



Overruled?: Legislative Overrides, Pluralism, and Contemporary Court-Congress Relations

Jeb Barnes

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Since the mid-1970s, Congress has passed hundreds of overrides—laws that explicitly seek to reverse or modify judicial interpretations of statutes. Whether front-page news or not, overrides serve potentially vital functions in American policy-making. Federal statutes—and court cases interpreting them—often require revision. Some are ambiguous, some conflict, and others are obsolete. Under these circumstances, overrides promise Congress a means to repair flawed statutes, reconcile discordant court decisions, and reverse errant judicial interpretations. Overrides also allow dissatisfied litigants to revisit issues and raise concerns in Congress that courts have overlooked.

Of course, promising is one thing and delivering is quite another. Accordingly, this book asks: Do overrides, in fact, effectively clarify the law, reverse objectionable judicial statutory interpretations, and broaden deliberation on contested issues? The answers provide new insights into the complex role of overrides in U.S. policy-making and in the politics of contemporary court-Congress relations.

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