

LAW & COURTS NEWSLETTER

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Note from Section Chair

REBECCA REID, UNIVERSITY OF TEXAS AT EL PASO

In reflecting on what I wanted to express in this note, I struggled to identify anything I could offer that would be worth reading to the most intelligent and accomplished people I know. It is a tall order. In the end, unsurprisingly, I decided that I do not have anything impressive or insightful or useful to say. All I desire to express is gratitude and solidarity.

In that spirit, I want to thank Teena Wilhelm, Alyx Mark, Doug Rice, Jay Krehbiel, Francesca Parente, Ali Masood, Abby Matthews, and Alison Merrill. It is an honor and joy to work with incredible scholars who are also such amazing people. I would also like to thank Maureen Stobb as editor for this Law and Courts Newsletter, and thank Gbemende Johnson and Shane Gleason for their continued service to our Section, especially their work in the Committee on Recruitment, Retention, and Equality (CRRE). Thank you to Tom Clark for his significant service as editor for the *Journal of Law and Courts* and for the smooth transition as we welcome Lisa Hilbink and Tim Johnson as our new editors. Thank you to Michael Catalano and Hayley Munir as new editors for the *Law and Politics Book Review*, as well as our webmaster, listserv, and social media teams: Shane Gleason, Rachael Houston, Allison Trocheset, Matt Baker, Alison Merrill, and Adam Rutowski. My sincere gratitude to our nominating committee, especially answering such a call during the summer: Siv Cheruvu, Susan Achury, Logan Strother, Whitney Taylor, and Jessica Schroenherr. I also want to thank and welcome our APSA 2027 conference co-chairs: Kayla Canelo and Tommaso Pavone. I am continually impressed by the depth and expanse of the graciousness and generosity of our Section members.

Congratulations to all our award winners for their exciting research and impactful contributions in research, teaching, mentorship, and service! It is a privilege to work within such an excellent professional community, and thank you to all our award committee members and those submitting nominations. Our Section truly has incredible people who deserve recognition and who tirelessly work to support and recognize others.

I would also like to thank Richard Albert and others who have organized the Memory Wall for Ran Hirschl. We have lost a monumental scholar and a kind colleague and friend. In addition to his seminal scholarship in over 100 articles, book chapters, and books, Hirschl was also awarded the 2015 APSA C. Herman Pritchett Award for best book on law and courts for *Comparative Matters: The Renaissance of Comparative Constitutional Law* (Oxford University Press) and the 2021 APSA Law and Courts Section Lasting Contribution Award. Ran Hirschl remains a foundational figure in public law, judicial politics, and comparative constitutionalism. He continues to influence and inspire us as well as future generations of scholars and students. No simple tribute or paragraph can adequately summarize his achievements, describe his

kindness, or convey the profound impact he has had on our community. Hence, I encourage everyone to visit the Memory Wall to share in remembrances and see for yourself how impactful and meaningful one can be.

Our Section is the best because of our outstanding people. I am honored to participate in our community and excited to see how we meet the challenges of the future. Despite these “interesting” times, our Section is resilient through our shared commitments to insightful, rigorous, and innovative research; student-centered teaching and mentorship; mutual support and friendships; and shared responsibility tempered with empathy, compassion, and humor. I hope that each of you can engage in meaningful inquiry and teaching (with an abundance of resources!), accompanied with rest, restoration, curiosity, play, and joy. Similarly, I look forward to us all celebrating our achievements and connecting at APSA.

Note from Editor

MAUREEN STOBB, GEORGIA SOUTHERN UNIVERSITY

I am happy to present Volume 36, Issue 1 of *Law & Courts Newsletter*. This issue features an article from Jake Truscott and Michael Romano discussing their new and exciting measure of judicial ideology, harnessing the power of judicial language to answer questions that were once difficult to study at scale. They summarize the approach they introduced in a recent article in the *Journal of Law and Courts* and share the broader research agenda, which should be of interest to many in the law and courts community. I am also pleased to include James L. Gibson’s summary of his recent work on Dobbs, a monumental decision for our subfield, in which he examines its implications for institutional legitimacy.

The Better Get To Know feature includes Ryan Black’s interview with Susan Archury, Assistant Professor of Politics at Lycoming College, a scholar doing exciting work on judicial politics in the United States and Latin America, and comparative political institutions. The feature also includes an interview with Tom Clark, Professor of Political Science and Senior Fellow (by courtesy) at the Hoover Institution at Stanford University, whose impressive body of scholarship focuses on the political economy of two related areas, judicial politics and policing and public safety. The Books to Watch For section introduces books that examine pressing questions in the law and courts field of both domestic and global concern. I also have the pleasure of including announcements about awards and honors bestowed upon members of our section.

As always, I welcome any feedback. Please send me any suggestions, comments and questions at lcnapsa@gmail.com or mstobb@georgiasouthern.edu.

Text and Judicial Ideology

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Introduction

Generative AI and large language models has sparked enormous interest in new ways of studying text. Across the social sciences, researchers are increasingly using written language, audio recordings, images, and other forms of unstructured data to answer questions that were once difficult to study at scale. For scholars of law and courts, these developments are especially exciting because so much of what judges do is expressed through the written and spoken word. Judicial opinions, oral arguments, briefs, and other legal documents provide a rich record of how judges justify their decisions, and attempt to influence the legal community, political outcomes and the public at large. As new tools make it easier to analyze large collections of text, these methods also create new opportunities to study judicial behavior.

The possibilities elicited by these developments have led us to a simple question: if language is an expression of judicial philosophies, can we use what judges write to better understand the nuances of their ideologies? For decades, scholars have developed increasingly sophisticated ways to measure judicial ideology. Many of the most influential approaches rely on voting behaviors, partisan affiliations, campaign contributions, or other observable indicators that may signal or suggest a judge’s political preferences. These measures have proven enormously valuable and have helped shape much of what we know about judicial decision making. Yet, judges do more than vote, and relying solely on voting behaviors or other proxies brings about several concerns when applied to the nuances of public law. The tradition of justifying legal decisions through written opinions, meanwhile, provides researchers with a rich tableau upon which judges express their preferences, whether sincere or strategic — including legal arguments, interpretations of precedent, and choices about language that may reveal important information about how judges understand the law.

Although automated text analysis has seen wider adoption in other subfields, we became interested in the feasibility of translating a methodology born from scaling legislative actors to a legal setting (Lauderdale and Herzog 2016).¹ In a recent article published in the *Journal of Law and Courts*, we explored

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¹More generally, “Text-based Analysis” (e.g., Hausladen et al. 2020; Clark and Lauderdale 2010; Cope 2024) occupies a much smaller share of the existing landscape of methodologies aimed at measuring judicial ideology.

whether judicial opinions can be used to estimate ideology directly from judicial language. Using opinions written by members of the U.S. Supreme Court during the Roberts Court era, we adapted a text-scaling method originally designed for legislative speeches and applied it to judicial opinions. The results were encouraging. Our text-based estimates closely mirrored a gold-standard measure of judicial ideology, suggesting that language in written opinions contains meaningful information to discriminate the ideological preferences of jurists.

Here, we would like to discuss why judicial text may provide a useful lens for studying judicial ideology, summarizing the approach we took to calculate such measures in our recent article in the *Journal of Law and Courts* (Truscott and Romano 2025), and introducing the broader goals of the American Legal Lexicon project. Our hope is that this initial application serves as a foundation for a broader research agenda for scaling actors among American legal institutions.

Why Text?

Political scientists have traditionally measured judicial ideology by examining how judges vote. This makes intuitive sense. Votes are observable, easy to code, and available across a wide range of courts and time periods. Many of the field’s most influential measures are built on the assumption that patterns in judicial voting can reveal underlying ideological preferences. However, with the exception of methodologies like Martin and Quinn (2002), which directly assess judicial ideology given variance in the Justices’ voting behaviors, others that have found prominence in contemporary literature are often reliant on a variety of proxies. These important contributions, including CF scores (Bonica and Woodruff 2015; Bonica and Sen 2017) and PAJID (Brace et al. 2000; Hughes et al. 2023),² rely on observable behaviors like campaign contributions and declared partisanship to scale judicial actors. These approaches have produced valuable insights, but they also have limitations. A vote tells us what decision a judge reached, but it tells us relatively little about how the judge arrived at that decision.³ These concerns become increasingly apparent when studies move beyond (or below) the United States Supreme Court, where measuring judicial behavior becomes increasingly difficult — both as it relates to collecting and standardizing data, as well as conducting analyses given the

²Campaign Finance (CF) common-space scores from the Database on Ideology, Money in Politics, and Elections (DIME) and Party-Adjusted Judge Ideology (PAJID).

³For instance, conflating party alignments with Segal and Spaeth’s (2002) canonical paradigm for the attitudinal model — “Rehnquist votes the way he does because he is extremely conservative; Marshall voted the way he did because he was extremely liberal” (p. 86) — risks supplementing judicial with partisan preferences. While perhaps highly correlated among contemporary federal judges, the same cannot be as reasonably assumed for previous generations of jurists, nor is there firm evidence that it extends to those serving in state courts.

same attitudinal assumptions underpinning those methodologies focusing on the Justices. Judges often face legal constraints, strategic considerations, institutional pressures, and competing interpretations of precedent. Votes capture the outcome of these considerations, but do not explain how judges have internalized them in order to maintain their own preferences within the law.⁴

We believe that it is important for us to take these criticisms seriously, especially as it relates to authentically representing and measuring judicial behavior. Judicial opinions, in contrast to voting behavior, provide a window into the reasoning behind a decision and therefore incorporates greater nuance into our understanding of ideology. Opinions have long been considered the window through which we observe judicial philosophy. It is here that a judge interprets statutes, applies precedent, and defines the legal principles necessary to justify the outcome in a case. In other words, opinions tell us not only what judges decided, but also why they decided it. This distinction matters because law is fundamentally a language-based institution. Courts operate through written arguments, written decisions, and written interpretations of legal authority. If we are interested in understanding how judges think about the law, it makes sense to pay attention to the language they use when explaining their decisions. This approach also helps mitigate the limitations of voting-based models, which often assume that judicial votes are purely ideological choices between binary outcomes. In reality, votes can be influenced by strategic considerations, external pressures, and legal constraints which may become more obvious within the written opinion. By focusing on judicial language, our modeling strategy provides a more direct measure of a judge's ideological beliefs, as it captures the reasoning behind the decision, not just the outcome.⁵

Text-based approaches also allow us to study forms of variation that voting data may overlook. Two judges may cast the same vote in a case while relying on very different reasoning. In particular, language preserves complexity and variation that votes necessarily erase, reflecting doctrinal framing, gradients of (dis)agreement, and the salience of (perhaps competing) jurisprudence. As we note in Truscott and Romano (2025), “the choices made by judges regard-

⁴For instance, although the Judicial Common Space (Epstein et al. 2007) is especially useful for representing jurists and elected actors in the same space, it nevertheless represents judicial ideology as the result of known quantities notwithstanding the jurists themselves. The same can be said for PAJID (Brace et al. 2000; Hughes et al. 2023), which uses electoral and appointment conditions as a supplement to observable behaviors from the jurists.

⁵Moreover, while judicial behavior is often represented using both the individual and collective voting behaviors of jurists, we are reasonably skeptical of the inferential value afforded by dichotomous votes alone. Binary outcomes are often forced to represent complicated legal reasoning as a dimensionally reduced indicator, perhaps obscuring meaningful variation of legal intent and doctrinal framing. In essence, vote-based representations necessarily understate the richness of judicial behavior and risk conflating ideology with case-specific constraints and institutional dynamics. This is not to say that some of these approaches have not been rewarded with strong validity due to an impressive specification and design (e.g., Martin and Quinn 2002), but rather that the scope and richness of American jurisprudence and judicial behavior is well suited for methodologies leveraging text as data.

ing how they express decisions through written opinions is thus an expression of preferences. . . [and t]he ramifications of these choices are consequential for the interpretation of the law. . .” (p. 1) If our goal is to represent judicial behavior given a strategy capable of caricaturing substantively rich dimensions, text-as-data approaches provide an empirically informative path forward. By examining judicial language rather than votes, researchers can capture these differences and explore how judges frame legal questions in distinct ways. For these reasons, we view judicial opinions as more than simply explanations attached to judicial decisions. They are themselves expressions of judicial preferences with far greater insight into the micro-foundation of judicial ideology. The words judges choose, the authorities they emphasize, and the arguments they develop all reflect important aspects of how they understand and apply the law. Rather than replacing existing approaches, text-based methods complement traditional measures by providing a closer look at the reasoning that underlies judicial decision making.

Looking at judicial ideology in this way, we argue, solves several key problems noted above and unlocks new possibilities for scholars in judicial politics. First, in direct response to legal criticisms, a methodology rooted in judicial opinions most obviously “brings the law back in” by relying on language and articulations on the law as the primary indicator of ideology, rather than coalition voting alignments or proxies. The study of ideology is the study of meaning, and meaning cannot be disassociated from the language we use to explain ourselves (Thompson 1987). For jurists, who are expected to justify their decisions as an assurance that the law is applied both patently and uniformly (Romano and Curry 2019), the written opinion is the quintessential expression of ideology. Lexical variance in majority opinions both defines the breadth and scope of the law and serves as flash-points to instigate differences to be exploited and extrapolated in separate concurrences and dissents. Indeed, one would be hard pressed to argue that jurists — and especially Justices of the Supreme Court (whom Scalia once described as simply very good lawyers), fail to appreciate that words matter to the law, or more precisely, that word choice matters. We contend that the choices made by judges regarding how they express their decisions is therefore an expression of preference and thus the same variety useful for capturing ideology. We therefore do not remove the law from our considerations of ideology, but engage with the idea that the law itself has an ideological component, which determines how it is applied.

Application: Measuring Judicial Ideology Through Text (2025)

A reasonable question for readers may be why we are revisiting research that was recently published in the *Journal of Law and Courts*. Our purpose here is somewhat different from the goals of that article. The JLC article was primar-

ily concerned with developing and validating our new approach for measuring judicial ideology using opinion text. Here, our goal is to introduce the broader Law and Courts community to the resulting data, explain the intuition behind the method in accessible terms, and highlight opportunities for scholars who may be interested in using similar approaches in their own research. We would like to encourage interested readers to refer back to our JLC article for more information about our measurement strategy.

More broadly, we view the original article as the starting point for a larger research agenda. The estimates generated in that project are not simply evidence that text-based measures are possible. They also represent a new source of data that can be incorporated into future studies of judicial behavior, legal institutions, and the development of American law. For that reason, we believe it is useful to briefly revisit the original application, discuss how the methodology was adapted to judicial institutions, and highlight what we learned from the resulting estimates.

From Legislative Speeches to Judicial Opinions

Our approach adapts Wordshoal, used previously by Lauderdale and Herzog (2016) to estimate the ideological positions of legislators using speeches delivered during legislative debates, to judicial language. The intuition behind the method is straightforward. Individuals who consistently use similar language tend to occupy similar positions in an underlying ideological space. Conversely, individuals whose language differs in systematic ways tend to occupy different positions. In legislative settings, the model uses speeches in floor debates as evidence of a legislator's position. We asked whether the same basic idea could be applied to judges by using judicial opinions instead of legislative speeches.

At first glance, courts seem like a natural setting for such an approach. Judges communicate through written opinions, and those opinions contain detailed explanations of how they understand and apply the law. If language reflects underlying preferences, then judicial opinions should contain information about judicial ideology. Yet courts also differ from legislatures in important ways. Legislators generally speak as individuals, and speak to a more general audience. Judges, on the other hand, often act as members of coalitions and to a far more specialized legal audience. A majority opinion, for example, may be written by one justice but joined by several others, and primarily read by other judges, lawyers, and legal actors. Simply attributing every opinion exclusively to its author would ignore an important feature of judicial decision making.

To account for this, we modified the original Wordshoal framework to incorporate coalition behavior. In our approach, joining an opinion serves as evidence that a justice supports both the outcome and much of the reasoning contained within that opinion. Separate concurring and dissenting opinions provide additional information about where agreement ends and disagreement

begins. Rather than treating opinions as isolated documents, the amended model uses these patterns of authorship and coalition formation to estimate the relative ideological positions of the justices. The result is a framework designed specifically for appellate courts, where collective decision making is often just as informative as individual authorship.

Why the Estimates Matter

Although the methodological contribution was the central focus of the original JLC article, the resulting estimates are equally important. For scholars interested in judicial behavior, ideology is often a key explanatory variable. Researchers regularly rely on measures such as Martin-Quinn scores, Judicial Common Space scores, campaign finance measures, or state-level ideology indicators. Our objective is not to replace these measures, but to provide an additional tool that relies directly on judicial language. As we have been emphasizing, because the estimates are derived from judicial opinions themselves, they offer researchers an opportunity to study ideology through the reasoning judges employ rather than through votes, appointments, or partisan affiliations alone.

Whenever a new measure of judicial ideology is introduced, an obvious question follows: does it recover patterns that resemble existing measures? To answer that question, we compared our text-based estimates to Martin-Quinn scores, which remain one of the most widely used measures of Supreme Court ideology. The purpose of this comparison was not to demonstrate that the two approaches are identical. Indeed, they rely on very different sources of information. Martin-Quinn scores are derived from voting behavior, while our estimates are derived from judicial language and coalition behavior. Instead, the comparison serves as a validation exercise. If judicial opinions contain meaningful information about ideology, we would expect judges who appear more conservative or liberal in their voting behavior to occupy similar positions when measured through their written opinions.

That is largely what we find. Irrespective of a static (Figure 1) or dynamic (Figure 2) specification, the comparison between our estimates and a reference from Martin-Quinn reveal strong correlations in excess of 90 percent. Although the exact values differ somewhat from those reported in the original JLC article due to refinements in estimation and presentation, the substantive conclusion remains unchanged: judicial language captures much of the same ideological structure identified through voting-based approaches.

This finding is important for two reasons. First, it provides evidence that text-based approaches can produce valid measures of judicial ideology. Second, it suggests that judicial opinions contain systematic information about ideological differences among judges that can be recovered using modern text-analysis methods. For scholars interested in incorporating these measures into future research, this correspondence with an established benchmark provides

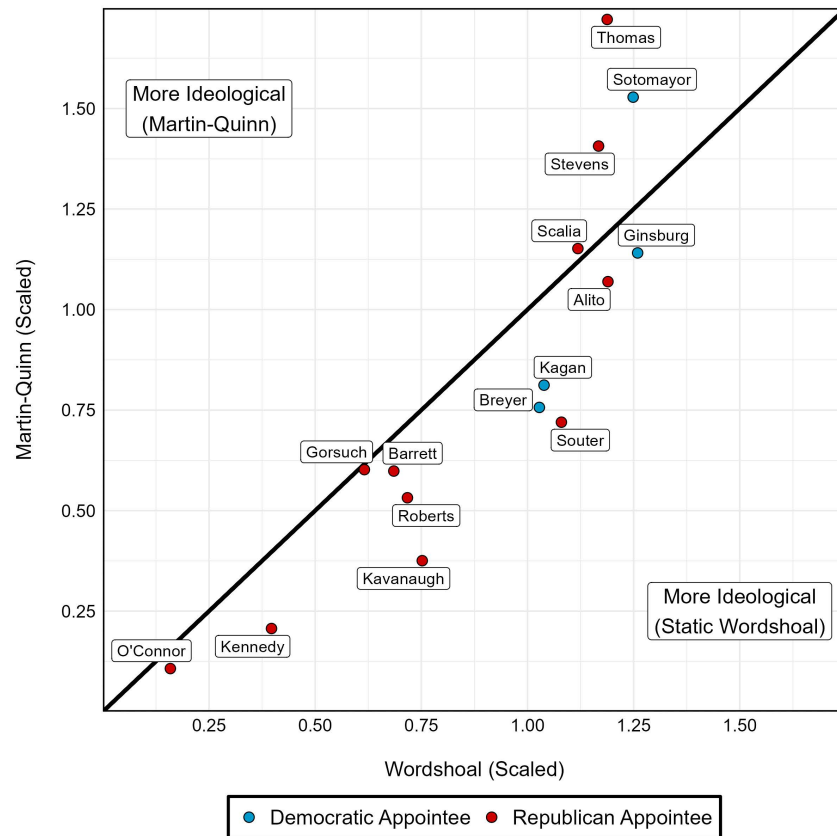


Figure 1. Comparison of Static Wordshoal versus Martin-Quinn

Note: Both axes represent the absolute values of each Justice's estimated ideal point using Martin-Quinn and Static Wordshoal, where both scales are standardized using z-score normalization. Values for Martin-Quinn (Static Wordshoal) measured using the average of `post_mn` (θ) across the observation period. Points nearest to the diagonal segment indicate greater correlation between the relative placement of Justice_{*i*} across both methodologies. Alternatively, values above (below) the diagonal indicate greater relative ideological placement in Martin-Quinn (Static Wordshoal). Correlation = 92.6%.

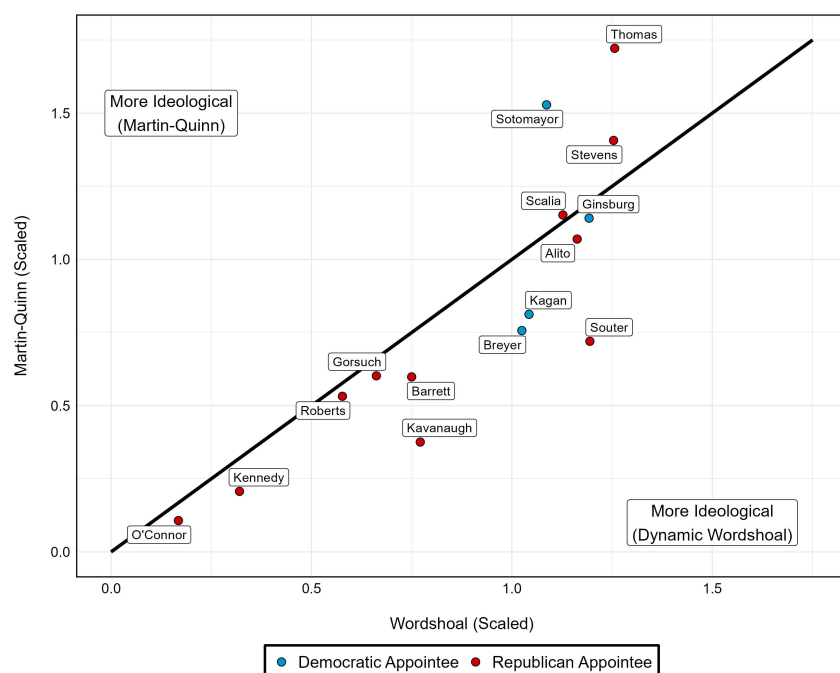


Figure 2. Comparison of Dynamic Wordshoal versus Martin-Quinn

Note: Both axes represent the absolute values of each Justice's estimated ideal point using Martin-Quinn and Dynamic Wordshoal, where both scales are standardized using z-score normalization. Values for Martin-Quinn (Dynamic Wordshoal) measured using the average of `post_mn` (θ) across the observation period. Points nearest to the diagonal segment indicate greater correlation between the relative placement of Justice_{*i*} across both methodologies. Alternatively, values above (below) the diagonal indicate greater relative ideological placement in Martin-Quinn (Dynamic Wordshoal). Correlation = 96.4%.

confidence that the estimates capture meaningful variation rather than simply idiosyncrasies of language.

More broadly, we view these results as evidence that text can serve as a practical observational tool for studying judicial behavior. The promise of this approach is not merely that it reproduces existing measures, but that it opens the door to studying courts and judges for whom comparable measures may not yet exist. One of the primary motivations behind the broader research effort we will discuss in more detail below is to extend these approaches to state supreme courts and other judicial institutions where traditional measures are often unavailable or difficult to construct. In that sense, the contribution is not only a new set of Supreme Court scores, but also a framework that other scholars may adapt to new courts, new jurisdictions, and new research questions.

Looking Forward: The American Legal Lexicon

While our initial work focuses on measuring judicial ideology through Supreme Court opinions, we view that project as only the first step in a broader effort we call the American Legal Lexicon (ALL). At its core, the American Legal Lexicon seeks to create a large-scale, accessible collection of judicial texts and related data that can be used to study how legal language develops across courts, jurisdictions, and time. Advances in natural language processing, machine learning, and computing power have created new opportunities for scholars to analyze legal texts at a scale that would have been difficult to imagine even a decade ago (see Rice and Zorn 2023). Our goal is to help make those opportunities available to the broader Law and Courts community.

Just as importantly, we hope to lower the barriers to entry for scholars interested in incorporating text-based methods into their research. Many promising research questions remain difficult to pursue because collecting, organizing, and standardizing legal texts often requires substantial time and resources. By building shared datasets and developing reusable workflows, we hope to make it easier for scholars and students to engage with these approaches.

New Opportunities for Law and Courts Research

The ability to analyze large collections of judicial opinions opens the door to a wide range of research questions. One possibility is studying how legal reasoning changes over time. Scholars have long been interested in the development of doctrine, but large-scale text collections make it possible to systematically examine how courts frame legal issues across decades and ju-

risdictions. Researchers can explore when legal concepts emerge, how they spread across courts, and whether particular lines of reasoning become more or less influential over time. More broadly, the American Legal Lexicon is intended to support research that treats judicial opinions not simply as legal outcomes, but as rich sources of information about how judges think, reason, and communicate.

Another opportunity involves studying judicial coalitions and opinion writing. Majority opinions, concurrences, and dissents do more than announce outcomes—they also reveal how judges negotiate legal principles and articulate disagreements. Text-based approaches allow scholars to examine these relationships in ways that traditional voting measures cannot.

We are also interested in what might be called the “judicial voice.” Do judges write in distinctive and identifiable ways? Are those writing patterns stable across time and issue areas? Could they help us better understand opinion authorship, collaboration among judges, or the institutional norms that shape legal writing? These questions have become increasingly relevant as courts make greater use of unsigned opinions and as concerns about the security of judges continue to grow.

Building a Shared Caselaw Resource

One of the most important outcomes of this project is the development of a large-scale database of state and federal judicial opinions. Recent efforts by Sapiro-Gheiler and Kastellec (2026) to construct such a dataset for the federal appellate courts serve as a proof of concept, demonstrating the feasibility and value of building robust and continuously updated databases. Although Supreme Court data are relatively accessible, researchers studying state supreme courts and lower federal courts often face a very different reality. Opinions are scattered across platforms, stored in different formats, and accompanied by varying levels of metadata. As a result, scholars frequently spend significant amounts of time collecting and organizing data before they can begin answering substantive research questions. Our goal is to bring these materials together into a single, standardized resource. In addition to opinion texts, the database will include information about cases, courts, judges, and opinion types, creating a foundation for future research across the American legal system.

We hope this resource will be valuable not only for scholars interested in text analysis, but also for researchers studying judicial behavior more generally. A centralized dataset can reduce duplication of effort, improve replicability, and make it easier for researchers to build upon each other’s work. Perhaps most importantly, it can help broaden participation in empirical legal research by making high-quality data available to scholars and students who may not have the resources to construct large datasets on their own.

Projected Roadmap

While we are excited by the possibilities of these data, we also recognize that the project remains a work in progress. Our immediate priority is expanding the framework beyond the United States Supreme Court to include state courts of last resort and additional federal courts. Doing so will allow researchers to examine judicial ideology and legal reasoning in settings where comparable measures are often unavailable.

At the same time, we see several broader challenges — and opportunities — that are relevant to anyone interested in studying courts with text-based methods. One challenge involves validation. As researchers move beyond highly visible institutions like the Supreme Court, it becomes increasingly important to consider how text-based measures should be evaluated and compared to existing indicators of judicial behavior. Different courts operate under different institutional conditions, and scholars should think carefully about how ideology manifests across those contexts. Another challenge concerns comparability across courts. Measures that work well within a single court may not automatically translate across jurisdictions. Developing methods that allow scholars to compare judges operating in different courts, states, or legal environments remains an important task for the field. Finally, the growing availability of legal texts creates opportunities to move beyond ideology alone. Scholars may use these data to study doctrinal development, judicial communication, coalition formation, agenda setting, citation behavior, legal diffusion, and many other aspects of judicial politics.

Our own future work will focus on improving the measurement framework, expanding the available data, and developing methods that allow researchers to compare judges across a broader range of legal institutions. We hope, however, that the most important contribution of the American Legal Lexicon will not be any single measure or model. Instead, we hope it provides a foundation that enables scholars throughout the Law and Courts community to pursue new questions about how law is written, interpreted, and contested across the American legal system.

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Recent Research on the Consequences of the Dobbs Ruling for American Politics

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Conventional wisdom among most political scientists (although contested by some) is that little of what the U.S. Supreme Court does affects its institutional legitimacy (sociological legitimacy) very much. This is because legitimacy is obdurate; as a “reservoir of goodwill,” the whole point of legitimacy is that people suspend utilitarian calculations (quid-pro-quo) when evaluating institutions. Support does not depend on satisfaction with the institution’s current performance. Legitimacy is loyalty; loyalty usually does not respond to day-to-day events.

But loyalty does sometimes respond to events; there can indeed be a “straw that breaks the camel’s back.” In the case of the U.S. Supreme Court, that straw appears to be the ruling in *Dobbs v. Jackson Women’s Health Organization* (2022) abrogating the nationwide right to abortions.

Let me set the stage. Just prior to the *Dobbs* ruling, the Court moved significantly to the right in its decision. As documented by Jessee, Malhotra, and Sen (2022), this was a change from relatively balanced liberal/conservative decisions (believe it or not; the evidence is clear) to predominantly conservative decisions. Before this change, constituents of all political stripes were getting some degree of satisfaction from the Court’s rulings. After the change, those on the left became consistent losers; and those on the right more consistent winners.

But *Dobbs* upset people of all types of ideological commitments. It turns out that support for abortion rights, while connected to some degree to ideology and partisanship, is not strongly determined by one’s ideological or partisan identifications. *Dobbs* created a lot of losers.

Given that the Court’s performance evaluations with its constituents was particularly precarious at the time of the ruling (among liberals, moderates, and conservatives), the *Dobbs* decision pushed many people over the “cliff,” causing them to withdraw their allegiance to the Court.

This was the largest change in institutional support that has ever been documented by social scientists.

That being so, I don’t want to exaggerate the change. The Court still enjoyed a bedrock of support after the *Dobbs* ruling; it is just that in comparison to the puny changes social scientists have documented from other events (e.g., the Barrett nomination/confirmation had zero impact on Court support: Gibson 2024a), the change was a seismic shift.

Many Court events have a very limited “half-life;” their effects are short-lived. *Dobbs* was different. As documented by Gibson (2025a, 2025b), the diminished support for the Court lingered, and seems to continue to linger.

The Court may have realized the damage done by its *Dobbs* decision because it quickly became less consistently conservative in its decisions in the very next term. To at least some degree, everyone now seems to be getting something they approve of from the current Court. But the effects of *Dobbs* is lasting (at least at the moment).

But there's more to the story. Black folks are different. Before *Dobbs*, African American support for the Court was significantly lower than White support, perhaps in part owing to the 2020 presidential election imbroglio (Gibson 2024a). Now, however, the allegiance of Black people to the Court as an institution is dramatically lower than the allegiance of White people. For instance, as Gibson (2026a) reports, 62% of the Black respondents in his 2024 survey failed to endorse a single one of the three legitimacy-affirming items presented to them, while only 39% of the White respondents endorsed none of these items. This is a difference very well beyond statistical significance; it is a finding of profound significance for American politics.

The current level of Black support seems to reflect to a limited degree disapproval of the *Dobbs* decision. To a greater degree, it reflects the withdrawal of support among Black people for basic democratic values (such as support for the rule of law). This weakening of support seems, in turn, to be associated with the belief that Black people are not treated fairly by the legal system. Combined with personal experiences with legal authorities, their vicarious group beliefs have led some to question such values as the rule of law. Since the main source of institutional support is the association with commitment to democratic values, the knock-on effect of poor treatment is a growing alienation from the Supreme Court among Black folks.

To go one step further, it is possible that "The Talk" many Black youths receive about dealing with the police and other legal authorities (Gibson 2026b) contributes to wariness about courts in general and the U.S. Supreme Court in particular. For many young Black folks, the American legal system begins with two strikes against it.

Dobbs was a decision affecting rights found in (or not found in) the U.S. Constitution. The immediate effect of the decision was to push the abortion rights fights down to the individual states.

In an unprecedented survey of public attitudes toward each of the state supreme courts (based on about 28,000 interviews), Gibson and Nelson (2025) found that institutional support for one's state supreme court is not as volatile as support for the U.S. Supreme Court. This finding is a function of the relatively low salience of state institutions, the generally high regard people hold for their state high court, and variability of the salience of the abortion issue in the state. Moreover, most state's policy on abortion rights seems to align with public opinion. As Gibson and Nelson (2021) have noted, these state high courts are rarely very independent; instead, given strong institutions of accountability, they are often part of the "governing coalition" in the state.

Perhaps to the surprise of no scholars, the way the abortion rights fights play out seem to be idiosyncratic to each of the American states. The old saw

that the American legal system is comprised of 51 individual legal subsystems gets reinforced by these findings.

Finally, many theoretical and empirical issues exist concerning how people update their views of institutions (Gibson 2025b). The first issue is that awareness of legal events is far less common than many suppose (and many research designs wrongly assume or create 100% awareness). Second, the effects of events may not be immediately realized, in part owing to what's referred to as a "two-step flow" of information and opinion formation. Many people do not learn directly from the Court (of course) but many also do not learn from the mass media. Instead, information may flow through intermediary institutions (such as churches) and may take some time to do so.

Third, events are far from "self-evident." Many scholars understood the Barrett nomination in the context of the Garland non-nomination. But many of the American people did not (Gibson 2024a). Even when events are widely perceived, they are interpreted and evaluated differently by different people and groups (Peffley and Hurwitz (2010) point to "separate realities"). Finally, public opinion always changes slowly and the ability to pinpoint the specific, individual cause of changes is typically limited in scholarly research. Always, events occur in bundles.

Obviously, the *Dobbs* decision is not the most important component of the disarray in contemporary American politics. But to the extent that the U.S. Supreme Court loses the allegiance of the American people, the rough politics of our time can only become that much rougher.

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Better Get to Know: Susan Archury

Interview by: Ryan Black, Michigan State

Susan Archury ([Website](#)) is Assistant Professor of Political Science at Lycoming College. She earned her PhD in Politics from University of Houston in 2019.

Tell me a little about your background and how you got to where you are today.

I was born in Neiva, a city in southeastern Colombia, in the valley of the Magdalena River. But my best childhood memories come from my time at the Cordillera, visiting my grandparents' cacao finca. What I did not expect at the time was that the questions defining my work would grow out of those early experiences, the contrast between rural and urban life, and the question of why the law seems to work for some people but not for others.

Later, I moved to Bogotá and, inspired by Colombia's 1991 Constitution, which held a strong promise of social transformation, I studied law at the Universidad Nacional de Colombia. Early in my career in private practice and at the Ministry of Education, I saw the gap between that promise and real-life experiences, especially in how access to justice is often influenced by rights consciousness and the quality of legal representation. That question eventually led me to pursue graduate studies in political science. During my PhD studies, I discovered comparative judicial politics, the place where my interests came together.

Since then, I have been especially interested in when courts can function as meaningful forums for justice and how law can help create more equal spaces for political participation. I am currently an assistant professor of political science and Director of the interdisciplinary legal studies program at Lycoming College.

If you weren't a political scientist, what would you be instead?

I would have kept building a career as a lawyer. Inspired by constitutionalist professors like Rodrigo Uprimny, Mauricio Garcia Villegas, and Oscar Mejia, I would have found my way to strategic litigation on constitutional rights. I think of my academic work as an extension of the same instinct that drew me to law in the first place: asking questions about equality and representation and challenging the idea that the law is out of reach for ordinary people.

What are you working on now?

I'm working on a book, with Scott Hofer and Jason Casellas, on how racial representation and racial consciousness shape perceptions of court legitimacy in the United States, as a multiracial democracy.

I'm also launching this fall *Mapping the Criminalization of Femicide in Latin America*, a website with interactive tools based on legislative and case law data gathered with students. It tracks different forms of civil society

intervention in the socio-legal process of criminalization of feminicide, with a focus on access to constitutional justice.

Best book on your office shelves people may be surprised by?

I would probably choose *Residencia en la tierra* by Pablo Neruda. Through the poet's sensibility, this book captures vulnerability, how to live through uncertainty, and the struggle for dignity in Latin America. Poems like "No hay olvido" and "Alturas de Macchu Picchu" stay with me because they evoke a world marked by resistance and grief while connecting the personal experience of living to larger histories of injustice and endurance. They also insist on something deeper: the need to understand who we are, not only as individuals, but as societies.

What's some good work other than your own that you've read recently and would recommend?

I recently reviewed two great books: *Selective Security in the War on Drugs: The Coloniality of State Power in Colombia and Mexico* and *Robed Representatives: How Black Judges Advocate in American Courts*. I'd also recommend *Authoritarian Consolidation in Times of Crisis* by Polga-Hecimovich and Sánchez Urribarri, *The Efficacy of Judicial Review* by Amanda Driscoll, Jay N. Krehbiel, and Michael J. Nelson, and *El uso del derecho como herramienta de transformación en América Latina*, edited by Gabriel Pereira and Catalina Smulovitz. I'd add Whitney K. Taylor's "The Unintended Consequences of Increased Access to Justice" (*Law & Society Review*) and Rachel Sieder and Ana Braconnier De León's "When 'Impunity Ceilings' Trump 'Glass Ceilings'." What I like about this body of work is that, in different ways, it takes both representation and access to justice seriously.

What's your workspace setup like?

I can work almost anywhere as long as I have my laptop and coffee. That said, my most productive time is early in the morning when I'm working from home. That's when I do my best thinking and writing. Once I'm on campus, my time shifts toward meeting with students and preparing classes.

What apps, software, or tools can't you live without?

For research, much of what I do is in Stata and R. For writing, I keep it simple and use Word, and when there's a lot of formatting, LaTeX. I still use JabRef as my reference manager, mostly because that is what I started with in grad school.

What do you listen to while you work?

For data work or grading, I prefer rock in Spanish, Salsa music, and new sounds like Monsieur Periné. Writing is different. I look for softer music like Caetano Veloso, Jorge Drexler, Kevin Johansen, Natalia Lafourcade, or Mon Laferte.

Favorite research and teaching hacks?

My favorite teaching hack is using interactive presentations built around mini-problems. In small classes, they've been a very effective way to adapt

the Socratic method for undergraduates. Students learn more when they work through the puzzle themselves than when someone gives them the “right” answer, and it gives them time to build confidence before discussion.

In research, I’m not sure I have a hack so much as a way of dealing with dead ends. Over time, I’ve learned to stay with the question and pivot when necessary, rather than forcing a project down the wrong path.

How do you recharge? What do you do when you want to forget about work?

What helps me recharge are routines that feel grounding: coffee in the morning, arepas on Saturday breakfasts, movie nights, and exploring the Pennsylvania mountains with friends. Family is part of that rhythm. I love being the gardener’s helper to my husband, Rubén, and our bedtime routines with my eight-year-old daughter, Amalia, have a way of bringing me back to what matters most.

Traveling is probably the best way for me to reset. Our next trip is to watch humpback whales in the Colombian Pacific.

What everyday thing are you better at than everyone else? What’s your secret?

Cooking without measuring, though my mom and grandmother would probably still do it better. I almost never follow exact quantities, but it usually works out. The secret is intuition and a willingness to adjust as you go.

What’s your biggest struggle in being a faculty member? How do you try to address it?

Finding enough time to ruminate on ideas. Faculty work tends to be chaotic, and I often jump from one task to another like an overcaffeinated squirrel. I keep my early mornings sacred, when my mind is at its sharpest, and I try to stay disciplined by focusing on one project at a time (though I’m still not completely successful). Honestly, my 20s self might not recognize me working before 5:00 am and thinking that big breakthroughs are less about inspiration and more about waking up early.

What’s the best advice you ever received?

My dissertation advisor, Lydia Tiede, often reminded me to focus on one project at a time. It sounds simple, but it was a game-changer in how I tackle research and writing. The best paper, after all, is the one you are currently working on. Thanks, Lydia, for being patient.

What’s the greatest idea you’ve had that you don’t want to do yourself?

That may be the problem: if I think an idea is really good, I’m not sure I’d let it go. It will haunt me, quietly insisting, until I do something about it.

Which junior and senior persons would you like to see answer these same questions?

I’d love to see junior person Christine Bird and Eugenia Artabe or Alex Badas as senior person, answer these same questions.

What's in your "culture queue" that you'd like to recommend to our readers?

Lately, I've been drawn to films that explore memory and its political afterlives. I'd especially recommend *Argentina 1985*, *The Count*, and *The Secret Agent*, which, in different ways, remind me of Pan's Labyrinth, where Guillermo del Toro's monsters are often less frightening than the humans they reveal. I'm also very faithful to *Radio Ambulante* and *El Hilo*, which I like for the way they connect everyday stories to broader political questions in the region.

Better Get to Know: Tom Clark

Interview by: Ryan Black, Michigan State

Tom Clark ([Website](#)) is Professor of Political Science at Stanford University. He earned his PhD in Politics from Princeton University in 2008.

Tell me a little about your background and how you got to where you are today.

I went to college genuinely unsure about whether I was interested in medicine or law. I come from a family with a lot of doctors, and my dad is a lawyer. They all told me to avoid both subjects! I took an intro political science class—normative theory—in my first semester and found it so interesting that you could have a career trying to solve puzzles about social dilemmas. So, I took more classes and decided early on that I wanted to go into academics.

I was fortunate that a couple of the professors at Rutgers, where I was an undergrad, took me under their wings and started introducing me to what research involves. I took a few graduate classes and decided that grad school would be the path for me. When I got to Princeton, I found that the discipline was even bigger than I had appreciated, and my first year courses helped set me on the path I've followed since.

If you weren't a political scientist, what would you be instead?

I'd probably be a physicist or a restaurateur. I'm happy I'm not either of those.

What are you working on now?

I'm working on a project about prosecutorial discretion. I have long found it puzzling that we don't study prosecutors the way we study judges. I have a few papers that I've finished, some theoretical and some empirical. I'm turning my attention to building some data infrastructure to tackle a couple of the bigger questions I have in mind.

Best book on your office shelves people may be surprised by?

Explaining Technical Change, by Jon Elster. This is a fantastic book about how we theorize about phenomena and draw empirical inferences.

What's some good work other than your own that you've read recently and would recommend?

"Conviction, Incarceration, and Recidivism: Understanding the Revolving Door," by Humphries, et al. is just a fantastic paper about a really important problem. I keep thinking about how the legal system is shaped by some of these really consequential dynamics that are hidden from our studies of appellate courts.

What's your workspace setup like?

I like to think that I have a clean desk with a single notepad and a monitor clean from any distraction. In reality, I have a big desk completely covered in empty water bottles (until I take them all home to clean them), littered with

M&M wrappers, 5 or 6 notepads and not a single pen to be found, and no fewer than 7 books opened to some random page, strewn about and blocking me from using my mouse, serving no apparent function.

One thing I do keep clean is my computer desktop. I have a super-wide monitor and don't keep anything on the desktop. I tend to use VSCode a lot but am switching to Positron. I work in TeXShop or Overleaf, and I usually have the Terminal open. I refuse to use Microsoft products, but I've found that Fantastical works ok with the university's Outlook calendar. (That's important to me, because I am terrible at calendaring, usually double-book myself, and often commit to things without writing them down. At least the university calendar tells me when and where there are talks I want to go to.)

I do my best to keep my email client closed during the day, and, to my co-authors' chagrin also tend not to open Slack unless I have something to say.

What apps, software, or tools can't you live without?

See above.

What do you listen to while you work?

It depends on what I'm doing. If I'm writing code or doing analysis, I like loud music. Classic rock, grunge, blues, or anything new that is recommended by people I trust with music. If I'm writing or reading, either quiet classical (especially Chopin or Debussy) or quiet.

Favorite research and teaching hacks?

I think both are really enhanced by reading papers and attending talks from outside of your field. I try to read across political science subfields, especially in comparative and IR, as well as economics. I like to find papers that are about something happening in the world that I've seen in the news. This usually helps me put my own papers or classes into a bigger picture and see whether or why they matter. I like to think that the topics I study and teach are just examples of something much bigger and that everyone else is more interested in their own examples of that something else. If I can draw the links to the meta-concepts more clearly, I think I can communicate my own ideas more effectively.

How do you recharge? What do you do when you want to forget about work?

I like to play music (I play piano and guitar) and for a long time I competed in long-course triathlon. So, I still swim, bike, and run. I also like traveling and finding good restaurants, especially with my family. My kids are good at choosing destinations (both food and vacation).

What everyday thing are you better at than everyone else? What's your secret?

I doubt that I'm better than everyone at anything, but I'm pretty good at learning foreign languages. I don't know the secret, other than that at a young age I met a cousin who was trilingual, and I decided to be a polyglot. Right now, I'm studying Japanese, along with my younger daughter.

What's your biggest struggle in being a faculty member? How do you try to address it?

Workaholism is a real thing in our line of work, and I have an addictive personality. I could easily slide into a lifestyle where I'm bad at being a regular person. I've tried to address it by making my work environment uncomfortable at home. I never had a home office until recently, which helped me turn into dad/husband once I get home in the afternoon. (And, I filled my office with instruments to be an effective distraction if I do decide to work.)

What's the best advice you ever received?

The best advice I've ever received is to work on projects that make me jump out of bed in the morning. I don't write papers to write papers. I write them because I really don't understand something that I think is important to understand.

What's the greatest idea you've had that you don't want to do yourself?

I'd like someone to build a dataset that tracks the careers of individual lawyers who have been in public service. Lawyers who are judges, prosecutors, public defenders, etc.

Which junior and senior persons would you like to see answer these same questions?

Anthony Taboni and Doug Rice.

What's in your "culture queue" that you'd like to recommend to our readers?

I Hear Freedom: The Great Migration, Free Jazz, and Black Power, by Cisco Bradley.

Sitting Bull, documentary.

Proto: How One Ancient Language Went Global, by Laura Spinney.

Books to Watch For

Nicholas T. Davis and Mathew P. Hitt. **Supremely Polarizing: How Partisanship Structures Support for the Supreme Court.** Cambridge University Press, April 2026. [Website](#). Although the Supreme Court has historically resisted a partisan sorting out of its public legitimacy, today, Republicans and Democrats look at the Court in very different ways. This Element assembles original survey and experimental data to unpack these changes in three ways. First, the authors illustrate the powerful role that partisanship plays in shaping judicial public opinion. Second, they validate a new three-item measure of specific support and show that it reliably predicts perceptions of Supreme Court legitimacy. Finally, they introduce a new, applied measure of support for the rule of law and connect it to specific and diffuse support. Taken as a whole, their work demonstrates that large chunks of the mass public view the Supreme Court critically. Looking ahead, it is unclear whether legitimacy will rebound when citizens perceive that the balance of judicial power within the nation's High Court has fractured along party lines.

Barbara L. Graham. **Supreme Court Policymaking and Race: Origins and Development.** SUNY Press, March 2026. [Website](#). Supreme Court Policymaking and Race provides a comprehensive and systematic account of the exercise of power by the U.S. Supreme Court in the policy context of race. The book investigates the nature and extent to which the Court protects the constitutional and statutory rights of people of color beginning with the Marshall Court and ending with the Roberts Court (1801–2025). To appraise the Court's policymaking role in race cases, the book applies a racial institutional orders framework which posits that American politics has historically been constituted by two linked racial orders: a set of white supremacist racial orders and a competing set of transformative egalitarian racial orders. Because the Court is a member of the ruling regime, the book highlights how partisan coalitions direct their power to strategically populate the Court to advance their racial policy agenda. Jurisprudential regimes theory is applied to identify landmark race precedents and show how judicial doctrines structure the way justices arrive at their decisions. Based on an empirical analysis of the outcomes in 441 race cases decided over fourteen chief justice tenures, the main finding suggests that the Court exercised its power to advance the policy goals of the white supremacist racial orders except for a fifty-six-year period (1930 until 1986) when the transformative egalitarian alliance was predominant at the national level. The book reveals that the extent to which the Court rules favorably on behalf of the rights of people of color is dependent on the strength of the ruling regime's commitment to the democratic values of freedom, equality and political representation.

Susan Mezey. **Transgender Rights in Flux: From Progress to Regress.** Bloomsbury Academic Press (London), April 2026. [Website](#). Tracing the evo-

lution of transgender policymaking for almost two decades, this book discusses the battle over transgender rights that became the focal point of the nation's civil rights agenda, with the citizenry divided over society's proper response to the transgender community's demands for equal rights. It underscores how these divisions led to transgender rights as the latest partisan issue in the nation's culture war, exacerbated by federalism and the highly polarized political atmosphere that embodies present-day U.S. politics. Progress during the Obama administration was halted in the first Trump administration and restarted in the Biden administration. The second Trump administration set out not just to nullify, but to reverse, the advances made under Obama and Biden. The back-and-forth nature of transgender policymaking in the last three administrations highlights the tenuousness of the nation's commitment to transgender civil rights. Obama's efforts to further transgender rights were disavowed by the first Trump administration. And even as Biden ushered in the greatest expansion of transgender equality, his administration's advances could not withstand his successor's efforts to undermine them. Transgender rights advocates feared the second Trump administration would reverse the progress they made in the Obama and Biden administrations. Recent events show their apprehension was warranted.

David Shultz, John R. Vile, and Michelle D. Deardorff. **Constitutional Law in Contemporary America: Institutions, Politics, and Processes, Volume 1, Third Edition.** Cambridge University Press, July 2026. [Website](#). This new edition offers a comprehensive examination of constitutional development from the drafting of the Constitution through the presidency of Donald Trump. The text integrates doctrinal analysis with historical and political context, providing students with a well-rounded understanding of constitutional law in practice. The volume includes significant new material addressing Native American sovereignty, congressional investigatory powers, presidential authority and criminal liability, and the evolving balance of power in foreign affairs and war powers. It also engages pressing contemporary issues such as public health, property rights, substantive due process, and eminent domain. Volume 1 will be available for Fall 2026 courses. Volume 2, focusing on civil rights and liberties, will be released this fall and available for Spring 2027 classes.

Mark Tushnet and Bojan Bugarcic. **Constitutionalism and Its Discontents.** University of Chicago Press, July 2026. [Website](#). In the early twenty-first century, constitutionalism confronts numerous pressures and critiques. Some prominent critics are concerned that constitutionalism's modern form, in which high courts play a large role, limits popular self-governance. By committing their nations to detailed social and economic policies—from neoliberal requirements for balanced budgets to constitutionalized social welfare and environmental rights many modern constitutions might make promises they cannot keep and be unduly rigid in the face of changing social, economic, and

environmental conditions. Meanwhile, the rise of proto-authoritarian elected leaders around the world shows that constitutions are vulnerable to, and may even enable, democratic backsliding. Mark Tushnet and Bojan Bugarič argue that addressing each of these serious concerns through constitutional design and innovation is potentially valuable, but paradoxically, every remedy also carries with it the possibility that it will intensify the very conditions it seeks to ameliorate. Instead, Tushnet and Bugarič propose a “thin” idea of constitutionalism and suggest that we should scale back our expectations for what constitutionalism can achieve. Political mobilization, led by people attuned to the economic and cultural causes of democratic backsliding, is a better bet.

Lisa Vanhala. **Governing the End: The Making of Climate Change Loss and Damage.** The University of Chicago Press, September 2025. [Website](#). A searing account of how the international community is trying—and failing—to address the worst effects of climate change and the differential burdens borne by rich and poor countries. Climate change is increasingly accepted as a global emergency creating irrevocable losses for the planet. Yet, each country experiences these losses differently, and reaching even inadequate political agreements is fraught with contestation. *Governing the End* untangles the complex relationship between deteriorating environmental conditions, high politics, and everyday diplomatic practices, focusing on the United Nations’ agreement to address “loss and damage” and subsequent battles over implementation. Lisa Vanhala looks at the differing assumptions and strategic framings that poor and rich countries bring to bear and asks why some norms emerge and diffuse while others fail to do so. *Governing the End* is based on ethnographic observation of eight years of UN meetings and negotiations and more than one hundred and fifty interviews with diplomats, policymakers, UN secretariat staff, experts, and activists. It explores explicit political contestation, as well as the more clandestine politics that have stymied implementation and substantially reduced the scope of compensation to poor countries. In doing so, *Governing the End* elucidates the successes and failures of international climate governance, revealing the importance of how ideas are constructed and then institutionally embodied.

Taneisha Means Davis. **Robed Representatives: How Black Judges Advocate in American Courts.** Stanford University Press. February 2026. [Website](#). The number of Black state and federal judges has grown considerably in the post-Civil Rights Era. They are, in fact, the second most represented group of judges in the state and federal courts. Furthermore, historic appointments of Black men and women to the federal judiciary, including Ketanji Brown Jackson, as well as generally increased calls for the diversification of the courts in recent years, have renewed questions about judicial representation. What does having more Black judges in courthouses and communities mean for the political representation of Black people and Black interests? In *Robed Representatives*, Taneisha Means Davis offers new insights into the lives,

identity politics, and actions of Black state court judges. The narratives centered in the book reveal an identity-to-politics link that exists among Black judges that lead them to represent their group interests. This link is corroborated with data that highlights numerous previously unidentified manifestations of racial representation in the legal system. Means Davis demonstrates that only through exploration of the lives, identities, and behaviors of historically underrepresented judges will it be possible to arrive at a comprehensive understanding of the importance—and limitations—of racial diversity in the courts.

Who Belongs: White Christian Nationalism and the Roberts Court.

New York University Press. January 2026. [Website](#). Who belongs to “We the People”? Are “the People” exclusive, inegalitarian, and hierarchical, or are they inclusive and egalitarian? The tensions between these viewpoints have animated American politics and constitutional jurisprudence from the nation’s inception. For much of American history, an exclusionary and inegalitarian republican democracy predominated, but in the 1930s, a variety of forces pushed an egalitarian and participatory pluralist democracy to the forefront. Although a conservative Supreme Court initially resisted this democratic transformation, the Court started to acquiesce in 1937. After that point, the Court—including the Warren Court—deepened the nation’s commitment to pluralist democracy by invigorating constitutional protections for individual rights—religious freedom, free expression, and equal protection. Protection of individual rights became central to the acceptance of diverse interests and values and the expression of those interests and values in the pluralist democratic arena. Disgruntled with these constitutional developments, conservatives subsequently denounced “the mistakes of 1937” and urged the Court to restore the “Constitution in exile.” The conservative justices of the Roberts Court seem intent on fulfilling that objective, undoing the 1937 constitutional transition. Yet, they are not returning the nation to pre-1937 constitutional principles. Instead, the justices consistently invoke the post-1937 rights of religious freedom, free speech, and equal protection, but they reinterpret those rights to protect and empower a narrow segment of the American people—namely white, Christian, heterosexual men—the segment of the people the Court generally favored before 1937 (being wealthy helps, too). The Roberts Court is purposefully limiting who fully belongs to “We the People,” protecting the rights of white, Christian, heterosexual men, while narrowing and diminishing the rights of non-Christians, people of color, women, and LGBTQ+ individuals. Ultimately, the conservative justices are interpreting individuals’ rights in the service of minority rule—harmoniously with the political agenda of white Christian nationalism.

Awards and Honors

Please join me in congratulating our Section award winners.

Law and Courts Best Conference Paper Award

Hyein Yang, Cornell University. “Vertical Checks and Balances: State Attorneys General and State Litigation.”

and

Sam England, Emory University. “Does Agenda Order Matter for Courts? Evidence from Qualified Immunity.”

Law and Courts Best Graduate Student Paper Award

Hyein Yang, Cornell University. “Vertical Checks and Balances: State Attorneys General and State Litigation.”

Law and Courts Best Journal Article Award

Christine Bailey, Austin Peay State University, Paul M. Collins Jr. Jesse H. Rhodes, and Doug Rice, University of Massachusetts, Amherst. “The Effect of Judicial Decisions on Issue Salience and Legal Consciousness in Media Serving the LGBTQ+ Community.” *American Political Science Review* 119(1): 108-123.

Honorable Mentions

Sivaram Cheruvu, University of Texas at Dallas, Jay N. Krehbiel, University of Buffalo, and Samantha Mussell, Columbia University in the City of New York. “Partisanship, pragmatism, or idealism? Evaluating public support for backlashes against international courts in backsliding democracies.” *Journal of European Public Policy*. 32(2): 578-608 (2025).

Robin Taboni, University of Texas at Austin. “The Path of Law: Legal Uncertainty and Issues of First Impression in the U.S. Courts of Appeals.” *American Political Science Review* 120(2): 624-640 (2026).

Alex Badas, University of Houston. “Judicial Ambition and the Crafting of Law: How Promotion Potential Shapes Appellate Opinions.” *Political Research Quarterly* 79(1): 17-28 (2026).

Journal of Law and Courts Article Award

Benjamin Garcia-Holgado, University of Delaware. “Overruling the Executive: Judicial Strategies to Resist Democratic Erosion.” *Journal of Law and Courts* 13 (1): 274-303 (2025).

C. Herman Pritchett Award

Amanda Driscoll, Florida State University, Jay N. Krehbiel, University of Buffalo, and Michael J. Nelson, Penn State University. *The Efficacy of Judicial Review: The Rule of Law and the Promise of Independent Courts*. Cambridge University Press (2025).

Honorable Mention Jordi Díez, University of Guelph. *The Judicial Politics of Abortion in Latin America: Argentina, Colombia, Costa Rica, and Mexico*. University of North Carolina Press (2025).

Jamie Rowen, University of Massachusetts, Amherst. *Worthy of Justice: The Politics of Veterans Treatment Courts in Practice* Stanford University Press (2025).

Law and Courts Lifetime Achievement Award

Jerry Goldman, Northwestern University (Emeritus) and founder of the OYEZ Project.

Law and Courts Lasting Contribution Award

Brandon Bartels, George Washington University and Christopher D. Johnston, Duke University. “On the Ideological Foundations of Supreme Court Legitimacy in the American Public.” *American Journal of Political Science* (2013).

Law and Courts Service Award

Susan Haire, University of Georgia.

Honorable Mention, Rachel Hinkle, University at Buffalo

Law and Courts Teaching and Mentoring Award

Teaching Award

Logan Strother, Purdue University.

Mentoring Award

Sahar Abi-Hassan, University of Tulsa.

and

Shane Gleason, Trinity College.

Call for Submissions

Law and Courts Newsletter publishes articles, research notes, features, commentaries, and announcements of interest to members of APSA’s Law and Courts Section. The various substantive topics falling under the umbrella of “law & courts” are welcome, as are methodological approaches from across the discipline of political science. I am particularly interested in receiving the following types of submissions:

Descriptions of Datasets. Creators of publicly-available datasets potentially useful for Section members’ research or teaching may submit descriptions of their datasets. Although the datasets should be relatively new, it is acceptable for the data to have been used and described in previously published research. Submissions should describe (and link to) the dataset, give practical advice about viewing and analyzing the data, and explain how the data might be used in Section members’ research or teaching (including for undergraduate student research). Submissions describing relevant software or

other tools are also encouraged.

Research Notes. These submissions should be approximately 2,000 words in length (a target, not a limit), and may be theory-focused or empirics-focused. The former should present theoretical arguments relevant to law & courts literature, but need not involve concurrent empirical testing. The latter should present empirical results—including adequately powered “null results”—with only the most necessary literature review and theoretical discussion included directly. Replications and extensions are also welcome. I hope that these notes will inspire research ideas for readers, spur collaboration among Section members on projects greater in scope, and prevent duplication of effort caused by the file drawer problem (i.e., the systematic non-publication of null results).

Reviews of Recent Developments in the Literature. These submissions should be literature reviews of approximately 4,000 words focused on recent developments in active areas of law & courts research. A review should summarize and analyze recent developments in a line of research, and suggest open questions and opportunities for further research. Authors should aim their reviews at readers who research and teach in law & courts, but are not necessarily specialists in the area of research discussed. I seek such submissions particularly from graduate students, whose prospectuses, dissertation chapters, etc., may form the basis for such reviews. I hope that these reviews will provide Section members with a convenient means of keeping up with the literature across the law & courts field.

In addition, the *Newsletter* solicits research articles (including research about the Section), commentaries about the profession, proposals for symposia, and announcements (including of newly-published books) that are of interest to Section members.

Instructions for Authors

Submissions are accepted on a rolling basis. Scholarly submissions will typically be reviewed by the editor and one editorial board member. Submissions and questions about possible submissions should be emailed to mstobb@georgiasouthern.edu. Initial submissions should be sent in PDF format and may be written in Word (LibreOffice, etc.) or TeX. Authors should follow *APSR* formatting, as described in the *APSA Style Manual*. Submissions need not be blinded. Please avoid footnotes and endnotes unless absolutely necessary, and aim for concision. Appendices are encouraged for information that is relevant but not of primary importance. Upon publication, I ask that authors consider posting replication data and code for articles involving statistical analysis.

Section members who have written books they would like to see featured should email basic information about the book, including a 1-2 paragraph description, to mstobb@georgiasouthern.edu.

–Maureen Stobb, Editor

Newsletter and Section Information

LAW AND COURTS NEWSLETTER

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