls and on the streets Included for the first time is the dataset for the author's national survey of women's movement volunteers *Institutions of American Democracy: The Judicial Branch* Kermit L. Hall, Kevin T. McGuire, 2005-10-27 Presents a collection of essays that provide an examination of the judicial branch of the American government including its history its impact and its future

Courts and Social Transformation in New Democracies Roberto Gargarella, Theunis Roux, 2017-03-02 Using case studies drawn from Latin America Africa India and Eastern Europe this volume examines the role of courts as a channel for social transformation for excluded sectors of society in contemporary democracies With a focus on social rights litigation in post authoritarian regimes or in the context of fragile state control the authors assess the role of judicial processes in altering or perpetuating social and economic inequalities and power relations in society Drawing on interdisciplinary expertise in the fields of law political theory and political science the chapters address theoretical debates and present empirical case studies to examine recent trends in social rights litigation *Judicial Process in America* Robert A. Carp, Kenneth L. Manning, Lisa M. Holmes, Ronald Stidham, 2019-02-20 Known for shedding light on the link between the courts public policy and the political environment *Judicial Process in America* offers students a clear but comprehensive overview of today's American judiciary Considering the courts from every level the authors thoroughly cover judges lawyers litigants and the variables at play in judicial decision making The highly anticipated Eleventh Edition offers updated coverage of recent Supreme Court rulings including same sex marriage and health care subsidies the effect of three women justices on the Court's patterns of decision and the policy making role of state tribunals as they consider an increasing number of state programs and policies New to this Edition Discussions of recent judicial appointments take a critical look at how President Trump's victory has set the stage for moving the ideological direction of the Supreme Court and of the lower federal judiciary in a distinctly more conservative direction An analysis of recent controversial Supreme Court decisions help students to identify with the content by exploring issues such as citizenship rights for immigrants gay and lesbian rights and freedom of speech and religion Additional tables and graphs illustrate the patterns and trends that are occurring in today's judicial process New coverage of current topics help students see how the judicial process is applied These topics include the legality of Congress feeble attempts to repeal and replace the Affordable Care Act that affects millions of people how to address the issues of immigration and deportations including what to do about so called Dreamers children brought illegally to the United States by their parents without the children's knowledge and who have spent much or all of their lives here the status of abortion rights in America as more and more conservative states have sought to further restrict a woman's right to such a procedure the legal status of transgender persons in the armed forces the degree to which severely gerrymandered legislative districts pass constitutional muster and the great changes in the issue of same sex marriage both among average

Americans and within the state and federal court systems including all the ancillary issues such as whether same sex couples can adopt children and obtain government fringe benefits **Research Handbook on Law and Courts** Susan M. Sterett, Lee Demetrius Walker, 2019 The Research Handbook on Law and Courts provides a systematic analysis of new work on courts as governing institutions Authors consider how courts have taken on regulating fundamental categories of inclusion and exclusion including citizenship rights Courts centrality to governance is addressed in sections on judicial processes sub national courts and political accountability all analyzed in multiple legal political systems Other chapters turn to analyzing the worldwide push for diversity in staffing courts Finally the digitization of records changes both court processes and studying courts Authors included in the Handbook discuss theoretical empirical and methodological approaches to studying courts as governing institutions They also identify promising areas of future research *Encyclopedia of Government and Politics* M. E. Hawkesworth, Maurice Kogan, 2004 This is a brand new edition of the critically acclaimed Encyclopedia of Government and Politics which has been fully revised and updated to provide a systematic account of politics and political studies at the beginning of the new millennium Providing a penetrating analysis of government and politics at a global regional and nation state level the Encyclopedia assesses both traditional and contemporary approaches and projects the paths of future research The articles provide a degree of critical analysis far beyond a simple descriptive outline of the subject Internationally respected contributors have been carefully selected to present contending approaches to related topics both to clarify the political implications of the various methodologies and to enrich the portrayal of political life With its expanded revised and updated coverage Encyclopedia of Government and Politics is more than ever an indispensable tool for students teachers professional analysts and policy makers

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