

- Supreme Court is aware and sensitive to public opinion
  - Appointment and confirmation processes keep the Supreme Court from deviating too far from public opinion
  - Congress and State legislators can amend the Constitution
  - Congress can change the Supreme Court appellate jurisdiction
  - Congress has the power to change the number of justices on the court
  - Justices can be impeached

# Public Opinion And The Supreme Court

**Yijin Wang**



## **Public Opinion And The Supreme Court:**

**Public Opinion and the Rehnquist Court** Thomas R. Marshall, 2009-01-01 Public Opinion and the Rehnquist Court offers the most thorough evidence yet in favor of the U S Supreme Court representing public opinion Thomas R Marshall analyzes more than two thousand nationwide public opinion polls during the Rehnquist Court era and argues that a clear majority of Supreme Court decisions agree with public opinion He explains that the Court represents American attitudes when public opinion is well informed on a dispute and when the U S Solicitor General takes a position agreeing with poll majorities He also finds that certain justices best represent public opinion and that the Court uses its review powers over the state and federal courts to bring judicial decision making back in line with public opinion Finally Marshall observes that unpopular Supreme Court decisions simply do not endure as long as do popular decisions Book jacket *Public Opinion and the Supreme Court* Thomas R. Marshall, 1989-01-01 Very Good No Highlights or Markup all pages are intact *The Will of the People* Barry Friedman, 2009-09-29 In recent years the justices of the Supreme Court have ruled definitively on such issues as abortion school prayer and military tribunals in the war on terror They decided one of American history s most contested presidential elections Yet for all their power the justices never face election and hold their offices for life This combination of influence and apparent unaccountability has led many to complain that there is something illegitimate even undemocratic about judicial authority In *The Will of the People* Barry Friedman challenges that claim by showing that the Court has always been subject to a higher power the American public Judicial positions have been abolished the justices jurisdiction has been stripped the Court has been packed and unpopular decisions have been defied For at least the past sixty years the justices have made sure that their decisions do not stray too far from public opinion Friedman s pathbreaking account of the relationship between popular opinion and the Supreme Court from the Declaration of Independence to the end of the Rehnquist court in 2005 details how the American people came to accept their most controversial institution and shaped the meaning of the Constitution **Constitutional Courts, Media and Public Opinion** Angioletta Sperti, 2023-11-16 This book explores how constitutional courts have transformed communication and overcome their reluctance to engage in direct dialogue with citizens How has the information revolution affected the relationship of constitutional courts with the public and the media The book looks in detail at the communication strategies of the US Supreme Court the Supreme Court of Canada and in Europe the German Federal Constitutional Tribunal the French Conseil Constitutionnel and the Italian Constitutional Court arguing that when it comes to the relationship between courts and the media different jurisdictions share many similarities It focuses on the consequences of the communication revolution of courts both in terms of their relationship with public opinion and of the legitimacy of judicial review of legislation Some constitutional courts have attracted criticism by engaging in proactive communication and therefore arguably yielding to the temptation of public support The book argues that objections to the developing institutional communications employed by

courts come from a preconceived notion of public opinion. It considers the burden the communication revolution has placed on constitutional courts to achieve a balance between transparency and seclusion, proximity and distance from public opinion. It puts forward important arguments for how this balance can be achieved. The book will interest scholars in constitutional law and public comparative law, sociologists, historians, political scientists, and scholars of media law and communication studies.

*Public Opinion and Constitutional Controversy* Nathaniel Persily, Jack Citrin, Patrick J. Egan, 2008-04-04 American politics is most notably characterized by the heated debates on constitutional interpretation at the core of its ever raging culture wars, and the coverage of these lingering disputes are often inundated with public opinion polls. Yet for all their prominence in contemporary society, there has never been an all-inclusive systematic study of public opinion and how it impacts the courts and electoral politics. *Public Opinion and Constitutional Controversy* 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. Each essay also vividly details the gap between the public and the Supreme Court on these hotly contested issues and analyzes how and why this divergence of opinion has grown or shrunk over the last fifty years. Ultimately, *Public Opinion and Constitutional Controversy* sheds light on a major yet understudied part of American politics, providing an incisive look at the crucial part played by the voice of the people on the issues that have become an indelible part of the modern-day political landscape.

**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

**The Oxford Handbook of U.S. Judicial Behavior** Lee Epstein, Stefanie A. Lindquist, 2017-06-08 The Oxford Handbook of U S Judicial Behavior offers readers a comprehensive introduction and analysis of research regarding decision making by judges serving on federal and state courts in the U S Featuring contributions from leading scholars in the field the Handbook describes and explains how the courts political and social context formal institutional structures and informal norms affect judicial decision making The Handbook also explores the impact of judges personal attributes and preferences as well as prevailing legal doctrine influence and shape case outcomes in state and federal courts The volume also proposes avenues for future research in the various topics addressed throughout the book Consultant Editor for The Oxford Handbooks of American Politics George C Edwards III *Public Opinion* Rosalee A. Clawson, Zoe M. Oxley, 2020-07-21 In *Public Opinion* Democratic Ideals Democratic Practice Fourth Edition Clawson and Oxley link the enduring normative questions of democratic theory to existing empirical research on public opinion Organized around a series of questions In a democratic society what should be the relationship between citizens and their government Are citizens opinions pliable Are they knowledgeable attentive and informed the text explores the tension between ideals and their practice Each chapter focuses on exemplary studies explaining not only the conclusion of the research but how it was conducted so students gain a richer understanding of the research process and see methods applied in context **Public Opinion**, 1888 **Public Opinion, Crime, And Criminal Justice** Julian Roberts, 2018-10-08 Taking on one of the most popular issues of the day crime and the way we make sense of it Julian Roberts and Loretta Stalans reveal the mismatch between the public perception of crime and the reality of crime statistics Discussing such issues as public knowledge of crime sources of crime information information processing by the public public attitudes about crime and the effectiveness of punishment this book considers the role that public opinion plays in the politics of criminal justice issues Based on extensive data from the United States with comparisons with Canada and the United Kingdom Roberts and Stalans reveal the truth behind how the public perceives crime and how this perception compares to actual criminal activity **Judicial Politics** Elliot E. Slotnick, 1999 This anthology of more than seventy articles published by the American Judicature Society is distributed by Rowman Littlefield Publishers **Handbook on Politics and Public Opinion** Rudolph, Thomas J., 2022-08-18 Examining the nature of public opinion in democratic societies this Handbook succinctly illustrates the importance of public opinion as an instrument of popular control and democratic accountability Expert contributors in the field provide a thorough review of a variety of theoretical and methodological approaches to the study of this timely topic **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

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

Political Control of America's Courts Helena

Silverstein,2023-01-18 This volume explores the many ways in which politics shapes the allegedly nonpartisan judicial system in America ranging from how judges are selected to the bench to how they rule when they get there Each title in the Contemporary Debates series examines the veracity of controversial claims or beliefs surrounding a major political cultural issue in the United States Each book gives readers a clear and unbiased understanding of current high interest issues by informing them about falsehoods half truths and misconceptions and confirming the factual validity of other assertions that have gained traction in America s cultural and political discourse This volume in the series provides a deeply researched and even handed account of the relationship between America s judicial branch which is supposed to view law through a nonpartisan lens and the sometimes poisonous partisanship that is such a notorious factor in the nation s other two branches of government Is political combat over judicial nominations worse than ever before What impact is the politicization of the courts having on public faith in the legitimacy of the courts and our wider political system Was former Supreme Court justice Sandra Day right when she asserted that judicial independence is a bedrock principle of our court system and we are losing it This work will provide insights into all these questions and more

How Judges Judge Brian M. Barry,2020-11-26 A judge s

role is to make decisions This book is about how judges undertake this task It is about forces on the judicial role and their consequences about empirical research from a variety of academic disciplines that observes and verifies how factors can affect how judges judge On the one hand judges decide by interpreting and applying the law but much more affects judicial decision making psychological effects group dynamics numerical reasoning biases court processes influences from political and other institutions and technological advancement All can have a bearing on judicial outcomes In *How Judges Judge Empirical Insights into Judicial Decision Making* Brian M Barry explores how these factors beyond the law affect judges in their role Case examples judicial rulings judges own self reflections on their role and accounts from legal history complement this analysis to contextualise the research make it more accessible and enrich the reader s understanding and appreciation of judicial decision making Offering research based insights into how judges make the decisions that can impact daily life and societies around the globe this book will be of interest to practising and training judges litigation lawyers and those studying law and related disciplines

**Public Opinion** Carroll J. Glynn, 2018-09-03 *Public Opinion* is a comprehensive and multidisciplinary examination of public opinion in the United States Drawing on scholarship in political science psychology sociology and communications the authors explore the nature of political and social attitudes in the United States and how these attitudes are shaped by various institutions with an emphasis on mass media The book also serves as a provocative starting point for the discussion of citizen moods political participation and voting behavior Feature boxes and illustrations throughout help students understand all aspects of the elusive phenomenon we call public opinion The third edition has been thoroughly revised and updated to reflect how public opinion is studied today and to incorporate current data and debates The book now contains two revised and reframed theory chapters *Group Membership and Public Opinion* and *Public Opinion and Social Process* as well as new coverage of the influence of online and social media on public opinion especially in issue opinions and campaigns

**Constitutional Law for a Changing America** Lee Epstein, Thomas G. Walker, 2019-01-09 A host of political factors both internal and external influence the Court s decisions and shape the development of constitutional law Among the more significant forces at work are the ways lawyers and interest groups frame legal disputes the ideological and behavioral propensities of the justices the politics of judicial selection public opinion and the positions that elected officials take to name just a few Combining lessons of the legal model with the influences of the political process *Constitutional Law for a Changing America* shows how these dynamics shape the development of constitutional doctrine The Tenth Edition offers rigorous comprehensive content in a student friendly manner With meticulous revising and updating throughout best selling authors Lee Epstein and Thomas G Walker streamline material while accounting for new scholarship and recent landmark cases including key opinions handed down through the 2018 judicial session Well loved features keep students engaged by offering a clear delineation between commentary and opinion excerpts a *Facts and Arguments* section before every case a superb photo program *Aftermath* and *Global Perspective* boxes and a wealth of tables figures and maps

Students will walk away with an understanding that Supreme Court cases involve real people engaged in real disputes and are not merely legal names and citations      *US Supreme Court Opinions and their Audiences* Ryan C. Black, Ryan J. Owens, Justin Wedeking, Patrick C. Wohlfarth, 2016-04-06 An investigation of how US Supreme Court justices alter the clarity of their opinions based on expected reactions from their audiences      **Unity** , 1922



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