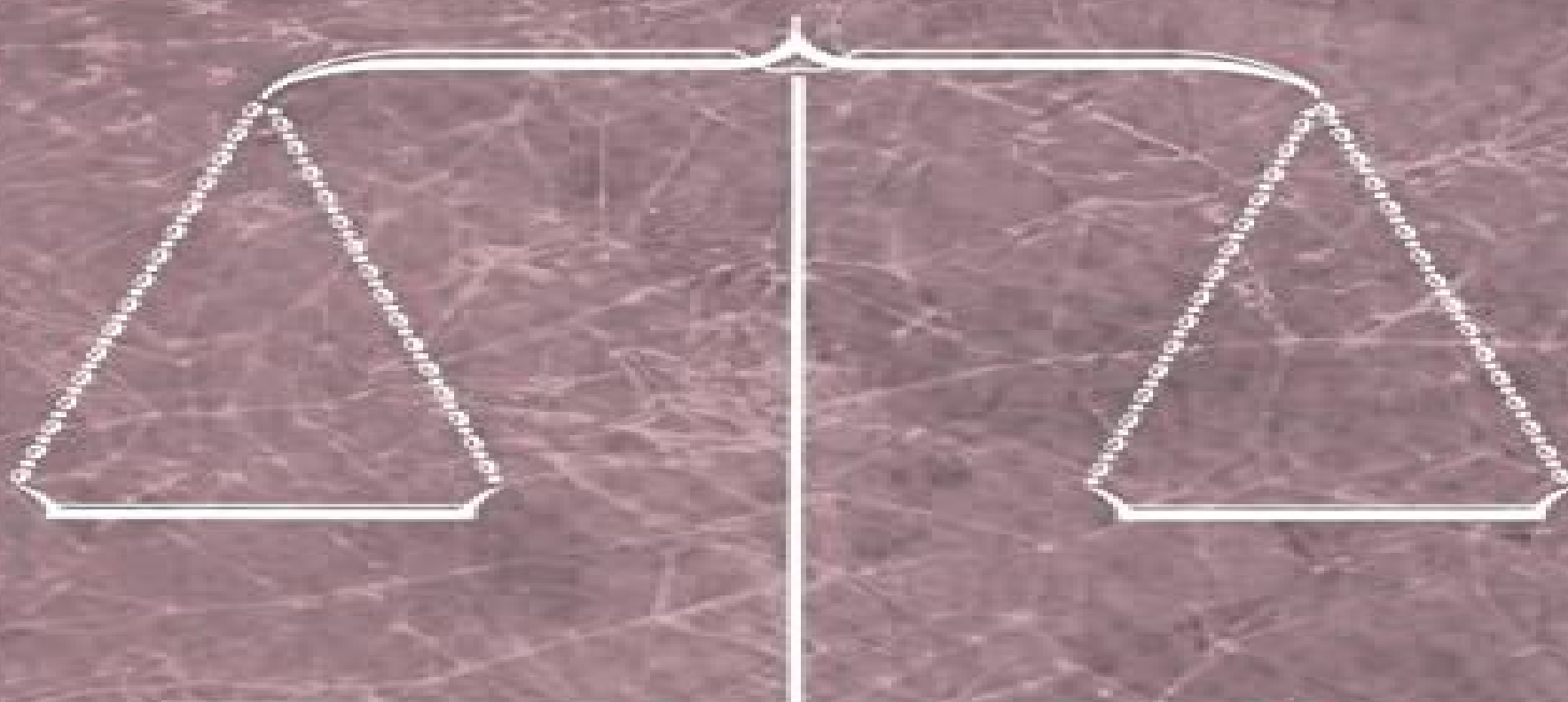


# COURTS

A COMPARATIVE AND  
POLITICAL ANALYSIS



MARTIN SHAPIRO

# Courts A Comparative And Political Analysis

**Armin von Bogdandy, Peter M.  
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## **Courts A Comparative And Political Analysis:**

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*Canada's Courts* McCormick, Peter, 1994 A unique discussion of the judicial system in Canada this is the first book on the court system to be written from a social science rather than a legal perspective McCormick analyzes which courts and judges are most often cited and discusses party capability theory in a Canadian context He offers new data on the courts including statistics on the Supreme Court caseload the success rates on appeals from provincial courts of appeal to the Supreme Court and success rates by litigant category in provincial and appeal court decisions Written in accessible language and offering data that have never before been published Canada's Courts will be of particular interest to legal professionals and those in related fields of the social sciences      *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

*Politics, Judicial Review, and the Russian Constitutional Court* C. Thorson, 2012-02-07 Analysis of why politicians are driven to create an independent judicial institution with the authority to overrule their decisions It focuses on a country with no tradition of independent judicial review Russia History does not support an independent judiciary here yet a potentially

powerful constitutional court has existed for 20 years      *The European Court's Political Power* Karen Alter, 2010-06-17  
Karen Alter's work on the European Court of Justice heralded a new level of sophistication in the political analysis of the controversial institution through its combination of legal understanding and active engagement with theoretical questions. The *European Court's Political Power* assembles the most important of Alter's articles written over a fourteen year span adding an original new introduction and a conclusion that takes an overview of the Court's development and current concerns. Together the articles provide insight into the historical and political contours of the ECJ's influence on European politics explaining how and why the impact of an institution can vary so greatly over time and address different issues. The book starts with the European Coal and Steel Community where the ECJ was largely unable to facilitate greater member state respect for ECSC rules. Alter then shows how legal actors orchestrated an activist transformation of the European legal system with the critical aid of jurist advocacy movements and via the co-optation of national courts. The transformation of the European legal system wrested control from member states over the meaning of European law but the ECJ continues to have varying influence across different issues. Alter explains that the differing influence of the ECJ comes from the varied extent to which sub and supra national actors turn to it to achieve political objectives. Looking beyond the European experience the book includes four chapters that put the ECJ into a comparative perspective examining the extent to which the ECJ experience is a unique harbinger of the future role international courts may play in international and comparative politics.

*High Courts and Economic Governance in Argentina and Brazil* Diana Kapiszewski, 2012-09-24 This study analyzes how elected leaders and high courts in Argentina and Brazil interact over economic governance      **Globalizing Human Rights**  
Charles Anthony Smith, 2016-04-08 This collection presents a comprehensive engagement of issues of human rights in an increasingly globalized world. As the role of the rule of law has moved beyond the confines of the state and beyond the interactions of states how and when law protects human rights has become a central issue of concern. These essays shed light on both the immediate and the long term future of a variety of issues located at the intersection of globalized law and the protection of the rights of individuals. Here both top down mechanisms and bottom up mechanisms for the fulfilment of human rights are artfully explained. This volume presents frontiers of research in human rights in both substance and approach using a variety of methodologies to engage issues ranging from national court compliance norm diffusion and the role of the judiciary in fulfilling human rights to human trafficking same sex marriage and judicial institution building through non governmental organizations. This book was published as a special issue of the *Journal of Human Rights*      **The Politics of Constitutional Review in Germany** Georg Vanberg, 2004-12-06 Constitutional courts have emerged as central institutions in many advanced democracies. This book investigates the sources and the limits of judicial authority focusing on the central role of public support for judicial independence. The empirical sections of the book illustrate the theoretical argument in an in depth study of the German Federal Constitutional Court including statistical analysis of judicial decisions.

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*Researching Public Law in Common Law Systems* Paul Daly, Joe Tomlinson, 2023-09-06 This original book fills a significant gap in legal literature by providing an exploration of research methodologies in public law a field of research in which research methods are becoming increasingly prominent and sophisticated Featuring thoughtful chapters written by leading scholars in the field this book provides a thorough explanation of the key features characteristics and challenges of distinct methodological approaches to public law research

**The Supreme Court in American Politics** Howard Gillman, Cornell W. Clayton, 1999 For decades political scientists studying the Court have adopted behavioral approaches and focused on the relatively narrow question of how the justices policy preferences influence their voting behavior This emphasis has illuminated important aspects of Supreme Court politics but it has also left unaddressed many other important questions about this unique and fascinating institution Drawing on the new institutionalism in the social sciences the distinguished contributors to this volume attempt to fill this gap by exploring a variety of topics including the Court's institutional development and its relationship to broader political contexts such as party regimes electoral systems social movements social change legal precedents political identities and historically evolving economic structures The book's initial chapters examine the nature of the Court's distinctive norms as well as the development of its institutional powers and practice A second section relates the development of Supreme Court politics to the historical development of other political institutions and social movements Concluding chapters explore how its decision making in particular areas of law or periods of time is influenced by and influences its socio political milieu These contributions offer provocative insights regarding the Court's role in maintaining or disrupting political and economic structures as well as social structures and identities tied to ideology class race gender and sexual orientation The Supreme Court in American Politics shows how we can develop an enriched understanding of this institution and open up exciting new areas of research by placing it in the broader context of politics in the United States

**Judicial Politics and Policy-making in Western Europe** Mary L. Volcansek, 2014-04-08 Focusing on the intersection of politics and law in six western European countries and in two supra national bodies the contributors here aim to debunk the myth that judges are merely la bouche de la loi and analyze similarities in policy making of the judiciaries from one nation to the next

*The Union and the World: The Political Economy of a Common European Foreign Policy* Alan Cafruny, Patrick Peters, 2023-08-21 During the last decade Europe has been transformed both politically and commercially The establishment of a genuinely single marketplace in the context of an expanding membership has enabled the European Union greatly to enhance its role

on the world stage In the areas of trade and commercial policy the Union increasingly speaks with one voice As a result of the Maastricht Treaty on Economic and Political Union of 1993 a process has been set in motion whereby the embryonic mechanisms of a common foreign policy European Political Cooperation or EPC are gradually evolving into a more comprehensive Common Foreign and Security Policy CFSP The contributors to this volume describe and evaluate the nature and extent to which the European Union plays an independent role in international affairs This pioneering work makes an important contribution to the literature on the European Union since the chapters present a comprehensive picture of the Union s foreign economic policies and actions its foreign security policy and the supranational nature of much Union decision making The book is significant not only because of its dual focus on economics as well as politics but also because it comprehensively covers the broad range of Union policies in both the economic and political spheres The intended level of readership is undergraduate courses on the EU and on European politics upper level undergraduate courses in International Relations and graduate survey courses on the EU The book is sufficiently comprehensive and instructive to achieve a wide readership especially in North America and the UK

*Autocrats Can't Always Get What They Want* Nathan J Brown, Steven D Schaaf, Samer Anabtawi, Julian G Waller, 2024-08-13 Authoritarianism seems to be everywhere in the political world even the definition of authoritarianism as any form of non democratic governance has grown very broad Attempts to explain authoritarian rule as a function of the interests or needs of the ruler or regime can be misleading *Autocrats Can't Always Get What They Want* argues that to understand how authoritarian systems work we need to look not only at the interests and intentions of those at the top but also at the inner workings of the various parts of the state Courts elections security force structure and intelligence gathering are seen as structured and geared toward helping maintain the regime Yet authoritarian regimes do not all operate the same way in the day to day and year to year tumble of politics In *Autocrats Can't Always Get What They Want* the authors find that when state bodies form strong institutional patterns and forge links with key allies both inside the state and outside of it they can define interests and missions that are different from those at the top of the regime By focusing on three such structures parliaments constitutional courts and official religious institutions the book shows that the degree of autonomy realized by a particular part of the state rests on how thoroughly it is institutionalized and how strong its links are with constituencies Instead of viewing authoritarian governance as something that reduces politics to rulers whims and opposition movements the authors show how it operates and how much what we call authoritarianism varies

*Courts in Latin America* Gretchen Helmke, Julio Rios-Figueroa, 2011-01-17 To what extent do courts in Latin America protect individual rights and limit governments This volume answers these fundamental questions by bringing together today s leading scholars of judicial politics Drawing on examples from Argentina Brazil Chile Mexico Colombia Costa Rica and Bolivia the authors demonstrate that there is widespread variation in the performance of Latin America s constitutional courts In accounting for this variation the contributors push forward ongoing debates about what motivates

judges whether institutions partisan politics and public support shape inter branch relations and the importance of judicial attitudes and legal culture The authors deploy a range of methods including qualitative case studies paired country comparisons statistical analysis and game theory      *Handbook of Global Legal Policy* Stuart Nagel,2022-04-18 Featuring a pragmatic approach to coping with the legal complications surrounding pretrial release drug related crime and freedom of religion among other issues this timely reference presents a host of legal policy problems in diverse political and cultural settings throughout the world Contributors bridge the academic gulf between worldwide and public policy studies as well as the ideological gap between liberal and conservative attitudes toward constitutional law individual liberty public safety and human rights The authors emphasize the need for an integrated one world perspective in the international legal community drawing on over 1200 references tables and illustrations      *Constitution, Public Finance, and Transition* Ringa Raudla,2010 This book explores the role of constitutions in public finance with a special focus on transitional context in Central and Eastern Europe The main questions addressed are How do formal constitutional provisions that matter for public finance come about How do constitutions shape policy choices in public finance Part I of the book puts forth an analytical framework for analysing how fiscal constitutional provisions come about and tests the conjectures with the case of constitution making in Estonia in 1991 1992 Part II summarises syntheses and criticises the emerging orthodoxy in positive constitutional public finance and examines whether it can explain the commitment to fiscal discipline in Estonia between 1992 and 2007 Part III examines theoretically and empirically how constitutions can shape public finance laws via constitutional review auto limitation and constitutional deliberations      *The Votes That Counted* Howard Gillman,2003-07-05 The struggle over the outcome of the 2000 presidential election inspired countless books most of them hasty political critiques However with this book Howard Gillman had different aims from the beginning to create a lasting authoritative document of the 36 days between the election and its legal resolution to offer an accessible overview of the legal strategies and debates and to assess the influence of politics and law on the judges who shaped the outcome of this historical controversy

The book delves into Courts A Comparative And Political Analysis. Courts A Comparative And Political Analysis is an essential topic that needs to be grasped by everyone, from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into Courts A Comparative And Political Analysis, encompassing both the fundamentals and more intricate discussions.

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- Chapter 3: Courts A Comparative And Political Analysis in Everyday Life
- Chapter 4: Courts A Comparative And Political Analysis in Specific Contexts
- Chapter 5: Conclusion

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