# Courts and the Culture

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# **Courts And The Culture Wars**

**Rehan Abeyratne** 

#### **Courts And The Culture Wars:**

Courts and the Culture Wars Bradley C. S. Watson, 2002-01-01 For much of the second half of the twentieth century America's courts state and federal have injected themselves into what many critics consider to be fundamentally moral or political disputes By constitutionalizing these disputes many feel that the courts have reduced the ability of Americans to engage in traditional political modes of settling differences over issues that excite particular passion While legal discourse is well suited to choosing decisive winners and losers political discourse is perhaps more conducive to reasonable compromise and accommodation In Courts and the Culture Wars Bradley C S Watson has brought together some of America's most distinguished names in constitutional theory and practice to consider the impact of judicial engagement in the moral religious and cultural realms including such issues as school prayer abortion gay rights and expressive speech and the Culture Wars Bradley C. S. Watson, 2002 For much of the second half of the twentieth century America's courts state and federal have injected themselves into what many critics consider to be fundamentally moral or political disputes By constitutionalizing these disputes many feel that the courts have reduced the ability of Americans to engage in traditional political modes of settling differences over issues that excite particular passion While legal discourse is well suited to choosing decisive winners and losers political discourse is perhaps more conducive to reasonable compromise and accommodation In Courts and the Culture Wars Bradley C S Watson has brought together some of America's most distinguished names in constitutional theory and practice to consider the impact of judicial engagement in the moral religious and cultural realms including such issues as school prayer abortion gay rights and expressive speech **Culture** Wars Roger Chapman, 2015-03-17 The term culture wars refers to the political and sociological polarisation that has characterised American society the past several decades This new edition provides an enlightening and comprehensive A to Z ready reference now with supporting primary documents on major topics of contemporary importance for students teachers and the general reader It aims to promote understanding and clarification on pertinent topics that too often are not adequately explained or discussed in a balanced context With approximately 640 entries plus more than 120 primary documents supporting both sides of key issues this is a unique and defining work indispensable to informed discussions of the most timely and critical issues facing America today **Dressing for the Culture Wars** Betty Luther Hillman, 2015-10 Style of dress has always been a way for Americans to signify their politics but perhaps never so overtly as in the 1960s and 1970s Whether participating in presidential campaigns or Vietnam protests hair and dress provided a powerful cultural tool for social activists to display their politics to the world and became both the cause and a symbol of the rift in American culture Some Americans saw stylistic freedom as part of their larger political protests integral to the ideals of self expression sexual freedom and equal rights for women and minorities Others saw changes in style as the erosion of tradition and a threat to the established social and gender norms at the heart of family and nation Through the lens of fashion and style

Dressing for the Culture Wars guides us through the competing political and social movements of the 1960s and 1970s Although long hair on men pants and miniskirts on women and other hippie styles of self fashioning could indeed be controversial Betty Luther Hillman illustrates how self presentation influenced the culture and politics of the era and carried connotations similarly linked to the broader political challenges of the time Luther Hillman's new line of inquiry demonstrates how fashion was both a reaction to and was influenced by the political climate and its implications for changing The American Culture Wars James L. Nolan (Jr.), 1996 Even though the majority of norms of gender race and sexuality Americans hold moderate views on issues such as abortion homosexual rights funding for the arts and public broadcasting and multicultural education extremists tend to dominate public debate James Davidson Hunter explained this polarization of American politics and political discourse and popularized the term culture wars in his best selling book Culture Wars The Struggle to Define America The eleven contributors to The American Culture Wars analyse these and other heatedly contested issues In addition they examine new developments in the culture wars Together the chapters of this book illuminate current cultural conflicts and offer clues as to where the next American culture wars may be waged The View of the Courts from the Hill Mark C. Miller, 2009-05-29 The View of the Courts from the Hill explores the current interactions and relationship between the U S Congress and federal courts using a governance as dialogue approach which argues that constitutional interpretation in the United States is a continuous and complex conversation among all the institutions of government Expanding on his previous work on this important theme Mark C Miller has interviewed numerous key players specifically for this book His subjects include members of Congress federal judges congressional staff employees of the judicial branch lobbyists and others with an interest in the courts Their candid and thorough comments provide an invaluable resource for students and scholars eager to explore the dynamics between congressional and judicial forces as they have evolved over the past two decades The book examines customary interactions between Congress and the federal courts especially the U S Supreme Court as well as extraordinary conflicts between the two branches of government both today and throughout American history Miller gives special attention to recent attempts by social conservatives in Congress to silence the voice of the courts in the interinstitutional dialogue through the use of court stripping measures threats of impeachment of federal judges and a proposal for an inspector general for the courts Particular focus is placed on the interactions between the courts and the House Judiciary Committee under Republican control as well as the approach taken by the Religious Right toward federal judges and the federal courts in general The book concludes with a call for the protection of judicial independence in order to preserve the voice of the federal courts in the constitutional interpretation Courts and Congress William Quirk, 2018-02-06 It s often said confirmed by survey data that the American dialogue people are losing confidence in their government But the problem may be the reverse the government has lost confidence in the people Increasingly the power to make decisions in our democracy has been shifted from Congress to the court system

forcing non elected officials to make decisions which affect the lives of Americans In a society which is based on the democratic elections of its officials this is clearly backwards Quirk maintains that what he calls The Happy Convention an informal and unwritten rearrangement of passing the buck of government powers is done to avoid blame and approval ratings becoming lower for a particular person or party For example The Happy Convention assigns the power to declare and make war to the President Congress and the Court play a supporting role Congress when requested gives the President a blank check to use force the Court throws out any challenges to the legality of the war Everyone wins if the war avoids disaster If it turns out badly the President is held accountable His ratings fall reelection is out of the question congressmen say he lied to them his Party is likely to lose the next election In this way Quirk reminds us that The Happy Convention is not what the Founders intended for us For democracy to work properly the American people have to know what options they have Courts and Congress argues the case for reestablishing the balance of powers between the courts the Congress and the Presidency Cultural Wars in American Politics Rhys H. Williams, That contemporary American politics is divided into two differing ideological moral and lifestyle groups a divide so severe as to constitute a cultural war is a widely held popular belief The most systematic academic version of the culture wars claim has appeared in two influential books by sociologist James Davison Hunter the earlier dating from 1991 Hunter's formulation of the myth serves the contributors to this volume as a point of departure They add more measured analyses to the rhetorical overstatement in Hunter's claim assessing its accuracy with a broad range of evidence based on individual attitudes subcultural values political party dynamics and culture wide ideological currents On every level of analysis the contributors find that Hunter's bipolar axis obscures the variety of ways in which culture actually functions in current politics That variety receives the nuanced treatment it deserves in this collection Examining the full range of sources of cultural politics and offering competing models for understanding the current ideological landscape this volume will be useful in a variety of classroom and seminar settings from political sociology and social movements to contemporary American culture and the sociology of religion Research Handbook on Legal Semiotics Anne Wagner, Sarah Marusek, 2023-11-03 This comprehensive Research Handbook explores the wide variety of work conducted in legal semiotics to provide a broad understanding of how the law works through signs and symbols Demonstrating that law is a strategical system of fluctuating signs contributors critically analyse the ever evolving conceptualisations of law and legal discourse The Supreme Court and American Political Development Ronald Kahn, Ken I. Kersch, 2006-05-15 This innovative volume explores the evolution of constitutional doctrine as elaborated by the Supreme Court Moving beyond the traditional law versus politics perspective the authors draw extensively on recent studies in American Political Development APD to present a much more complex and sophisticated view of the Court as both a legal and political entity The contributors including Pam Brandwein Howard Gillman Mark Graber Ronald Kahn Tom Keck Ken Kersch Wayne Moore Carol Nackenoff Julie Novkov and Mark Tushnet share an appreciation that the process of

constitutional development involves a complex interplay between factors internal and external to the Court They underscore the developmental nature of the Court revealing how its decision making and legal authority evolve in response to a variety of influences not only laws and legal precedents but also social and political movements election returns and regime changes advocacy group litigation and the interpretive community of scholars journalists and lawyers Initial chapters reexamine standard approaches to the question of causation in judicial decision making and the relationship between the Court and the ambient political order Next a selection of historical case studies exemplifies how the Court constructs its own authority as it defines individual rights and the powers of government They show how interpretations of the Reconstruction amendments inform our understanding of racial discrimination explain the undermining of affirmative action after Bakke and consider why Roe v Wade has yet to be overturned They also tell how the Court has collaborated with political coalitions to produce the New Deal Great Society and Reagan Revolution and why Native Americans have different citizenship rights than other Americans These contributions encourage further debate about the nature and processes of constitutional change and invite APD scholars to think about law and the Court in more sophisticated ways Towards a Very British Version of the "Culture Wars" Alma-Pierre Bonnet, Raphaële Kilty, 2024-12-30 This book examines the emergence and the political use of what has come to be known as culture wars in the United Kingdom Adopting multidisciplinary perspectives it investigates the ways in which cultural identities are used for political ends. The book bridges the conceptual and theoretical gap in fully understanding the so called culture wars in a British context as such it envisages debates as part of a larger political project to gain popular support by tapping into voters sense of neglect by the political elite Applying the concept of national populism as a binding conceptual framework for the book a prestigious panel of international experts offer thorough analyses to show that not enough attention is being paid to what may be considered as an escalation of culture wars and to how divisions have been accentuated by political elites to deliberately exacerbate them This book will be of key interest to scholars students and readers in British politics populism studies party politics Conservative party politics and more broadly to European and Comparative politics A Year at the Supreme Court Neal Devins, Davison M. Douglas, 2004-10-13 Profiles a watershed year 2002 2003 in the life of the U S Supreme Court with contributions by journalists and Court advocates that discuss critical rulings on gay rights affirmative action hate speech federal state relations and criminal law What Obergefell V. Hodges Should Have Said Jack M. Balkin, 2021-01-12 Rewriting the Supreme Court's landmark gay rights decision Jack Balkin and an all star cast of legal scholars sitting as a hypothetical Supreme Court rewrite the famous 2015 opinion in Obergefell v Hodges which guaranteed same sex couples the right to marry In eleven incisive opinions the authors offer the best constitutional arguments for and against the right to same sex marriage and debate what Obergefell should mean for the future In addition to serving as Chief Justice of this imaginary court Balkin provides a critical introduction to the case He recounts the story of the gay rights litigation that led to Obergefell and he explains how courts respond to political

mobilizations for new rights claims The social movement for gay rights and marriage equality is a powerful example of how through legal imagination and political struggle arguments once dismissed as off the wall can later become established in American constitutional law THE CULTURE WAR Hanne Nabintu Herland,2017-09-21 The Culture War How the West lost its greatness and was weakened from within outlines how the West lost its values causing its current decline It is a forceful attack on the extreme liberal anti religious ideology which since the 1960 s has permeated the Western culture and weakened its very core The West is now characterized by strict elitist media censorship hedonism a culture of drug abuse abortion ethnic clashes and racial divide a destructive feminism and the dramatic breakdown of the family An ultra rich elite pushes our nations into a new authoritarian globalist structure with no respect for Western historical values Yet even in the darkest hour there is hope This manifesto outlines the remedy for the current malaise and describes the greatness of our traditional and religious values that once made our civilization prosper It shows how we can restore these values to bring back justice mercy faith honesty fidelity kindness and respect for one another Virtues that will motivate individuals to love one another the core of what will make us great again 21 Supreme Court Issues Facing America Steve Elliott, 2005-12

A Documentary History of Religion in America Edwin Scott Gaustad, Mark A. Noll, Heath W. Carter, 2018 Students and scholars have long turned to the two volume Documentary History of Religion in America for access to the most significant primary sources relating to American religious history Published here in a single volume for the first time the work in this fourth edition has been both updated and condensed allowing instructors to more easily use the material in one semester

The 3 Regional Human Rights Courts in Context Laurence Burgorgue-Larsen, 2024-02-28 At specific moments in the history of Africa Europe and Latin America each region decided to create supranational jurisdictions to protect human rights These are in chronological order the European Court of Human Rights the Inter American Court of Human Rights and the African Court on Human and Peoples Rights While each has been the subject of important dedicated monographs no major study has analysed both the institutional and jurisprudential issues of all three regional systems The 3 Regional Human Rights Courts in Context Justice That Cannot Be Taken for Granted is the first book to offer a comprehensive comparison of the three systems Rather than merely juxtaposing analogous features the book considers how the three courts operate as parts of a greater integrated whole Similarities and differences between the courts are illuminated alongside historical political and sociological insights in addition to the book s primary legal focus Close analysis of the processes by which the courts came into being makes it clear that regardless of distinct political cultural or other variances states on each of the three continents have chafed against international supervision The book also debunks the common belief that after the Second World War the thrust of human rights initiatives was so powerful that states no longer need to discuss them Justice cannot be taken for granted a position further supported by the book s analysis of how each court has evolved and how their rulings have been implemented Laurence Burgorgue Larsen s dynamism and multidisciplinary approach makes it possible to

truly understand the stakes behind the institutional and jurisprudential developments of the three regional human rights courts This is a book that will interest not only legal practitioners but also specialists in international relations human rights and countless other fields The Routledge History of Religion and Politics in the United States Since 1775 Cara Lea Burnidge, Lauren Frances Turek, 2024-12-30 Drawing together history and recent historiography this volume offers a reference work for understanding how religion influenced politics and how politics shaped religion in the United States from the American Revolution through to the present day The book brings together some of the most well regarded scholars in history religious studies American studies political science and other disciplines working in this field providing a groundbreaking transdisciplinary history of this topic It explores the major themes and historiographical trends that animate current scholarship ensuring that readers come away with a thorough picture of the field how it has evolved and where future scholars might take us This unique approach is well suited to students and scholars of both U S history and religious studies and encourages interdisciplinary analysis for the fields of religion and politics **Courts and LGBTQ+ Rights in** an Age of Judicial Retrenchment Rehan Abeyratne, 2025-03-19 Over the past two decades liberal constitutionalism has been in decline Yet some courts including the U S Supreme Court the Supreme Court of India and the Hong Kong Court of Final Appeal have continued to progressively realize the rights of lesbian gay bisexual transgender and queer LGBTQ persons How can the seeming paradox of LGBTQ rights advancement amid liberal constitutional regression be understood And what in turn does that tell us about the state of liberal constitutionalism and rights adjudication Courts and LGBTO Rights in an Age of Judicial Retrenchment addresses these questions by exploring rights adjudication within the broader context of declining liberal constitutionalism within the U S India and Hong Kong By analysing landmark LGBTQ rights judgments and topical case studies in increasingly challenging political and institutional contexts this book provides detailed qualitative accounts of constitutionalism in these jurisdictions over the past two decades Progressive and original this book explores how courts often use LGBTQ rights to demonstrate their rhetorical commitment to liberal and global constitutionalism even as their judgments may fall short of or even undermine those ideals American Government, Second Edition Timothy O. Lenz, Mirya Holman, 2018-03-21 This exciting new book explores the role of government politics and policy in American lives Full of real life applications and scenarios this text encourages and enables political thinking The second edition has been updated to include recent developments in U S politics and government This includes the description and analysis of the 2016 elections as well as the early Trump administration Chapters have expanded coverage of immigration policy environmental policy economic policy and global affairs including counterterrorism policy. The text also includes analysis of racial issues in contemporary American politics and law It also addresses questions about the state of the economy jobs and wages Hyperlinks and URLs provide deeper dives into various topics and examples of comparative politics

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