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Popular Government and the Supreme Court Lane V. Sunderland, 1996 With quiet eloquence Lane Sunderland argues that we must reclaim the fundamental principles of the Constitution if we are to restore democratic government to its proper role in American life For far too long he contends the popular will has been held in check by an overly powerful Supreme Court using non constitutional principles to make policy and promote its own political agendas His work shows why this has diminished American democracy and what we can do to revive it Sunderland presents a strong thoughtful challenge to the constitutional theories promoted by Ronald Dworkin Archibald Cox Richard Epstein Michael Perry John Hart Ely Robert Bork Philip Kurland Laurence Tribe Mark Tushnet and Catharine MacKinnon an enormously diverse group united by an apparent belief in judicial supremacy Their theories he demonstrates undermine the democratic foundations of the Constitution and the power of the majority to resolve for itself important questions of justice Central to this enterprise is Sunderland's reconsideration of *The Federalist* as the first most reliable and most profound commentary on the Constitution *The Federalist* he states is crucial because it explains the underlying theory of the Constitution as a whole a theory that gives meaning to its particular provisions In addition Sunderland reexamines the Declaration of Independence and the work of Hobbes Locke and Montesquieu in order to better define the nature and limits of their influence on the Framers His reading of these works in conjunction with *The Federalist* shows just how far afield contemporary commentators have strayed Sunderland deliberately echoes and amplifies Madison's wisdom in *Federalist No 10* that the object of the Constitution is to secure the public good and private rights and at the same time to preserve the spirit and form of popular government To

attain that object he persuasively argues requires that the judiciary acknowledge and enforce the constitutional limitations upon its own powers In an era loudly proclaiming the return of popular government majority rule and the will of the people that argument is especially relevant and appealing Indexed Digest of the United States Supreme Court Reports United States. Supreme Court,1903 **The Law Student's Helper** ,1901 **The Federal Reporter** ,1916 Includes cases argued and determined in the District Courts of the United States and Mar May 1880 Oct Nov 1912 the Circuit Courts of the United States Sept Dec 1891 Sept Nov 1924 the Circuit Courts of Appeals of the United States Aug Oct 1911 Jan Feb 1914 the Commerce Court of the United States Sept Oct 1919 Sept Nov 1924 the Court of Appeals of the District of Columbia

Writing Constitutions Wolfgang Babeck,Albrecht Weber,2024-02-26 Writing Constitutions intends to serve as a practical manual for those writing constitutions or interested in their design It is the first systematic and universal approach to coherently capture concepts and contents of a modern constitution Volume II is a user friendly guide covering the current best practice in human rights and contains a draft catalogue of human rights It empowers judges lawyers civil rights activists legislators and academics to draft and interpret over 70 Human Rights and strengthen democracies Writing Constitutions comes in three volumes Volume I Institutions Volume II Fundamental Rights Volume III Constitutional Principles Justice of the Peace ,1905 Cases Argued and Decided in the Supreme Court of the United States ,1924

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