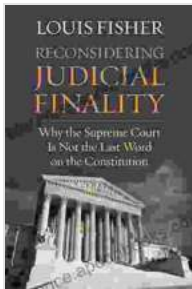


# Why the Supreme Court Is Not the Last Word on the Constitution

The Supreme Court is the highest court in the United States, and its decisions are binding on all lower courts. However, the Supreme Court is not the last word on the Constitution. The Constitution is a living document that must be interpreted in light of changing circumstances. The people, through their elected representatives, have the ultimate authority to interpret the Constitution.



## Reconsidering Judicial Finality: Why the Supreme Court Is Not the Last Word on the Constitution

by Louis Fisher

★★★★☆ 4.5 out of 5

Language : English  
File size : 1353 KB  
Text-to-Speech : Enabled  
Screen Reader : Supported  
Enhanced typesetting : Enabled  
Word Wise : Enabled  
Print length : 386 pages



## Judicial Review

The Supreme Court's power to interpret the Constitution is known as judicial review. Judicial review was first established in the case of *Marbury v. Madison* (1803). In *Marbury*, the Supreme Court ruled that it had the power to declare laws unconstitutional. This power has been used by the

Court to strike down a number of laws, including laws that violated the Bill of Rights.

Judicial review is a powerful tool, but it is not without its critics. Some critics argue that judicial review gives the Court too much power. They argue that the Court is not accountable to the people, and that it can use its power to strike down laws that the people have voted for.

## **The Living Constitution**

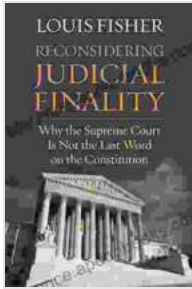
The Constitution is a living document that must be interpreted in light of changing circumstances. The framers of the Constitution could not have foreseen all of the challenges that the country would face, and they left it to future generations to interpret the Constitution in light of new circumstances.

The Supreme Court has recognized the living nature of the Constitution. In the case of *Brown v. Board of Education* (1954), the Court ruled that the "separate but equal" doctrine was unconstitutional. This decision overturned a previous decision of the Court, *Plessy v. Ferguson* (1896), which had upheld the "separate but equal" doctrine.

## **The People**

The people, through their elected representatives, have the ultimate authority to interpret the Constitution. The people can amend the Constitution through the amendment process. The people can also elect representatives who will interpret the Constitution in a way that is consistent with their values.

The Supreme Court is not the last word on the Constitution. The Constitution is a living document that must be interpreted in light of changing circumstances. The people, through their elected representatives, have the ultimate authority to interpret the Constitution.

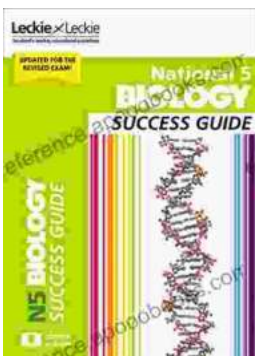


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