

Reason over precedents - origins of American legal thought

Greenwood Press - Colonial Origins of American Liberty

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American culture series -- 494.4.

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Supreme Court may review the decisions of the highest court in each state.

The Bill of Rights

In contrast, the natural-law school of legal thought would refuse to recognize the legitimacy of laws that did not conform to natural, universal, or divine law. Their concern with the special requirements of their own particular place on earth not only flavored their political life and expectations; it gave all their thinking the aroma of the specific and kept all their social ideals within finite bounds.

Colonial Origins of American Liberty

Either approach is empirical, even if not rigorously scientific. All of which is to say that giving effect to the intent of the legislature not only presumes that there is a singular intent — no less dubious an assertion where statutes are concerned than where the Constitution is — but, worse yet, the very diversity of these bodies may permit a judge to corrupt his inquiry by finding a floor statement or committee report which suggests an intent that the Judge thinks would be a good result.

Origins of American Law

This Commentary is also available in Chinese at the above hyperlink. Each of these peoples would be vigilant to exclude interference in their internal affairs by any of the others.

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