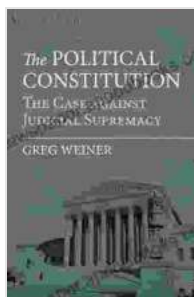


# The Political Constitution: Justice Antonin Scalia's Case Against Judicial Supremacy

In his book *The Political Constitution*, the late Justice Antonin Scalia argues that the Constitution is not a living document that can be interpreted by judges to mean whatever they want. Rather, he argues, the Constitution is a fixed text that must be interpreted according to its original meaning.

Scalia's argument is based on the idea that the Constitution is a contract between the people and the government. As such, he argues, it must be interpreted according to the original intent of the people who wrote it.



## The Political Constitution: The Case against Judicial Supremacy by Greg Weiner

★★★★★ 5 out of 5

Language : English  
File size : 1179 KB  
Text-to-Speech : Enabled  
Screen Reader : Supported  
Enhanced typesetting : Enabled  
Word Wise : Enabled  
Print length : 216 pages  
X-Ray for textbooks : Enabled



Scalia's argument has been controversial, but it has also been influential. In recent years, the Supreme Court has increasingly adopted Scalia's originalist approach to constitutional interpretation.

## The Originalist Approach to Constitutional Interpretation

Originalism is a theory of constitutional interpretation that holds that the Constitution should be interpreted according to its original meaning. Originalists argue that the Constitution is a fixed text that should not be changed or updated by judges.

Originalists believe that the best way to determine the original meaning of the Constitution is to look at the text of the document itself, as well as the historical context in which it was written. They also argue that the intent of the people who wrote the Constitution should be considered.

Scalia was a leading proponent of originalism. He argued that the Constitution is a contract between the people and the government, and that it must be interpreted according to the original intent of the people who wrote it.

Scalia's originalist approach to constitutional interpretation has been controversial. Critics argue that it is too rigid and that it ignores the fact that the Constitution is a living document that must be interpreted in light of changing circumstances.

However, Scalia's originalist approach has also been influential. In recent years, the Supreme Court has increasingly adopted Scalia's originalist approach to constitutional interpretation.

### **The Case Against Judicial Supremacy**

In *The Political Constitution*, Scalia argues that judicial supremacy is a threat to the rule of law. He argues that judges are not elected by the people and that they are not accountable to the people. As such, he

argues, they should not have the power to strike down laws that they believe are unconstitutional.

Scalia's argument against judicial supremacy is based on the idea that the Constitution is a contract between the people and the government. He argues that the people are the ultimate interpreters of the Constitution, and that judges should not have the power to override the will of the people.

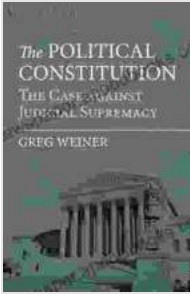
Scalia's argument against judicial supremacy has been influential. In recent years, there has been a growing movement to limit the power of the judiciary.

*The Political Constitution* is a powerful and provocative book that challenges the conventional wisdom about the Constitution. Scalia's originalist approach to constitutional interpretation and his case against judicial supremacy are both controversial, but they are also thought-provoking.

Whether you agree with Scalia's arguments or not, *The Political Constitution* is a must-read for anyone who is interested in the Constitution and its role in American society.

## **Bibliography**

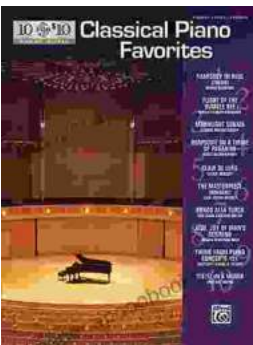
\* Scalia, Antonin. *The Political Constitution: The Case Against Judicial Supremacy*. Princeton University Press, 2019. \* Amar, Akhil Reed. *The Constitution and Reconstruction*. Yale University Press, 2012. \* Dorf, Michael C. *Originalism: A Critical* . Cambridge University Press, 2011. \* Sunstein, Cass R. *Radicals in Robes: Why Extreme Right-Wing Courts Are Wrong for America*. Basic Books, 2020.



## The Political Constitution: The Case against Judicial Supremacy by Greg Weiner

★★★★★ 5 out of 5

Language : English  
File size : 1179 KB  
Text-to-Speech : Enabled  
Screen Reader : Supported  
Enhanced typesetting : Enabled  
Word Wise : Enabled  
Print length : 216 pages  
X-Ray for textbooks : Enabled



## Discover the Enchanting World of Classical Piano with "10 For 10 Sheet Music Classical Piano Favorites Piano Solos"

A Symphony of Timeless Masterpieces Prepare to be captivated by a harmonious blend of classical masterpieces in "10 For 10 Sheet Music Classical Piano...



## Theo On The Ice Boston Bay Vikings: A Hockey Adventure for the Ages

Theo On The Ice Boston Bay Vikings is a thrilling hockey adventure that will captivate readers of all ages. Theo, a young boy with a dream of playing...