



The Judicial Interpretation of Political Theory: A Study in the Relation of the Courts to the American Party System

By William Bennett Bizzell

Createspace, United States, 2015. Paperback. Book Condition: New. 229 x 152 mm. Language: English . Brand New Book ***** Print on Demand *****.Party conviction has always been recognized as an essential qualification for the supreme bench in addition to legal learning and public service. In substantiation of this general observation, the author, in his introduction, points out that only ardent supporters of a strong federal system were elevated to the bench by Washington and Adams. Unanimity in the early opinions herein finds its explanation. The only apparent exception to the conclusion that party conviction was an essential qualification to a position on the supreme bench the author finds to be in the offer of the chief justiceship to Patrick Henry by President Washington in the fall of 1795-96, despite the fact that Henry had been the ablest and most influential opponent of constitutional ratification in Virginia. The volume reviews the partisan character of many leading cases, including such typical instances as Hepburn v. Griswold, a reversal by the supreme court for which political influence has been held responsible, and the decisions in the insular cases and the decisions growing out of the Inter-State Commerce Act which have carried loose construction...

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