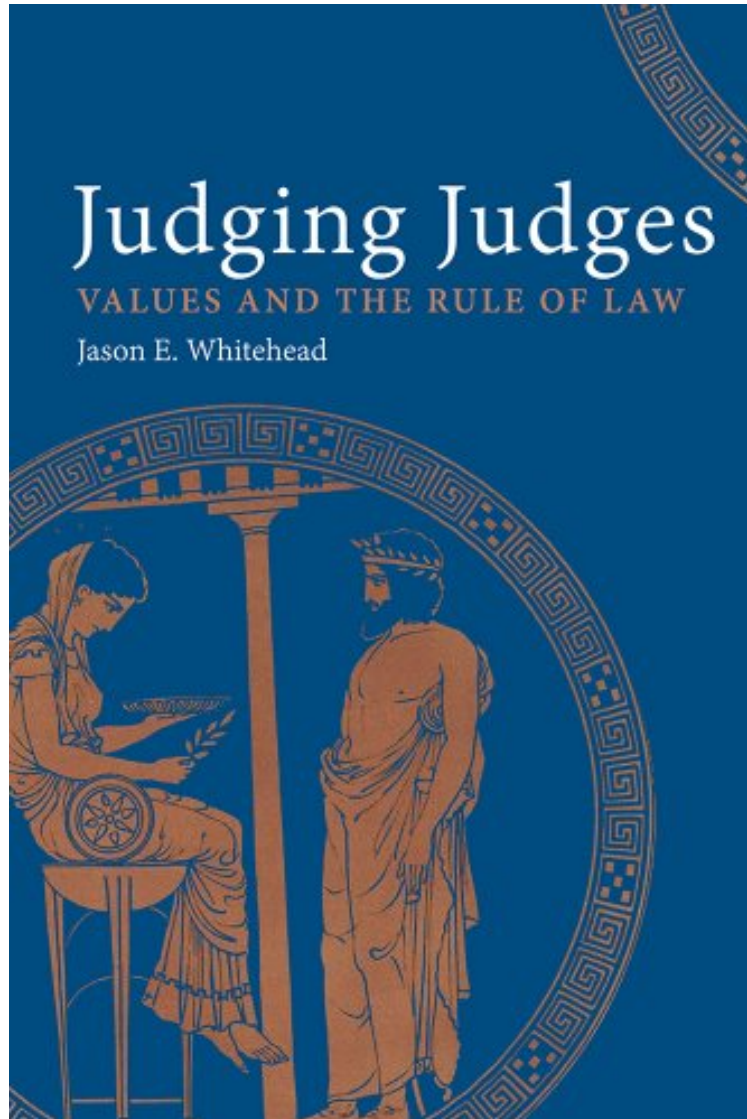


(Free pdf) Judging Judges: Values and the Rule of Law

## Judging Judges: Values and the Rule of Law

*Jason E. Whitehead*

*DOC | \*audiobook | ebooks | Download PDF | ePub*



[Download](#)

[Read Online](#)

#2572893 in Books 2014-11-19 Original language: English PDF # 1 9.25 x 6.25 x 1.001, .0 #File Name: 1602585253232 pages | File size: 33.Mb

**Jason E. Whitehead : Judging Judges: Values and the Rule of Law** before purchasing it in order to gage whether or not it would be worth my time, and all praised Judging Judges: Values and the Rule of Law:

2 of 2 people found the following review helpful. The author has nicely summarized his research and his many conversations with judges ...By PaulThis is a timely discussion of how judges and the community influence each other when it comes to rendering justice in the courtroom. The "rule of law" has become a meaningless cliché used by politicians of both parties to both promote judicial candidates and to denigrate them. The author has nicely summarized his research and his many conversations with judges to show how our judicial system cannot be simply

reduced to a sound bite. This is a nice read, and I look forward to the judicial nomination debates, including the looming Supreme Court nomination when Justice Ginsberg retires.

The "rule of law" stands at the heart of the American legal system. But the rule of law does not require judges slavishly to follow the letter of the law, unaffected by political or social influences. Because following the rule of law absolutely is impossible, it is dismissed by the public as a myth and judges are vilified. *Judging Judges* refocuses and elevates the debate over judges and the rule of law by showing that personal and professional values matter. Jason E. Whitehead demonstrates that the rule of law depends on a socially constructed attitude of legal obligation that spawns objective rules. Intensive interviews of judges reveal the value systems that uphold or undermine the attitude of legal obligation so central to the rule of law. This focus on the social practices undergirding these value systems demonstrates that the rule of law is ultimately a matter of social trust rather than textual constraints. Whitehead's unique combination of philosophical and empirical investigation is a major advance because it moves beyond the dichotomy of law or politics and shows that the rule of law is a shared social enterprise involving all of society—judges, politicians, scholars, and ordinary citizens alike. *Judging Judges'* attention to judicial values establishes judges' true worth in a liberal democracy.

"Whitehead uses extensive interviews with appellate judges to delineate the ways that judges think about their task of interpreting the law. In doing so, he provides us with new insights and valuable evidence about the role of legal considerations in judicial decision-making." Lawrence Baum, Professor Emeritus of Political Science, Ohio State University  
"Jason Whitehead offers a nuanced analysis of the constraints that are imposed by the judicial role and the relatively limited range of choices that are open to judges when they interpret the law. This book is a tour de force and a model of scholarship. It can be read profitably by judges, legal theorists, and political scientists, indeed by anyone who is intrigued by the complexity hidden in the seemingly simple question, 'What does it mean to apply rules?'" Malcolm M. Feeley, Claire Sanders Clements Dean Professor, Boalt Hall School of Law, University of California at Berkeley  
"Whitehead's *Judging Judges* brings together those testy siblings, law and politics, in an insightful treatment of the core issues in law. It is passionate and careful, learned and savvy, and often very clever. *Judging Judges* is an accessible treatment of legal thinking that puts real people in the jurisprudential equation along with judges and lawyers." John Brigham, Professor, Political Science, University of Massachusetts, Amherst  
"Highly interesting work" University of Nevada, Choice  
"This is a must read book for those interested in the normative dimensions of the rule of law as well as those who wish to move beyond the stale debates between 'attitudinalists' and 'legalists' in the study of judicial behavior." Cornell W. Clayton, Law Society  
"A well-honed exploration of a thorny and complex issue marked by rigor in analysis." Justice Gilles Renaud, Canadian Law Library  
"Whitehead seeks to better define how judges sustain the rule of law, and to counter the suspicion that the only distinction between good and bad judging is the preference for a particular outcome...His discussion of judicial values would be a good supplement in undergraduate courses on judicial process, constitutional law, or legal reasoning." Keith J. Bybee, Law and Politics Book About the Author  
Jason E. Whitehead is Associate Professor of Political Science and Director of the Legal Studies Program at California State University, Long Beach.