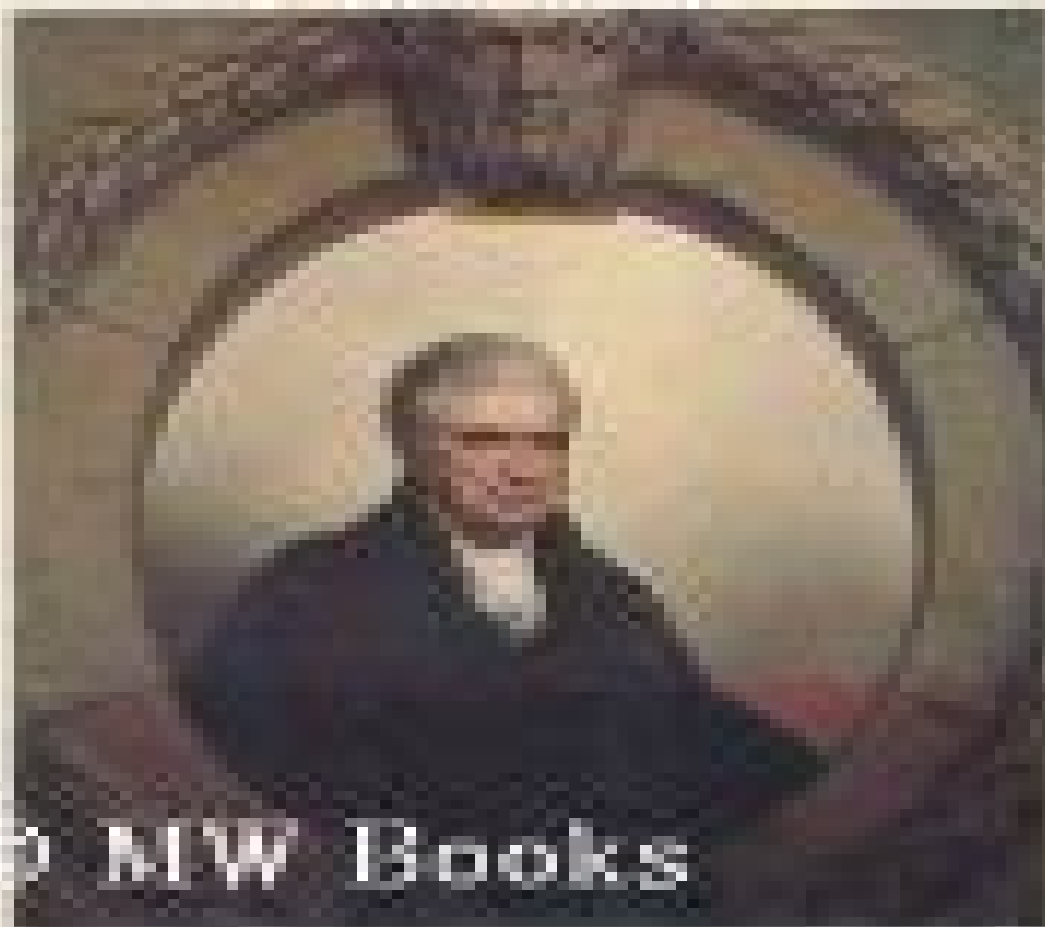


THE
CONSTITUTION
AND
CHIEF JUSTICE
MARSHALL

THOMAS J. SUGRUE



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The Constitution And Chief Justice Marshall

John Marshall



The Constitution And Chief Justice Marshall:

The Constitution and Chief Justice Marshall William Finley Swindler, 1978 **The Great Chief Justice** Charles F. Hobson, 1996-09-06 John Marshall remains one of the towering figures in the landscape of American law From the Revolution to the age of Jackson he played a critical role in defining the province of the judiciary and the constitutional limits of legislative action In this masterly study Charles Hobson clarifies the coherence and thrust of Marshall s jurisprudence while keeping in sight the man as well as the jurist Hobson argues that contrary to his critics Marshall was no ideologue intent upon appropriating the lawmaking powers of Congress Rather he was deeply committed to a principled jurisprudence that was based on a steadfast devotion to a science of law richly steeped in the common law tradition As Hobson shows such jurisprudence governed every aspect of Marshall s legal philosophy and court opinions including his understanding of judicial review The chief justice Hobson contends did not invent judicial review as many have claimed but consolidated its practice by adapting common law methods to the needs of a new nation In practice his use of judicial review was restrained employed almost exclusively against acts of the state legislatures Ultimately he wielded judicial review to prevent the states from undermining the power of a national government still struggling to establish sovereignty at home and respect abroad No chief justice and only one associate justice William Douglas served longer on the Supreme Court But as Hobson clearly shows Marshall s deserved place in the pantheon of great American jurists rests far more upon principles than longevity This book better than any other tells us why that s true and worthy of our attention **The Writings of John Marshall** John Marshall, 1839 *John Marshall and the Constitution* Edward Samuel Corwin, 1920 John Marshall & the Constitution: A Chronical of the Supreme Court , *Chief Justice Marshall and the Constitutional Law of His Time* Edward John Phelps, 1879

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