

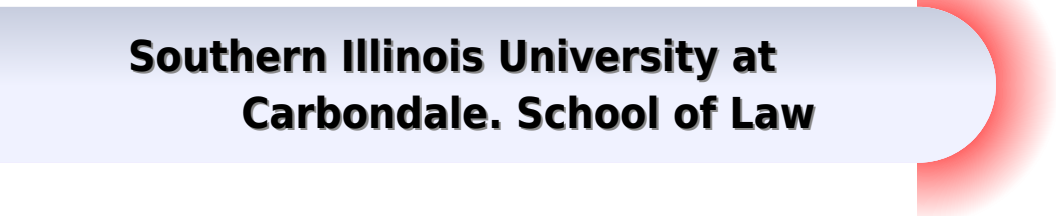
THE SUPREME COURT AND THE ATTITUDINAL MODEL REVISITED



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The Supreme Court And The Attitudinal Model Revisited

**Southern Illinois University at
Carbondale. School of Law**



The Supreme Court And The Attitudinal Model Revisited:

The Supreme Court and the Attitudinal Model Revisited Jeffrey A. Segal, Harold J. Spaeth, 2002-09-16 Two leading scholars of the Supreme Court explain and predict its decision making **Concurring Opinion Writing on the U.S. Supreme Court** Pamela C. Corley, 2010-03-24 When justices write or join a concurring opinion they demonstrate their preferences over substantive legal rules Concurrences provide a way for justices to express their views about the law to engage in a dialogue of law with each other the legal community the public and Congress This important study is the first systematic examination of the content of Supreme Court concurrences While previous work on Supreme Court decision making focuses solely on the outcome of cases Pamela C Corley tackles the content of Supreme Court concurring opinions to show the reasoning behind each justice s decision Using both qualitative and quantitative methods of analysis Concurring Opinion Writing on the U S Supreme Court offers a rich and detailed portrait of judicial decision making by studying the process of opinion writing and the formation of legal doctrine through the unique lens of concurrences Pamela C Corley is Assistant Professor of Political Science at Vanderbilt University [The Most Activist Supreme Court in History](#) Thomas M. Keck, 2010-02-15 When conservatives took control of the federal judiciary in the 1980s it was widely assumed that they would reverse the landmark rights protecting precedents set by the Warren Court and replace them with a broad commitment to judicial restraint Instead the Supreme Court under Chief Justice William Rehnquist has reaffirmed most of those liberal decisions while creating its own brand of conservative judicial activism Ranging from 1937 to the present [The Most Activist Supreme Court in History](#) traces the legal and political forces that have shaped the modern Court Thomas M Keck argues that the tensions within modern conservatism have produced a court that exercises its own power quite actively on behalf of both liberal and conservative ends Despite the long standing conservative commitment to restraint the justices of the Rehnquist Court have stepped in to settle divisive political conflicts over abortion affirmative action gay rights presidential elections and much more Keck focuses in particular on the role of Justices O Connor and Kennedy whose deciding votes have shaped this uncharacteristically activist Court [Partisan Supremacy](#) Terri Jennings Peretti, 2020-11-20 I have no agenda US Supreme Court Chief Justice John Roberts proclaimed at his Senate confirmation hearing My job is to call balls and strikes and not to pitch or bat This declaration was in keeping with the avowed independence of the judiciary It also when viewed through the lens of Roberts s election law decisions appears to be false With a scrupulous reading of judicial decisions and a careful assessment of partisan causes and consequences Terri Jennings Peretti tells the story of the GOP s largely successful campaign to enlist judicial aid for its self interested election reform agenda [Partisan Supremacy](#) explores four contemporary election law issues voter identification gerrymandering campaign finance and the preclearance regime of the Voting Rights Act to uncover whether Republican politicians and Republican judges have collaborated to tilt America s election rules in the GOP s favor Considering cases from *Shelby County v Holder* which enfeebled the Voting Rights Act to

Crawford v Marion County Election Board which upheld restrictive voter identification laws to Citizens United and McCutcheon which loosened campaign finance restrictions Peretti lays bare the reality of friendly judicial review and partisan supremacy when it comes to election law She nonetheless finds a mixed verdict in the redistricting area that reveals the limits of partisan control over judicial decisions Peretti's book helpfully places the current GOP's voter suppression campaign in historical context by acknowledging similar efforts by the post-Civil War Democratic Party While the modern Democratic Party seeks electoral advantage by expanding voting by America's minorities and youth arguably hewing closer to democratic principles neither party is immune to the powerful incentive to bend election rules in its favor In view of the evidence that Partisan Supremacy brings to light we are left with a critical and pressing question Can democracy survive in the face of partisan collaboration across the branches of government on critical election issues

The Oxford Handbook of Comparative Judicial Behaviour, 2024-10-18 These are momentous times for the comparative analysis of judicial behaviour Once the sole province of U.S. scholars and mostly political scientists at that now researchers throughout the world drawing on history economics law and psychology are illuminating how and why judges make the choices they do and what effect those choices have on society Bringing together leading scholars in the field The Oxford Handbook of Comparative Judicial Behaviour consists of ten sections each devoted to important subfields fundamentals providing overviews designed to identify common trends in courts worldwide approaches to judging data methods and technologies staffing the courts advocacy litigation and appellate review opinions relations within between and among courts judicial independence court and society and frontiers of comparative judicial behaviour dedicated to expanding on opportunities for advancement Rather than focusing on particular courts countries or regions the organization of the individual chapters is topical Each chapter explores an important topic critically evaluating the state of that topic and identifying opportunities for future work While the forty two chapters share a common interest in explaining the causes and effects of judicial choices the range of approaches to comparative research is wide inclusive and interdisciplinary from contrasts and similarities to sophisticated research agendas reflecting the emerging field of judicial behaviour around the world

The Politics of Precedent on the U.S. Supreme Court Thomas G. Hansford, James F. Spriggs II, 2018-06-05 The Politics of Precedent on the U.S. Supreme Court offers an insightful and provocative analysis of the Supreme Court's most important task shaping the law Thomas Hansford and James Spriggs analyze a key aspect of legal change the Court's interpretation or treatment of the precedents it has set in the past Court decisions do not just resolve immediate disputes they also set broader precedent The meaning and scope of a precedent however can change significantly as the Court revisits it in future cases The authors contend that these interpretations are driven by an interaction between policy goals and variations in the legal authoritativeness of precedent From this premise they build an explanation of the legal interpretation of precedent that yields novel predictions about the nature and timing of legal change Hansford and Spriggs test their hypotheses by examining how the Court has interpreted

the precedents it set between 1946 and 1999 This analysis provides compelling support for their argument and demonstrates that the justices ideological goals and the role of precedent are inextricably linked The two prevailing yet contradictory views of precedent that it acts either solely as a constraint or as a cloak that never actually influences the Court are incorrect This book shows that while precedent can operate as a constraint on the justices decisions it also represents an opportunity to foster preferred societal outcomes The Politics of Freedom of Expression M. Richards,2013-08-06 The principle of content neutrality is the cornerstone of freedom of expression jurisprudence protecting the core values of freedom of speech set out in the first amendment whilst also enabling the government to place reasonable restrictions on protected speech The Politics of Freedom of Expression examines the US Supreme Court s decision making in freedom of expression cases from the Earl Warren Court in 1953 to the 2012 decisions of the John Roberts Court assessing the extent to which the justices take into consideration their own political attitudes jurisprudence and external factors such as federal government participation In doing so the book highlights the role of the civil rights movement in developing the content neutrality jurisprudential regime Establishing jurisprudential regime theory as a framework for incorporating the various factors that can affect decision making the author draws on quantitative qualitative and interpretive methods in order to analyse the justices changing treatment of content based and content neutral cases over time This unique theoretical approach allows the text to push beyond the traditional law versus politics debate in order to critically evaluate the importance of content neutrality to the Supreme Court s decision making and to compare decision making in the US with Canada Germany Japan and the UK

Justice Kennedy's Jurisprudence Frank J. Colucci,2009 Examines the judicial philosophy of Supreme Court Justice Anthony M Kennedy who has been the critical swing vote on the Court for the last 20 years **Lawyering for the Rule of Law** Yoav Dotan,2014 A study of the relationship between judicial activism and government lawyers *Judicial Process in America* Robert A. Carp,Kenneth L. Manning,Lisa M. Holmes,Jennifer Bowie,2025-03-11 Judicial Process in America Thirteenth Edition is a market leading and comprehensive textbook for both academic and general audiences Authors Robert Carp Kenneth Manning Lisa Holmes and Jennifer Bowie provide a comprehensive overview of the link between the courts public policy and the political environment **Elite Framing and Supreme Court Decision Making** Justin Paul Wedeking,2007 *Arizona Journal of International and Comparative Law* ,2014 **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

The Supreme Court and the Attitudinal Model Jeffrey Allan Segal, Harold J. Spaeth, 1993-01-01 An investigation into the workings of the US Supreme Court *The Supreme Court Compendium* Lee Epstein, 2003 Conceived as an aide to those attempting to analyze the U S Supreme Court and its decision this collection of data tables provides information on chronological and topical trends in court decisions backgrounds of the justices legislation most frequently subject to court rulings views of the public on the Court and the impact of the Court on certain policy areas Annotation c 2003 Book News Inc Portland OR booknews com

Rehnquist Justice Earl M. Maltz, 2003 With seven of its justices appointed by Republican presidents today's Supreme Court has significantly altered America's legal landscape since 1986 by tilting constitutional jurisprudence to the right That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism economic rights and affirmative action However liberal issues such as abortion have moved only marginally to the right while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left In this collection of original articles prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed Reflecting views across the political spectrum the contributors help readers understand the Court dynamic its constrained conservatism and the forces that shape constitutional law in general As these authors show the overall pattern of decision making in the Rehnquist era cannot be attributed to any single unified approach to constitutional analysis Instead today's Court can only be understood as the product of a complex interaction among individual justices each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench From the staunch conservatism of Clarence Thomas to the accommodationism of Sandra Day O'Connor to the liberal constitutionalism of David Souter the essays analyze the unique approach of each justice to interpreting the Constitution They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one

which favors experienced often unknown jurists over high profile public servants By concentrating attention on its members Rehnquist Justice allows us to better understand the Supreme Court as a whole And by assessing today s judiciary in light of a public philosophy that looks askance at government it shows us that the Supreme Court has truly become a mirror of its times

Politics and Judgment in Federal District Courts C. K. Rowland, Robert A. Carp, 1996 A major empirical and theoretical work that has the potential for becoming a classic in the field Sheldon Goldman author of *The Federal Courts as a Political System* This provocative theoretical approach should be of great interest to scholars and students of the federal bench Elliott E Slotnick editor of *Judicial Politics*

The American Legal System Albert P. Melone, Allan Karnes, 2008 Firmly anchored in social science concepts the second edition of *The American Legal System* demonstrates the relationships among private law the business legal environment and public law issues as well as related subjects of interest This fifteen chapter book is divided into three parts Part I places the legal system in a political perspective centering on the origins of the law schools of jurisprudence branches and functions of law legitimacy of law how the judiciary functions in the federal system of government and judicial interpretation and decision making Part II contrasts legal processes civil suits for money damages criminal processes equity justice administrative processes and alternative dispute resolution Part III centers on the legal norms or rules governing both civil and criminal conduct property law family law contract law and government regulation of business Throughout the text features edited court opinions many new to this edition illustrating lively and thought provoking controversies that are certain to spark student interest Among the many compelling issues addressed are the legal and constitutional controversies surrounding the Bush Administration s War on Terror and the socially explosive developments concerning same sex marriage In addition each chapter includes at least three comparative notes showing how other legal cultures in different nation states treat legal matters A wealth of pedagogical features chapter opening objectives key terms names and concepts a glossary discussion questions and appendices are included to aid student comprehension The authors have prepared an Instructor s Manual and Test Bank to facilitate the book s use in the classroom

Courts and Judicial Policymaking Christopher P. Banks, David M. O'Brien, 2008 For courses in courts and the judicial process and law and society The scope of its coverage and its high academic quality makes it attractive for graduate courses as well Christopher P Banks and David M O'Brien wrote *Courts and Judicial Policymaking* to fill a need for a comprehensive textbook on law and judicial policymaking The text provides a fresh perspective on the contemporary politics of law courts the legal profession and judicial policymaking often with an underlying comparative judicial process perspective It covers four distinct areas 1 What is law 2 How are courts organized and how do they work procedurally 3 What influences court access and ultimately judicial decision making and 4 How do courts make policy and how is judicial authority constrained It has relevant and contemporary analyses of literature from the political science and legal fields and analyses from scholars who argue from the quantitative attitudinal and strategic models and the qualitative new institutionalism perspectives It contains up to date

charts and graphs on the organization of courts and trends in litigation caseloads and opinion writing and it is appropriate for undergraduate and graduate classes Feedback includes The book is extremely well written and organized one of the smoothest textbooks I have read in terms of readability The tables provided are a major selling point for the book nicely summarize complex and often confusing materials Roger Handberg University of Central Florida The best feature of this manuscript is its thorough coverage of the subject matter as well as the in depth analysis of specific topics and questions addressed in the boxed material and sidebars Adding a comparative dimension by looking at the judicial systems and procedures of other countries is also quite novel Susan Mezey Loyola University Chicago Southern Illinois University Law Journal Southern Illinois University at Carbondale. School of Law,2007

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