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Courts Law And Politics In Comparative Perspective

Alexandra Valeria Huneus



Courts Law And Politics In Comparative Perspective:

Courts, Law, and Politics in Comparative Perspective Herbert Jacob, 1996 This comprehensive book compares the intersection of political forces and legal practices in five industrial nations the United States England France Germany and Japan The authors eminent political scientists and legal scholars investigate how constitutional courts function in each country how the adjudication of criminal justice and the processing of civil disputes connect legal systems to politics and how both ordinary citizens and large corporations use the courts For each of the five countries the authors discuss the structure of courts and access to them the manner in which politics and law are differentiated or amalgamated whether judicial posts are political prizes or bureaucratic positions the ways in which courts are perceived as legitimate forms for addressing political conflicts the degree of legal consciousness among citizens the kinds of work lawyers do and the manner in which law and courts are used as social control mechanisms The authors find that although the extent to which courts participate in policymaking varies dramatically from country to country judicial responsiveness to perceived public problems is not a uniquely American phenomenon

Courts and Social Transformation in New Democracies Roberto Gargarella, Theunis Roux, 2017-03-02 Using case studies drawn from Latin America Africa India and Eastern Europe this volume examines the role of courts as a channel for social transformation for excluded sectors of society in contemporary democracies With a focus on social rights litigation in post authoritarian regimes or in the context of fragile state control the authors assess the role of judicial processes in altering or perpetuating social and economic inequalities and power relations in society Drawing on interdisciplinary expertise in the fields of law political theory and political science the chapters address theoretical debates and present empirical case studies to examine recent trends in social rights litigation

The Rule of Law in Comparative Perspective Mortimer Sellers, Tadeusz Tomaszewski, 2010-07-23 This volume compares the different conceptions of the rule of law that have developed in different legal cultures It describes the social purposes and practical applications of the rule of law and how it might be improved in the varied circumstances

The Pioneers of Judicial Behavior Nancy L. Maveety, 2009-11-16 Examines the contributions of the pioneers of research into judicial behavior

Judicial Process in America Robert A. Carp, Kenneth L. Manning, Lisa M. Holmes, Ronald Stidham, 2019-02-20 Known for shedding light on the link between the courts public policy and the political environment Judicial Process in America offers students a clear but comprehensive overview of today s American judiciary Considering the courts from every level the authors thoroughly cover judges lawyers litigants and the variables at play in judicial decision making The highly anticipated Eleventh Edition offers updated coverage of recent Supreme Court rulings including same sex marriage and health care subsidies the effect of three women justices on the Court s patterns of decision and the policy making role of state tribunals as they consider an increasing number of state programs and policies New to this Edition Discussions of recent judicial appointments take a critical look at how President Trump s victory has set the stage for moving the ideological direction of

the Supreme Court and of the lower federal judiciary in a distinctly more conservative direction. An analysis of recent controversial Supreme Court decisions help students to identify with the content by exploring issues such as citizenship rights for immigrants, gay and lesbian rights and freedom of speech and religion. Additional tables and graphs illustrate the patterns and trends that are occurring in today's judicial process. New coverage of current topics help students see how the judicial process is applied. These topics include the legality of Congress feeble attempts to repeal and replace the Affordable Care Act that affects millions of people, how to address the issues of immigration and deportations including what to do about so called Dreamers, children brought illegally to the United States by their parents without the children's knowledge and who have spent much or all of their lives here, the status of abortion rights in America as more and more conservative states have sought to further restrict a woman's right to such a procedure, the legal status of transgender persons in the armed forces, the degree to which severely gerrymandered legislative districts pass constitutional muster and the great changes in the issue of same sex marriage both among average Americans and within the state and federal court systems including all the ancillary issues such as whether same sex couples can adopt children and obtain government fringe benefits.

Constitutional Adjudication in Africa Charles M Fombad, 2017-09-01. Since the 1990 wave of constitutional reforms in Africa, the role of constitutional courts or courts exercising the power to interpret and apply constitutions have become a critical aspect to the on going process of constitutional construction, reconstruction and maintenance. These developments appear at least from the texts of the revised or new constitutions to have resulted in fundamental changes in the nature and role of courts exercising jurisdiction in constitutional matters. The chapters in this second volume of the Stellenbosch Handbooks in African Constitutional Law series are the first to undertake a critical and comparative examination of the interplay of the diverse forms of constitutional review models on the continent. Comparative analysis is particularly important given the fact that over the last two decades constitutional courts in Africa have been asked to decide a litany of hotly contested and often sensitive disputes of a social, political and economic nature. As the list of areas in which these courts have intervened has grown so too have their powers, actual or potential. By identifying and examining the different models of constitutional review adopted, these chapters consider the extent to which these courts are contributing to enhancing constitutionalism and respect for the rule of law on the continent. The chapters show how the long standing negative image of African courts is slowly changing. The courts have responded in different ways to the variety of constraints, incentives and opportunities that have been provided by the constitutional reforms of the last two decades to act as the bulwark against authoritarianism and this provides a rich field for analysis, filling an important gap in the literature of contemporary comparative constitutional adjudication. This is an open access title available under the terms of a CC BY-NC-ND 4.0 International licence. It is free to read on the Oxford Academic platform and offered as a free PDF download from OUP and selected open access locations. **The SAGE Handbook of European Studies** Chris Rumford, 2009-07-01. This volume

brings together some of the biggest names in European Studies to analyse the most important trajectories of Europe's development and the challenges faced by the continent today No one interested in Europe will be able to ignore this extraordinary collection of scholarship Professor Thomas Diez University of Birmingham In its range and comprehensiveness it will be hard to beat and it will certainly become an invaluable resource for sociologists political scientists historians and all others seeking the best information and most up to the date approaches to the study of Europe today Professor Krishan Kumar University of Virginia An impressive account of the state of the art of the study of contemporary Europe This is an outstanding work and a definite companion to all those interested in contemporary Europe Journal of Contemporary European Studies Europe is one of the world's oldest civilizations But what does it mean to be European today What place does Europe have in global affairs How should we analyze its key institutions system of governance and broader cultural social and political dynamics This exhaustive and timely handbook Explores the transformations that characterize contemporary Europe Investigates how we can best study Europe Consolidates European studies and provides a platform for future study Increases the profile of European studies The Handbook promotes the increasing diversity of perspectives employed in the study of contemporary Europe and EU integration and is situated within the context of Europe's transformations It offers balanced coverage of political social economic cultural and institutional dimensions of Europe and includes chapters by leading authorities including Ulrich Beck Craig Calhoun Donatella della Porta Claus Offe Anssi Paasi Ben Rosamond Gurinder Bhambra and Charles Tilly Multidisciplinary in organization inclusive in coverage and cutting edge in scope The SAGE Handbook of European Studies is a landmark resource for anyone interested in Europe

European Politics Colin Hay, Anand Menon, 2007-01-18 This textbook blends an analysis of individual nation states with an examination of the critical issues that confront them all and which are addressed comparatively It takes account of both the national and transnational factors that affect and are affected by politics in Europe notably European integration and globalisation The book includes chapters on all the major issues confronting students of politics in Europe organised into four sections Section One provides basic information and details of essential debates concerning the states of Europe and the European Union Section Two presents comparative chapters on the key features of European politics These provide a sense of the major areas of continuity and change across Europe as a whole Section Three again presents explicitly comparative chapters outlining the developments in specific policy sectors Finally Section Four outlines the nature of the external relations of Europe This book is supported by a cutting edge Online Resource Centre Student resources Interactive map of Europe with facts key dates and web links for 26 countries BRAND NEW HE ONLINE RESOURCE Multiple Choice Questions for each chapter Flashcard glossary Lecturer resources PowerPoint slides for each chapter Research Handbook on Law and Courts Susan M. Sterett, Lee Demetrius Walker, 2019 The Research Handbook on Law and Courts provides a systematic analysis of new work on courts as governing institutions Authors consider how courts have taken on regulating fundamental

categories of inclusion and exclusion including citizenship rights Courts centrality to governance is addressed in sections on judicial processes sub national courts and political accountability all analyzed in multiple legal political systems Other chapters turn to analyzing the worldwide push for diversity in staffing courts Finally the digitization of records changes both court processes and studying courts Authors included in the Handbook discuss theoretical empirical and methodological approaches to studying courts as governing institutions They also identify promising areas of future research

Courts and Political Institutions Thijmen Koopmans, 2003-09-04 Considers the relation between law and politics including human rights federalism and equal protection

Cleavages, Courts, and Credible Commitments Nickolas E. Jorgensen, 2006

The Dynamics of Judicial Stasis Alexandra Valeria Huneus, 2006 *Judicial Activism in Comparative Perspective* Lori Hausegger, Raul Urribarri, 2023 What is understood by judicial activism in different jurisdictions Beyond a superficial agreement are we talking about the same phenomenon across countries and systems or over time and to what extent This book seeks to articulate a comparative perspective on judicial activism bringing together a selection of theoretical and empirical studies across different socio political and institutional contexts The chapters not only demonstrate the complexity of the concept but also illustrate the different meanings of judicial activism across different types of political regimes legal systems and judicial institutions The book looks at three examples from western democracies with common law systems the U S the U K and Canada and then at six examples from civil law systems in Latin American countries with very different experiences with judicial activism democracy and liberal constitutionalism Brazil Colombia Costa Rica Mexico Paraguay and Venezuela These case studies are analyzed with reference to a common conceptual framework assisted by a beginning theoretical essay and two concluding cross national studies highlighting different theoretical and methodological approaches This book contributes to current debates on a major topic in comparative law and courts research that despite its importance in and outside the scholarly world remains subject to significant debate The book should be useful for students teachers and researchers across a variety of disciplines including Constitutional Law Comparative Law Comparative Politics Judicial Politics and Sociolegal Studies

The Politics of Judicial Review in Latin America Javier Andres Couso, 2002 Incluye abstract

Law and politics in Africa, Asia and Latin America , 1998

Conference, Fair and Independent Courts , 2007

The Politics of Judicial Development in Latin America Joseph Lawrence Staats, 2005 The Federal Courts, 4th Edition Robert A Carp, Ronald Stidham, 2001-04-05 A textbook for elementary courses on such topics as judicial process and behavior constitutional law American government and law and society Carp political science U of Houston and Stidham political science and criminal justice Appalachian State U update the 1998 edition to include a fin

Exploring Judicial Politics Mark Carlton Miller, 2009 Exploring Judicial Politics presents twenty original essays by political scientists and judicial scholars on a variety of topics relative to judicial politics These readings explore the ways in which law and politics intertwine in the United States and cover issues from the trial court level all the way to the Supreme Court taking into

account the various actors in the American legal system In addition they provide insights into how judicial scholars go about studying and interpreting various phenomena in the field Exploring Judicial Politics is an ideal resource for undergraduate courses in Judicial Politics U S Courts and Law and Society ECSA Review ,1997

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