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Public Evaluations of
Constitutional Courts:
Alternative Explanations

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Public Evaluations Of Constitutional Courts Alternative Explanations

Nathaniel Persily, Jack Citrin, Patrick J. Egan



Public Evaluations Of Constitutional Courts Alternative Explanations:

Public Evaluations of Constitutional Courts, Alternative Explanations Walter F. Murphy, Joseph Tanenhaus, Daniel L. Kastner, 1973 **Public Opinion and Constitutional Controversy** Nathaniel Persily, Jack Citrin, Patrick J. Egan, 2008-04-04 This is the first book to provide a comprehensive analysis of American public opinion on the key constitutional controversies of the twentieth century including desegregation school prayer abortion the death penalty affirmative action gay rights assisted suicide and national security to name just a few With essays focusing on each issue in depth Nathaniel Persily Jack Citrin Patrick Egan and an established group of scholars utilize cutting edge public opinion data to illustrate these contemporary debates methodically examining each one and how public attitudes have shifted over time especially in the wake of prominent Supreme Court decisions More than just a compilation of available data however these essays join the popular constitutionalism debate between those who advocate a dominant role for courts in constitutional adjudication and those who prefer a more pluralized constitutional discourse The Constitutional Underclass Evan Gerstmann, 1999-04 When the Supreme Court struck down Colorado s Amendment 2 which would have nullified all state and local laws protecting gays and lesbians from discrimination it was widely regarded as a victory for gay rights Yet many gays and lesbians still risk losing their jobs custody of their children and even their liberty under the law Using the Colorado initiative as his focus Gerstmann untangles the complex standards and subtle rhetoric the Supreme Court uses to apply the equal protection clause The Court divides people into legal classes that receive varying levels of protection gays and lesbians and other groups such as the elderly and the poor receive the least Gerstmann reveals how these standards are used to favor certain groups over others and also how Amendment 2 advocates used the Court s doctrine to convince voters that gays and lesbians were seeking special rights in Colorado Concluding with a call for wholesale reform of equal protection jurisprudence this book is essential reading for anyone interested in fair coherent and truly equal protection under the law

Judicial Independence at the Crossroads Stephen B Burbank, Barry Friedman, 2002-04-02 The authors provide an excellent examination of judicial independence that tends to raise more questions than answers a fascinating book that raises important questions about a concept that is often used but that is poorly understood I would highly recommend this book for all scholars of public law because of its richness of information as well as how the essays call into question the common assumptions about what judicial independence is and how it can be protected Law J D 1982 Georgetown University is a Professor of Law at New York University School of Law where he writes and teaches in the areas of constitutional law federal jurisdiction and criminal procedure Professor Friedman also practices law both privately and pro bono and has litigated in all levels of the state and federal courts including on issues of judicial independence and federalism He is completing a term of over eight years as an officer and executive committee member of the American Judicature Society He remains the co chair of AJS Task Force on Judicial Independence **Ethics and Accountability on the US Supreme Court** Robert J.

Hume,2017-11-21 Examines the causes and consequences of recusal behavior on the US Supreme Court Do US Supreme Court justices withdraw from cases when they are supposed to What happens when the Court is down a member In Ethics and Accountability on the US Supreme Court Robert J Hume provides the first comprehensive examination of the causes and consequences of recusal behavior on the Supreme Court Using original data and with rich attention to historical detail including media commentary about recusals he systematically analyzes the factors that influence Supreme Court recusal a process which has so far been shrouded in secrecy It is revealed that justices do not strictly follow the recusal guidelines set by Congress but at the same time they do not ignore these rules Overall justices are selective in their compliance with the recusal statute balancing ethical considerations against other institutional and policy goals such as the duty to sit However the book also concludes that the impact of recusals on policymaking is more limited than commentators have claimed raising questions about whether ethics reform is really needed at this time *Constitutional Democracy* Walter F. Murphy,2007

Publisher Description **Courthouse Democracy and Minority Rights** Robert J. Hume,2013-05-02 In Courthouse Democracy and Minority Rights Same Sex Marriage in the States Robert J Hume shows how increasing the democratic accountability of courts has limited the ability of judges to act as reform agents When judges are elected or when their decisions can be easily overturned with initiative amendment procedures they lose the capacity to stand up for the rights of the minorities **The Oxford Handbook of Law and Politics** Keith E. Whittington,R. Daniel Kelemen,Gregory A.

Caldeira,2010-06-10 The Oxford Handbooks of Political Science are the essential guide to the state of political science today With engaging contributions from major international scholars The Oxford Handbook of Law and Politics provides the key point of reference for anyone working on the interception between law and political science **The American Supreme Court** Robert G. McCloskey,2010-07-15 Celebrating its fiftieth anniversary Robert McCloskey s classic work on the Supreme Court s role in constructing the U S Constitution has introduced generations of students to the workings of our nation s highest court For this new fifth edition Sanford Levinson extends McCloskey s magisterial treatment to address the Court s most recent decisions As in prior editions McCloskey s original text remains unchanged In his historical interpretation he argues that the strength of the Court has always been its sensitivity to the changing political scene as well as its reluctance to stray too far from the main currents of public sentiments In two revised chapters Levinson shows how McCloskey s approach continues to illuminate developments since 2005 including the Court s decisions in cases arising out of the War on Terror which range from issues of civil liberty to tests of executive power He also discusses the Court s skepticism regarding campaign finance regulation its affirmation of the right to bear arms and the increasingly important nomination and confirmation process of Supreme Court justices including that of the first Hispanic justice Sonia Sotomayor The best and most concise account of the Supreme Court and its place in American politics McCloskey s wonderfully readable book is an essential guide to the past present and future prospects of this institution *Catalog of Copyright Entries. Third Series*

Library of Congress. Copyright Office,1976 **Modes of Constitutional Interpretation** Craig R. Ducat,1978 The Hollow Hope Gerald N. Rosenberg,2008-09-15 In follow up studies dozens of reviews and even a book of essays evaluating his conclusions Gerald Rosenberg s critics not to mention his supporters have spent nearly two decades debating the arguments he first put forward in The Hollow Hope With this substantially expanded second edition of his landmark work Rosenberg himself steps back into the fray responding to criticism and adding chapters on the same sex marriage battle that ask anew whether courts can spur political and social reform Finding that the answer is still a resounding no Rosenberg reaffirms his powerful contention that it s nearly impossible to generate significant reforms through litigation The reason American courts are ineffective and relatively weak far from the uniquely powerful sources for change they re often portrayed as Rosenberg supports this claim by documenting the direct and secondary effects of key court decisions particularly *Brown v Board of Education* and *Roe v Wade* He reveals for example that Congress the White House and a determined civil rights movement did far more than *Brown* to advance desegregation while pro choice activists invested too much in *Roe* at the expense of political mobilization Further illuminating these cases as well as the ongoing fight for same sex marriage rights Rosenberg also marshals impressive evidence to overturn the common assumption that even unsuccessful litigation can advance a cause by raising its profile Directly addressing its critics in a new conclusion The Hollow Hope Second Edition promises to reignite for a new generation the national debate it sparked seventeen years ago

Religion and Politics in the United States Kenneth D. Wald,Allison Calhoun-Brown,2007 *Religion and Politics in the United States* Fifth Edition offers a comprehensive account of the role of religious ideas institutions and communities in American public life While maintaining that religion is too politically potent to be left out or consigned to the margins in accounts of American politics Wald and Calhoun Brown also argue against the common tendency to treat religion as the dominant force in politics today Early topics include the nature and persistence of religion in the United States its contribution to the Founding and the continuing debate over the role of religion in government and law Following a discussion of how religious factors encourage political action the book concludes by discussing basic political attitudes and behavior among members of mainstream American religious traditions and minority religious communities defined by ethnicity race gender and sexual orientation The new edition greatly expands coverage of various religious minorities with a new chapter on politics and religion among African Americans Latinos Muslim Americans Latter Day Saints Mormons and other faith traditions There is larger focus on how religion influences the politics of local communities **American Political Scientists** Glenn H. Utter,Charles Lockhart,2002-10-30 This dictionary offers the only comprehensive collection of profiles of American political scientists each of whom contributed significantly to the intellectual development of American political science from its beginnings in the late 19th century to the present This second edition includes 22 new and 110 revised entries reflecting new scholarship that emerged during the 1990s Numerous experts helped the editors develop this

consensus group of the 193 political scientists who have made the most important theoretical contributions over the years with attention to varied approaches and the different subfields Alphabetically arranged entries focus on the main ideas and major works by each scholar listing list the most important publications by and about the individual There are numerous cross references to show how the work of one scholar has influenced another in the discipline Appendices list the political scientists by degree granting institutions and by major fields A short bibliography points to important general readings about the profession A general index makes this major reference easily accessible for broad interdisciplinary research

Responding to Imperfection Sanford Levinson,1995-01-24 An increasing number of constitutional theorists within both the legal academy and university departments of government are focusing on the conceptual and political problems attached to the notion of constitutional amendment Amendments are among other things recognitions of the imperfection of existing schemes of government The relative ease or difficulty of amendment has significant implications for the ways that governments respond to problems that call either for new structures of governance or new powers for already established structures This book brings together essays by leading legal authorities and political scientists on a range of questions from whether the U S Constitution is subject to amendment by procedures other than those authorized by Article V to how significant change is conceptualized within classical rabbinic Judaism Though the essays are concerned for the most part with the American experience other constitutional traditions are considered as well The contributors include Bruce Ackerman Akhil Reed Amar Mark E Brandon David R Dow Stephen M Griffin Stephen Holmes and Cass R Sunstein Sanford Levinson Donald Lutz Walter Murphy Frederick Schauer John R Vile and Noam J Zohar **The People Themselves** Larry D. Kramer,2004-06-10 In this groundbreaking interpretation of America s founding and of its entire system of judicial review Larry Kramer reveals that the colonists fought for and created a very different system and held a very different understanding of citizenship than Americans believe to be the norm today Popular sovereignty was not just some historical abstraction and the notion of the people was more than a flip rhetorical device invoked on the campaign trail Questions of constitutional meaning provoked vigorous public debate and the actions of government officials were greeted with celebratory feasts and bonfires or riotous resistance Americans treated the Constitution as part of the lived reality of their daily existence Their self sovereignty in law as much as politics was active not abstract *Library Book Catalog* National Institute of Law Enforcement and Criminal Justice. Office of Technology Transfer, **Library Book Catalog** United States. Law Enforcement Assistance Administration. Library, *Election Administration in the United States* R. Michael Alvarez,Bernard Grofman,2014-09-29 Some of the nation s leading experts look at various aspects of election administration including issues of ballot format changes in registration procedures the growth in the availability of absentee ballot rules and other forms of convenience voting and changes in the technology used to record our votes They also look at how the Bush v Gore decision has been used by courts that monitor the election process and at the consequences of changes in practice for

levels of invalid ballots magnitude of racial disparities in voting voter turnout and access to the ballot by those living outside the United States The editors in their introduction also consider the normative question of exactly what we want a voting system to do An epilogue by two leading election law specialists looks at how election administration and election contest issues played out in the 2012 presidential election

The People Themselves: Popular Constitutionalism and Judicial Review Larry D. Kramer, 2004-06-10 The United States Constitution is the foundation of the longest and most successful democratic experiment in modern human history It serves not only as legal bedrock for the world's most powerful nation state but also more broadly it reflects that nation's fundamental aspirations and commitments as a society Who then has the authority to interpret a blueprint of such extraordinary influence Americans have come to treat the Constitution as something beyond their competence something whose meaning should be decided by judges assisted by a cadre of trained lawyers and academics Yet this submission to a lawyerly elite is a radical and troublesome departure from what was originally the case For America's founding generation celebrated the central role of the people in supplying government with its energy and direction In this groundbreaking interpretation of America's founding and its concept of constitutionalism Larry Kramer reveals how the first generations of Americans fought for and gave birth to a very different system from our current one and held a very different understanding of citizenship from that of most Americans today Popular sovereignty was more than an empty abstraction more than a mythic philosophical justification for government and the idea of the people was more than a flip rhetorical gesture to be used on the campaign trail Ordinary Americans exercised active control and sovereignty over their Constitution The constitutionality of governmental action met with vigorous public debate in struggles whose outcomes might be greeted with celebratory feasts and bonfires or with belligerent resistance The Constitution remained fundamentally an act of popular will the people's charter made by the people And it was the people themselves who were responsible for seeing that it was properly interpreted and implemented With this book Larry Kramer vaults to the forefront of constitutional theory and interpretation In the process he rekindles the original spark of *We the People* inviting every citizen to join him in reclaiming the Constitution's legacy as in Franklin D Roosevelt's words a layman's instrument of government and not a lawyer's contract

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