

# **The Justices, Judging, and Judicial Reputation**

The Supreme Court in American  
Society

*Edited by*  
**Kenneth L. Hall**



# Justices Judging And Judicial Reputation

**Richard A. Posner**



## **Justices Judging And Judicial Reputation:**

*The Justices, Judging, and Judicial Reputation* Kermit L. Hall, 2000 First Published in 2001 Routledge is an imprint of Taylor Francis an informa company      *The Justices, Judging, and Judicial Reputation* Kermit L. Hall, 2013 Available as a single volume or as part of the 10 volume set *Supreme Court in American Society*      **Nonjudicial Activities of Supreme Court Justices and Other Federal Judges** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Separation of Powers, 1970      **How Judges Judge** Brian M. Barry, 2020-11-26 A judge s role is to make decisions This book is about how judges undertake this task It is about forces on the judicial role and their consequences about empirical research from a variety of academic disciplines that observes and verifies how factors can affect how judges judge On the one hand judges decide by interpreting and applying the law but much more affects judicial decision making psychological effects group dynamics numerical reasoning biases court processes influences from political and other institutions and technological advancement All can have a bearing on judicial outcomes In *How Judges Judge* Empirical Insights into Judicial Decision Making Brian M Barry explores how these factors beyond the law affect judges in their role Case examples judicial rulings judges own self reflections on their role and accounts from legal history complement this analysis to contextualise the research make it more accessible and enrich the reader s understanding and appreciation of judicial decision making Offering research based insights into how judges make the decisions that can impact daily life and societies around the globe this book will be of interest to practising and training judges litigation lawyers and those studying law and related disciplines

***The Justices, Judging, and Judicial Reputation*** Kermit L. Hall, 2013 Available as a single volume or as part of the 10 volume set *Supreme Court in American Society*      *The Behavior of Federal Judges* Lee Epstein, William M Landes, Richard A Posner, 2013-01-07 Federal judges are not just robots or politicians in robes yet their behavior is not well understood even among themselves Using statistical methods a political scientist an economist and a judge construct a unified theory of judicial decision making to dispel the mystery of how decisions from district courts to the Supreme Court are made

*Library of Congress Subject Headings* Library of Congress. Office for Subject Cataloging Policy, 1990      **Nonjudicial Activities of Supreme Court Justices and Other Federal Judges** United States. Congress. Senate. Committee on the Judiciary, 1970      **National Criminal Justice Thesaurus** , 1998      *How Judges Think* Richard A. Posner, 2010-05-01 A distinguished and experienced appellate court judge Richard A Posner offers in this new book a unique and to orthodox legal thinkers a startling perspective on how judges and justices decide cases When conventional legal materials enable judges to ascertain the true facts of a case and apply clear pre existing legal rules to them Posner argues they do so straightforwardly that is the domain of legalist reasoning However in non routine cases the conventional materials run out and judges are on their own navigating uncharted seas with equipment consisting of experience emotions and often unconscious beliefs In doing so they take on a legislative role though one that is confined by internal and external constraints such as professional

ethics opinions of respected colleagues and limitations imposed by other branches of government on freewheeling judicial discretion Occasional legislators judges are motivated by political considerations in a broad and sometimes a narrow sense of that term In that open area most American judges are legal pragmatists Legal pragmatism is forward looking and policy based It focuses on the consequences of a decision in both the short and the long term rather than on its antecedent logic Legal pragmatism so understood is really just a form of ordinary practical reasoning rather than some special kind of legal reasoning Supreme Court justices are uniquely free from the constraints on ordinary judges and uniquely tempted to engage in legislative forms of adjudication More than any other court the Supreme Court is best understood as a political court

Library of Congress Subject Headings Library of Congress, Library of Congress. Subject Cataloging Division, Library of Congress. Office for Subject Cataloging Policy, 2013 *The Great Chief Justice* Charles F. Hobson, 1996 John Marshall remains one of the towering figures in the landscape of American law From the Revolution to the age of Jackson he played a critical role in defining the province of the judiciary and the constitutional limits of legislative action In this masterly study Charles Hobson clarifies the coherence and thrust of Marshall's jurisprudence while keeping in sight the man as well as the jurist Hobson argues that contrary to his critics Marshall was no ideologue intent upon appropriating the lawmaking powers of Congress Rather he was deeply committed to a principled jurisprudence that was based on a steadfast devotion to a science of law richly steeped in the common law tradition As Hobson shows such jurisprudence governed every aspect of Marshall's legal philosophy and court opinions including his understanding of judicial review The chief justice Hobson contends did not invent judicial review as many have claimed but consolidated its practice by adapting common law methods to the needs of a new nation In practice his use of judicial review was restrained employed almost exclusively against acts of the state legislatures Ultimately he wielded judicial review to prevent the states from undermining the power of a national government still struggling to establish sovereignty at home and respect abroad BOOK JACKET Title Summary field provided by Blackwell North America Inc All Rights Reserved F-O Library of Congress. Office for Subject Cataloging Policy, 1990

An Almanac of Contemporary Judicial Restatements (Administration of Justice and Evidence) vol. 1a Oshisanya, 'lai Oshitokunbo, 2020-01-02 1 Justice Administration of 2 Evidence Criminal *Constitutional Law of India I* Mr. Rohit Manglik, 2024-03-07 EduGorilla Publication is a trusted name in the education sector committed to empowering learners with high quality study materials and resources Specializing in competitive exams and academic support EduGorilla provides comprehensive and well structured content tailored to meet the needs of students across various streams and levels

Library of Congress Subject Headings Library of Congress. Cataloging Policy and Support Office, 2003 **The Constitutional Review** Henry Campbell Black, Herbert Francis Wright, 1927 Includes section Book reviews **Judicial Reform in Latin America and the Caribbean** Malcom Rowat, 1995-01-01 Proceedings of a World Bank conference T p **The Development of Human Rights Law by the Judges of the International Court of Justice** Shiv R.S.

Bedi, 2007-01-18 The jurisprudence of the International Court of Justice generally demonstrates that no rule of international law can be interpreted and applied without regard to its innate values and the basic principles of human rights. Through its case law, the ICJ has made immense contributions to the development of human rights law and in so doing continues to provide solutions to mounting international problems such as terrorism and unilateral use of force. Part I of the book argues that the legislative spirit of contemporary international law lies in the doctrine of human rights and that the spirit of human rights doctrine lies in the principle of human dignity. Furthermore, it argues that the processes of international legislation and international adjudication are inseparable and that there is no norm of international law which does not intertwine the fundamental principle of human dignity with human rights doctrine. Hence, human rights law is more a school of law than merely a normative branch of international law, and the ICJ's willingness to engage in the development of human rights law depends upon which judicial ideology its judges subscribe to. In order to evaluate how this human rights spirit is manifested or occasionally not manifested through the vast jurisprudence of the ICJ, Parts II and III critically examine the Court's principal contentious and advisory cases in which it has treated human rights questions. The legal reasoning of the Court and the opinions appended to its decisions by its individual judges are analysed in light of the principle of human dignity and the doctrine of human rights.

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