

Institutions that define the policymaking role of courts: A comparative analysis of the supreme courts of Scandinavia

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Scandinavian supreme courts have been described as deferential to the elected branches of government and reluctant to exercise their limited review powers. However, in recent years, these courts have increasingly decided cases impacting public policy making. Yet we lack comprehensive, comparative knowledge about the legal rules and judicial practices that govern the policymaking role of courts in Denmark, Norway, and Sweden. Addressing this gap, this article develops an analytical framework and systematically compares the evolving laws, rules, and practices that regulate the supreme courts' constitutional review powers and court administration, the appointment and tenure of judges, access to the supreme courts, and their decision-making procedures over the last fifty years. The comparison reveals notable institutional differences across these judiciaries and finds that judicial expansion in Scandinavia has coincided with institutional changes that enhance judicial autonomy. This suggests that consequential reforms of domestic origin may have played a larger part in this development than previously appreciated.

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[‡] Associate Professor, School of Global Studies, University of Gothenburg, Gothenburg, Sweden. Email: j.k.schaffer@gu.se. Earlier versions of this article were presented at the workshop *The Politics of Law and Courts* at the NOPSA Virtual Congress August 10–13, 2021, Reykjavik, Iceland, and at BCPR General Conference, Virtual Event, August 30–September 3, 2021, University of Innsbruck, Austria. We thank the participants for their helpful comments. We also thank our excellent research assistants in Denmark, Norway, and Sweden. The research results from the research projects *Judicial Politics in Scandinavia: Supreme Court Decision Making in Comparative Perspective* and *The Scandinavian Rights Revolution*, funded by the Swedish Research Council (grants no. 2019-03111 and 2017-02877).

The Hawaii Supreme Courts Role In Public Policymaking American Legal Institutions

**Sara R. Rinfret, Denise
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Administrative Statutory Interpretation Ruth Ann Watry, 2002 [The Federalist's Vision of Popular Sovereignty in the New American Republic](#) Kathleen O. Potter, 2002 In reconstructing the theory of The Federalist Papers Potter shows how its authors present the Constitution as a social compact that embraces a stronger version of popular sovereignty than that expressed in the consent theories of Hobbes or Locke The Federalist 1 recognizes complexity in the first stage of the compact that requires more from the people than mere consent 2 introduces a formal constitution and procedure for obtaining popular consent into the second stage 3 extends the compact beyond the founding moment by including a formal amendment procedure and provisions for wholly popular government and 4 addresses the responsibilities of the people and therefore the requirement for virtue **Politics and Public Policy in the Contemporary American West** Clive S. Thomas, 1991

Judging Law and Policy Robert M. Howard, Amy Steigerwalt, 2012-03-22 To what extent do courts make social and public policy and influence policy change This innovative text analyzes this question generally and in seven distinct policy areas that play out in both federal and state courts tax policy environmental policy reproductive rights sex equality affirmative action school finance and same sex marriage The authors address these issues through the twin lenses of how state and federal courts must and do interact with the other branches of government and whether judicial policy making is a form of activist judging Each chapter uncovers the policymaking aspects of judicial process by investigating the current state of the law the extent of court involvement in policy change the responses of other governmental entities and outside actors and the factors which influenced the degree of implementation and impact of the relevant court decisions Throughout the book Howard and Steigerwalt examine and analyze the literature on judicial policy making as well as evaluate existing

measures of judicial ideology judicial activism court and legal policy formation policy change and policy impact This unique text offers new insights and areas to research in this important field of American politics **Encyclopedia of American Religion and Politics** Paul A. Djupe, Laura R. Olson, 2014-07 Presents an encyclopedia of religion and politics in America including short biographies of important political and religious figures like Ralph Abernathy civil rights leader and Ralph Waldo Emerson writer and synopses of religious entities like the Branch Davidians and the Episcopal church as well as important court cases of relevancy like *Epperson et al v Arkansas* having to do with evolution *Public Policy* Sara R. Rinfret, Denise Scheberle, Michelle C. Pautz, 2018-06-21 *Public Policy A Concise Introduction* by Sara R Rinfret Denise Scheberle and Michelle C Pautz is a student friendly primer that quickly connects readers to the inner workings of public policy The text condenses early chapters on theory and the policy making process allowing students to take up key policy challenges such as immigration education and health care much earlier in the semester Structured chapter layouts of substantive policy areas allow instructors to supplement with their own examples seamlessly The book s emphasis on policy choices asks students to look beyond simple pros and cons to examine the multifaceted dimensions of decision making and the complexities inherent in real world problem solving Not every student starts out engaged in public policy so place your students both majors and non majors alike in the driver s seat by fostering their analytical skills early and spend the rest of the semester discussing policy issues examining data and debating current policy examples that matter most to them

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concepts in language that non specialists can understand The Oxford Handbook of Juvenile Crime and Juvenile Justice
 Barry C. Feld, Donna M. Bishop, 2012-01-12 State of the art critical reviews of recent scholarship on the causes of juvenile delinquency juvenile justice system responses and public policies to prevent and reduce youth crime are brought together in a single volume authored by leading scholars and researchers in neuropsychology developmental and social psychology sociology history criminology criminal justice and law **Water Justice and Groundwater Subsidies in India** Gayathri D. Naik, 2024-07-23 This book examines the impact of water related subsidies on social and distributive equity and environmental sustainability in groundwater access and regulation in India This book argues that adopting a water justice framework is essential to ensure equitable and sustainable access to and regulation of groundwater by balancing anthropogenic and ecological water needs The inherent inequity resulting from property rights controlled groundwater access gets widened by the social political and economic factors determining the subsidy beneficiaries Adopting a socio legal approach this book draws on two contrasting case studies in India Kerala a water secure state and Rajasthan an arid state Arguing for a shift to a new paradigm in water governance it critically examines the feasibility of the public trust doctrine and rights of nature discourse to analyse the best suitable regulatory framework that can balance the human right to water and ecological sustainability in groundwater resources It demonstrates the feasibility of adopting various environmental law principles that balance human rights to water and nature It argues that the hitherto highlighted public trust doctrine cannot address these inequities due to its anthropogenic bias and property rights link This book examines the applicability of the rights of nature discourse instead of these property rights based regulations to incorporate and mainstream the concerns of aquifer protection in water governance This book shall be of great interest to students scholars and practitioners of water law and policy environmental law water and social justice development studies and political ecology Resources in Education ,1992 **SNI National Criminal Justice Reference Service (U.S.)**,1979 **Essentials of Health Policy and Law** Sara E. Wilensky, Joel B. Teitelbaum, 2019-03-18 Awarded by Book Authority one of the best Public Health books of all time Essentials of Health Policy and Law Fourth Edition explores the essential policy and legal issues impacting and flowing out of the healthcare and public health systems and the way health policies and laws are formulated Concise and straightforward this textbook is an introduction to the seminal issues in U S health policy and law with a particular focus on national health reform under the Affordable Care Act ACA **Consumer Involvement in Private EU Competition Law Enforcement** Maria Ioannidou, 2015-09-03 Despite the growing importance of consumer welfare in EU competition law debates there remains a significant disconnect between rhetoric and reality as consumers and their interests still play only an ancillary role in this area of law Consumer Involvement in Private EU Competition Law Enforcement is the first monograph to exclusively address this highly topical and much debated subject providing a timely and wide ranging examination of the need for more active consumer participation in competition law Written by an expert in the field it sets out a comprehensive framework of

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The Hawaii Supreme Courts Role In Public Policymaking American Legal Institutions Book Review: Unveiling the Magic of Language

In an electronic digital era where connections and knowledge reign supreme, the enchanting power of language has are more apparent than ever. Its capability to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**The Hawaii Supreme Courts Role In Public Policymaking American Legal Institutions**," written by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound impact on our existence. Throughout this critique, we will delve into the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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