

# Quiz 4

[Science](#), [Social Science](#)



Lecturer Quiz 4 After reading the Baum materials, describe briefly the issues surrounding implementation of U. S. Supreme Court and federal appellate court decisions. You may give examples if you wish.

Even if the United States of America (USA) is known for having an independent judiciary, judicial decisions are not always effectively implemented as they ought to be. There are several issues surrounding the implementation of U. S. Supreme Court and federal appellate court decisions (OBrien 226). First, they are influenced by the executive branch of the government. Despite the fact that major decisions are made by the Supreme Court, their implementations are often influenced by the president who has a direct authority over their implementation. For instance, United States v. Nixon (1974) outcome was influenced by then President Richard Nixon who authoritatively and defiantly interfered with the investigation process regarding the controversies surrounding the Democratic Party (Greenburg 58).

Besides, the implementation of court policies is influenced by the Congress. As a supreme organ, Congress has a lot of say on exactly how judicial policies can be implemented in the country. However, this might at times go against the interpretation of the lower courts (Abraham 397). Lastly, the implementation of court decisions is influenced by the discretion of the lower courts. Since it is the Supreme Court that make decisions, their interpretations are always left for the lower courts. This does not effectively work because most of the decisions are vague and might not be properly interpreted by the judges of the lower courts.

2. From the readings, describe an example of retaliation against the judicial

branch by one of the other branches of government on either the state or federal level.

According to the US constitution, judiciary should be an independent institution. Meaning, it is free to discharge its duties without an unnecessary influence from any person or organ of the government (Beard 71). However, there are several occasions in which the judiciary has suffered retaliatory attacks from the Congress and president. For instance, in 1937, February, President Roosevelt Franklin retaliated the Supreme Court over its decisions regarding New Deal legislation. It was a very controversial attack that really shaped the political and judicial climate of the country.

#### Works Cited

Abraham, Henry. *Justices and Presidents: A Political History of Appointments to the Supreme Court* (1st Ed.). New York: Oxford University Press, 2009. Print.

Beard, Charles. *The Supreme Court and the Constitution*. New York: Macmillan Company. Reprinted Dover Publications, 2006. Print.

Greenburg, Jan Crawford. *Supreme Conflict: The Inside Story of the Struggle for Control for the United States Supreme Court*. New York: Penguin Press, 2000. Print.

O'Brien, David. *Storm Center: The Supreme Court in American Politics* (8th Ed.). New York: W. W. Norton & Company, 2011. Print.