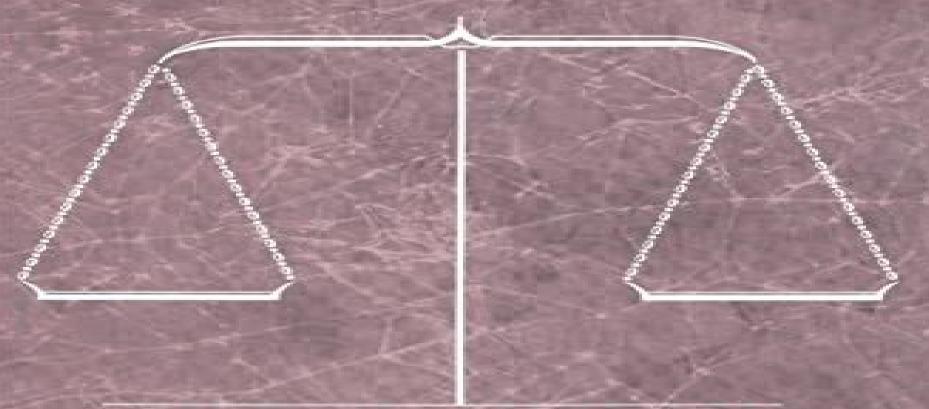
COURTS ACOMPARATIVE AND POLITICAL ANALYSIS



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case studies and interviews with judges and legislators The book s major finding is that the interests of governing majorities prevailing public opinion and the transparency of the political environment exert a powerful influence on judicial decisions Judges are influenced not only by jurisprudential considerations and their policy preferences but also by strategic concerns By highlighting this dimension of constitutional review the book challenges the contention that high court justices are largely unconstrained actors as well as the notion that constitutional courts lack democratic legitimacy Researchina 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 similiarities 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 Courts in Latin America Gretchen Helmke, Julio Rios-Figueroa, 2011-01-17 To what extent do courts in Latin varies 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 Handbook of Global Legal Policy Stuart Nagel, 2022-04-18 Featuring a comparisons statistical analysis and game theory 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 l 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 synthesises 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

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