

The Judicial Mind Revisited

Psychometric Analysis
of Supreme Court Ideology



Glendon Schubert

Judicial Mind Revisited Psychometric Analysis Of Supreme Court Ideology

Glendon Schubert



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The Judicial Mind Revisited Glendon Schubert,1976 **The Judicial Mind Revisited** Glendon A. Schubert,1974-11

The Pioneers of Judicial Behavior Nancy L. Maveety,2009-11-16 In The Pioneers of Judicial Behavior prominent political scientists critically examine the contributions to the field of public law of the pioneering scholars of judicial behavior C Hermann Pritchett Glendon Schubert S Sidney Ulmer Harold J Spaeth Joseph Tanenhaus Beverly Blair Cook Walter F Murphy J Woodward Howard David J Danelski David Rohde Edward S Corwin Alpheus Thomas Mason Robert G McCloskey Robert A Dahl and Martin Shapiro Unlike past studies that have traced the emergence and growth of the field of judicial studies The Pioneers of Judicial Behavior accounts for the emergence and exploration of three current theoretical approaches to the study of judicial behavior attitudinal strategic and historical institutionalist and shows how the research of these foundational scholars has contributed to contemporary debates about how to conceptualize judges as policy makers Chapters utilize correspondence of and interviews with some early scholars and provide a format to connect the concerns and controversies of the first political scientists of law and courts to contemporary challenges and methodological debates among today s judicial scholars The volume s purpose in looking back is to look forward to contribute to an ecumenical research agenda on judicial decision making and ultimately to the generation of a unified general theory of judicial behavior The Pioneers of Judicial Behavior will be of interest to graduate students in the law and courts field political scientists interested in the philosophy of social science and the history of the discipline legal practitioners and researchers and political commentators interested in academic theorizing about public policy making Nancy L Maveety is Associate Professor of Political Science Tulane University The Oxford Handbook of U.S. Judicial Behavior Lee Epstein,Stefanie A. Lindquist,2017 The Oxford Handbook of U S Judicial Behavior offers readers a comprehensive introduction and analysis of research regarding decision making by judges serving on federal and state courts in the U S Featuring contributions from leading scholars in the field the Handbook describes and explains how the courts political and social context formal institutional structures and informal norms affect judicial decision making The Handbook also explores the impact of judges personal attributes and preferences as well as prevailing legal doctrine influence and shape case outcomes in state and federal courts The volume also proposes avenues for future research in the various topics addressed throughout the book Consultant Editor for The Oxford Handbooks of American Politics George C Edwards III *Routledge Handbook of Judicial Behavior* Robert M. Howard,Kirk A. Randazzo,2017-10-02 Interest in social science and empirical analyses of law courts and specifically the politics of judges has never been higher or more salient Consequently there is a strong need for theoretical work on the research that focuses on courts judges and the judicial process The Routledge Handbook of Judicial Behavior provides the most up to date examination of scholarship across the entire spectrum of judicial politics and behavior written by a combination of currently prominent scholars and the emergent next generation of researchers Unlike almost all other

volumes this Handbook examines judicial behavior from both an American and Comparative perspective Part 1 provides a broad overview of the dominant Theoretical and Methodological perspectives used to examine and understand judicial behavior Part 2 offers an in depth analysis of the various current scholarly areas examining the U S Supreme Court Part 3 moves from the Supreme Court to examining other U S federal and state courts and Part 4 presents a comprehensive overview of Comparative Judicial Politics and Transnational Courts Each author in this volume provides perspectives on the most current methodological and substantive approaches in their respective areas along with suggestions for future research The chapters contained within will generate additional scholarly and public interest by focusing on topics most salient to the academic legal and policy communities

Communication Yearbooks Vols 6-33 Set Various,2021-12-02 The Communication Yearbook annuals originally published between 1977 and 2009 publish diverse state of the discipline literature reviews that advance knowledge and understanding of communication systems processes and impacts across the discipline Topics dealt with include Communication as Process Research Methodology in Communication Communication Effects Taxonomy of Communication and European Communication Theory Information Systems Division Mass Communication Research Mapping the Domain of Intercultural Communication Public Relations Feminist Scholarship Communication Law and Policy Visual Communication Communication and Cross Sex Friendships Across the Life Cycle Television Programming and Sex Stereotyping InterCultural Communication Training Leadership and Relationships Media Performance Assessment Cognitive Approaches to Communication

Communication Yearbook 7 Robert Bostrom,2012-05-23 The Communication Yearbook annuals publish diverse state of the discipline literature reviews that advance knowledge and understanding of communication systems processes and impacts across the discipline Sponsored by the International Communication Association each volume provides a forum for the exchange of interdisciplinary and internationally diverse scholarship relating to communication in its many forms This volume re issues the yearbook from 1983

The U.S. Supreme Court and the Judicial Review of Congress Linda Camp Keith,2008 This book examines from a behavioral perspective the U S Supreme Court s exercise of the power of judicial review over Congress across two hundred years of the Court s history testing the major competing theories in political science the attitudinal model and the strategic approach through systematic empirical analysis Exploring the major trends in the Court s use of this power over time the book examines a broad range of questions concerning the countermajoritarian nature of this power and provides an analysis of each of the individual justices behavior along several dimensions of the power such as the use of judicial review to protect minority rights against majority intrusion The book concludes that the Court has shown a high level of deference to Congress with notable historic highs and lows and generally that the exercise of the power has been less countermajoritarian than is usually assumed Its analyses find the strongest level of support for the attitudinal approach to judicial decision making but also concludes that strategic concerns cannot be dismissed especially for the more recent Courts

(Dis)Entitling the Poor Elizabeth Bussiere, 2010-11-01 Although focused on the Warren Court the book explores Western political thought from the seventeenth through late twentieth centuries draws on American social history from the Age of Jackson through the civil rights era of the 1960s and utilizes current analytic methods particularly the new institutionalism

Law, Ideology, and Collegiality Donald R. Songer, 2012 In a ground breaking study on the nature of judicial behaviour in the Supreme Court of Canada Donald Songer Susan Johnson C L Ostberg and Matthew Wetstein use three specific research strategies to consider the ways in which justices seek to make decisions grounded in good law and to show how these decisions are shaped within a collegial court The authors use confidential interviews with Supreme Court justices analysis of their rulings from 1970 to 2005 and measures that tap their perceived ideological tendencies to provide a critical examination of the ideological roots of judicial decision making uncovering the complexity of contemporary judicial behaviour Examining judicial behaviour through the lens of three different research strategies grounded in qualitative and quantitative methodologies Law Ideology and Collegiality presents compelling evidence that political ideology is a key factor in decision making and a prominent source of conflict in the Supreme Court of Canada

A Peculiar Humanism William E. Wiethoff, 2010 In early nineteenth century America and especially in the Old South the use of oratory appealed to legal professionals judges as well as advocates Consistent with the humanism proclaimed in classical and neoclassical works appellate judges perceived their civic duties to demand oratorical skill as well as legal expertise In A Peculiar Humanism William E Wiethoff assesses the judicial use of oratory in reviewing slave cases and the struggle to fashion a humanist jurisprudence on slavery despite the customary restraints placed on judicial advocacy Drawing attention to a neglected intersection of law and letters Wiethoff analyzes the proslavery discourse embedded in antebellum judicial opinions by examining the public addresses judicial narratives and private papers of sixty nine appellate judges By contrasting the judges proslavery appeals in a variety of cases in the upper and deep South Wiethoff shows how context shaped the judges perceptions priorities and arguments An outstanding contribution to the literature on law and slavery A Peculiar Humanism testifies to the character of the legal profession in the Old South and serves as an index of the beliefs and attitudes that coexisted with legal decision making

The Cult Of The Court John Brigham, 2010-05-27 A fresh and innovative examination of the U S Supreme Court as the final arbiter of constitutional interpretation

Decision Making and Controversies in State Supreme Courts Salmon A. Shomade, 2018-10-15 This book examines state Supreme Court decision making during controversies involving religion race and gender skirmishes It analyzes predominant factors influencing state Supreme Court decision making during controversies involving justices serving in these courts and confronting these crises

Strategic Behavior and Policy Choice on the U.S. Supreme Court Thomas H. Hammond, Chris W. Bonneau, Reginald S. Sheehan, 2005 This book presents the first comprehensive model of policymaking by strategically rational justices who pursue their own policy preferences in the Supreme Court's multi stage decision making process

Judicial Decision Making Lawrence Wrightsman, 1999-07-31 In the mid 1970s as a social psychologist dedicated to the application of knowledge I welcomed our field's emerging interest in the legal system I have always been fascinated by jury trials something about the idea that two conceptions of the truth were in irrevocable conflict and jurors could choose only one of them More important the criminal justice system is a major social force that has been ignored by social psychologists for most of the twentieth century As I systematically began to explore the applications of social psychological concepts to the law 20 years ago I experienced the delight of discovery similar to that of a child under a Christmas tree It has been satisfying to be among the cohort of researchers who have studied the legal system especially trial juries from a psychological perspective I believe we have learned much that would be useful if the system were to be revised If the system were to be revised there's the rub As I have stated my original motivation was the application of knowledge Like other social scientists I believed perhaps arrogantly that the results of our research efforts could be used to make trial juries operate with more efficiency accuracy and satisfaction Over the last two decades much knowledge has accumulated How can we put this knowledge to work Judges are the gatekeepers of the legal system

Of Time and Judicial Behavior Drew Noble Lanier, 2003 This study examines the agenda setting and decision making behavior of the U S Supreme Court from 1888 to 1997 The study finds that economics decisions dominated the Court's docket up until the 1950s when civil liberties cases became more prominent and judicial power decisions remained relatively constant

Empirical Theories About Courts Keith O. Boyum, Lynn Mather, 2015-11-17 The classic and groundbreaking study of trial courts and other dispute processes and foundational ways to think about researching them is now available in a modern digital edition It is edited by Professors Keith O Boyum and Lynn Mather and includes chapters from the leading theorists about courts and their research Much cited and relevant today in how it frames the analysis of courts this book's new republication features an additional Introduction and Afterword by the editors with updates and a new Foreword by Christina L Boyd As Boyd writes For nearly all civil and criminal cases the traditional model of court as a judge dominated formal adversary process of adjudication does not hold What exists instead is so variable complex and dynamic that a proper study of courts must return to first principles And that is precisely what an all star list of interdisciplinary court scholars many of whom have established storied careers as trial court experts does so well within the chapters of this book She adds I find the text to be very contemporary Empirical Theories About Courts design to focus on theory building rather than simply examining discrete datasets or engaging in data mining of a single set of observations is a key factor in the book's longevity Quality ebook features includes linked Contents and notes fully linked and paginated Index proper formatting and all of the tables and figures of the original properly presented Part of the Classics of Law Society Series from Quid Pro Books

The Psychology of the Supreme Court Lawrence S. Wrightsman, 2006-03-16 Examining the psychology of Supreme Court decision making this book seeks to understand almost all aspects of the Supreme Court's functioning from a psychological perspective It addresses many factors

of influence including the background of the justices how they are nominated and appointed the role of their law clerks and more

In Defense of a Political Court Terri Jennings Peretti, 2001-10-29 Can the Supreme Court be free of politics Do we want it to be Normative constitutional theory has long concerned itself with the legitimate scope and limits of judicial review Too often theorists seek to resolve that issue by eliminating politics from constitutional decisionmaking In contrast Terri Peretti argues for an openly political role for the Supreme Court Peretti asserts that politically motivated constitutional decisionmaking is not only inevitable it is legitimate and desirable as well When Supreme Court justices decide in accordance with their ideological values or consider the likely political reaction to the Court's decisions a number of benefits result The Court's performance of political representation and consensus building functions is enhanced and the effectiveness of political checks on the Court is increased Thus political motive in constitutional decision making does not lead to judicial tyranny as many claim but goes far to prevent it Using pluralist theory Peretti further argues that a political Court possesses instrumental value in American democracy As one of many diverse and redundant political institutions the Court enhances both system stability and the quality of policymaking particularly regarding the breadth of interests represented

Institutional Games and the U.S. Supreme Court James R. Rogers, Roy B. Flemming, Jon R. Bond, 2012-10-05 Over the course of the past decade the behavioral analysis of decisions by the Supreme Court has turned to game theory to gain new insights into this important institution in American politics Game theory highlights the role of strategic interactions between the Court and other institutions in the decisions the Court makes as well as in the relations among the justices as they make their decisions Rather than assume that the justices' votes reveal their sincere preferences students of law and politics have come to examine how the strategic concerns of the justices lead to sophisticated behavior as they seek to maximize achievement of their goals when faced with constraints on their ability to do so In *Institutional Games and the U.S. Supreme Court* James Rogers Roy Flemming and Jon Bond gather various essays that use game theory to explain the Supreme Court's interactions with Congress the states and the lower courts Offering new ways of understanding the complexity and consequences of these interactions the volume joins a growing body of work that considers these influential interactions among various branches of the U.S. government Contributors Kenneth A. Shepsle Andrew De Martin James R. Rogers Christopher Zorn Georg Vanberg Cliff Carrubba Thomas Hammond Christopher Bonneau Reginald Sheehan Charles Cameron Lewis A. Kornhauser Ethan Bueno de Mesquita Matthew Stephenson Stefanie A. Lindquist Susan D. Haire Lawrence Baum

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