



The US Supreme Court and the Modern Common Law Approach (Paperback)

By Simona Grossi

CAMBRIDGE UNIVERSITY PRESS, United Kingdom, 2017. Paperback. Condition: New. Language: English . Brand New Book. This book studies the US Supreme Court and its current common law approach to judicial decision making from a national and transnational perspective. The Supreme Court's approach appears detached from and inconsistent with the underlying fundamental principles that ought to guide it, which often leads to unfair and inefficient results. This book suggests the adoption of a judicial decision-making model that proceeds from principles and rules, using them as premises for developing consistent unitary theories to meet current social conditions. This model requires that judicial opinions be informed by a wide range of considerations, including established legal standards, the insights derived from deductive and inductive reasoning, the lessons learned from history and custom, and an examination of the social and economic consequences of the decision.



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