

Yaron Katz - Striking Balance turnitin.docx

by filebesti@gmail.com 1

Submission date: 30-Apr-2024 05:02PM (UTC+0700)

Submission ID: 2364082694

File name: Yaron_Katz_-_Striking_Balance_turnitin.docx (50.52K)

Word count: 5005

Character count: 29932

Striking Balance in Democratic Governance: The Battle for Control between the Administrative and Legal Branches

ABSTRACT

The perception of the role of the court in democracy is a complex and frequently debated aspect of political systems. It involves how individuals, institutions, and society at large view the function, powers, and responsibilities of the judiciary within the broader democratic framework. The role of the court is deeply intertwined with the principle of separation of powers, which delineates distinct functions of the legislative, executive, and judicial branches. However, the perception of the court's role in shaping and influencing public policies is a subject of discussion, since the effectiveness of the court in a democracy is closely linked to public trust and legitimacy. Prominent researches argue that the court should actively contribute to policy development, while others believe that its primary function should be limited to interpreting and applying existing laws. As a result, debates often arise over the extent to which the court should exercise its power of judicial review. A perceived lack of impartiality, independence, or transparency can erode public trust, impacting the credibility of the court's decisions and its overall role in democratic governance. While courts have the authority to render judgments, their ability to enforce decisions and ensure compliance with the rule of law relies on the cooperation of other branches and societal actors. The research highlights contrasting viewpoints on the court's responsibility in safeguarding constitutional principles through the rejection of legislative and executive actions that contradict constitutional norms. The core issue revolves around the significance of this and whether it presents a potential threat by enabling the court to supersede decisions made by duly elected representatives of the public.

KEYWORDS

court; democracy; political system; society

INTRODUCTION

The discernment of the part of the court in popular government has been in steady wrangle about in numerous vote-based systems, emphasizing the battle for control between the authoritative and legal branches. It reflects the ongoing dialogue about the proper role of the judiciary in balancing powers, protecting individual rights, and contributing to the overall sustainability of democratic systems. Public discourse and debates about these issues contribute to the dynamic nature of the perception of the court within democratic societies, since the dependence on courts for tending to open arrangement questions and political contentions may be a central wonder in modern vote-based systems (Filgueiras, 2013).

The inquire about highlights the differentiated sees of the part of courts to preserve the control of legal audit by declining administrative and official activity on the premise of a

Yaron Katz - Striking Balance turnitin.docx

ORIGINALITY REPORT

14%

SIMILARITY INDEX

13%

INTERNET SOURCES

4%

PUBLICATIONS

3%

STUDENT PAPERS

PRIMARY SOURCES

1	www.arjhss.com Internet Source	4%
2	academic.oup.com Internet Source	1%
3	www.austlii.edu.au Internet Source	1%
4	www.allmultidisciplinaryjournal.com Internet Source	1%
5	fastercapital.com Internet Source	1%
6	www.researchgate.net Internet Source	1%
7	www.coursehero.com Internet Source	1%
8	dokumen.pub Internet Source	<1%
9	libstore.ugent.be Internet Source	<1%

10	Submitted to Strategic Education Student Paper	<1 %
11	core-cms.prod.aop.cambridge.org Internet Source	<1 %
12	core-docs.s3.amazonaws.com Internet Source	<1 %
13	jstribune.com Internet Source	<1 %
14	Submitted to K12 Incorporated Student Paper	<1 %
15	Submitted to Century College Student Paper	<1 %
16	madoc.bib.uni-mannheim.de Internet Source	<1 %
17	web.pdx.edu Internet Source	<1 %
18	www.degruyter.com Internet Source	<1 %
19	Submitted to CTI Education Group Student Paper	<1 %
20	dukespace.lib.duke.edu Internet Source	<1 %
21	Anna Fruhstorfer, Alexander Hudson. "Majorities for Minorities: Participatory	<1 %

Constitution Making and the Protection of Minority Rights", Political Research Quarterly, 2021

Publication

22

en.wikipedia.org

Internet Source

<1 %

23

idoc.pub

Internet Source

<1 %

24

onlinelibrary.wiley.com

Internet Source

<1 %

25

trace.tennessee.edu

Internet Source

<1 %

26

Bryan Calvin, Paul M. Collins, Matthew
Eshbaugh-Soha. "On the Relationship
between Public Opinion and Decision Making
in the U.S. Courts of Appeals", Political
Research Quarterly, 2010

Publication

<1 %

Exclude quotes Off

Exclude matches Off

Exclude bibliography On