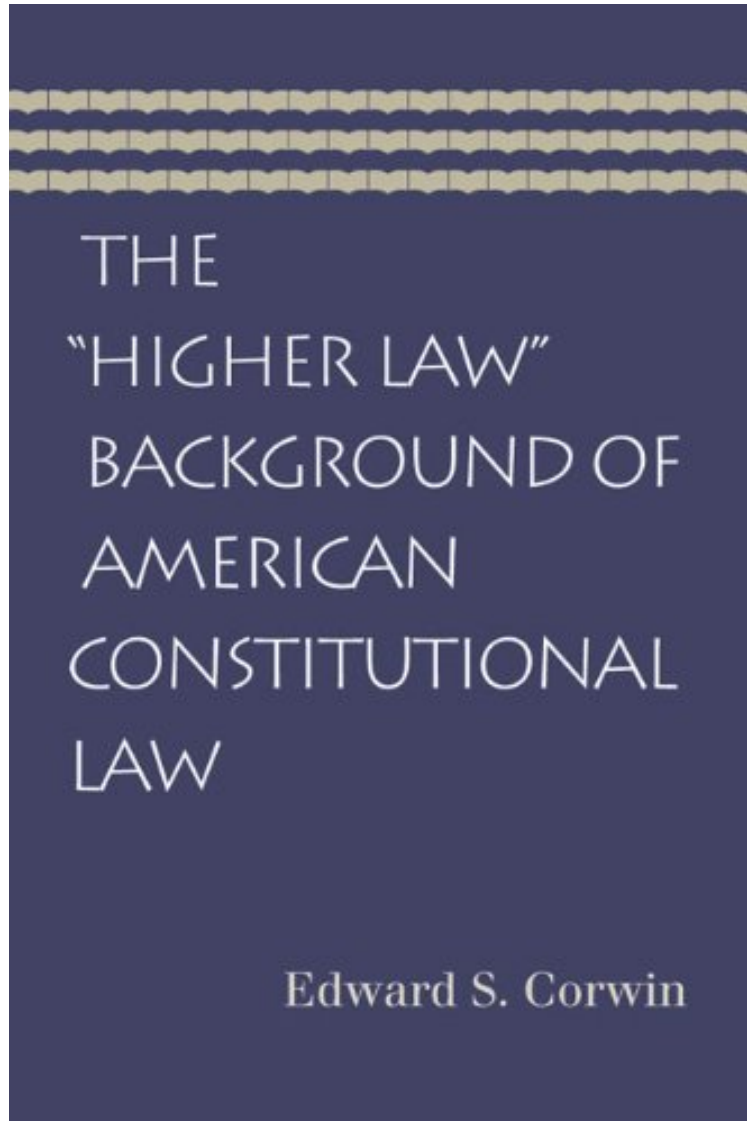


(Download) The "Higher Law" Background of American Constitutional Law

The "Higher Law" Background of American Constitutional Law

Edward S Corwin

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Common Law basis for our Constitution and not the Roman law heritage prevalent in Europe today. While it may not mean much on its face value, our English heritage gave rise to the early American practices of writing out our constitutions and signing them, judicial review, and, of course, consent of the governed. This slim book is one to read again and again. 2 of 2 people found the following review helpful. Brilliant Mind By Mesquite Edward S. Corwin is an American icon in the world of study on the US Constitution. I was preparing students for the Arizona State Congressional Hearings and this was the reference book we used to make sense of the concept of "Higher Law." This is a must have for your personal library on the subject. Corwin Rocks! 2 of 2 people found the following review helpful. Excellent Coverage on Background History By AMBIE An excellent resource to fill the gaps on background history to America's Constitutional law. A very good read.

Having written extensively on various aspects of the American constitutional order, Edward S. Corwin is considered a leading constitutional scholar of the twentieth century. Alpheus Mason described Corwin's writings as sources of learning and understanding hallmarks to emulate and revere. *The Higher Law Background of American Constitutional Law* is of unique value in connecting the Western European experience from the classical world, the Middle Ages, and the seventeenth-century thought of Coke and Locke to the American founding. This renowned work provides a bold and accurate outline of the tradition behind the higher law of the United States and places in historical context the political philosophy underlying the U.S. Declaration of Independence and Constitution. This volume addresses questions such as: Where did the idea of a higher law originate? How has it been able to survive and in what transformations? What special forms of it are of particular interest for historians and political theorists? How was it brought to America and wrought into the American system of government? As Clinton Rossiter notes in his prefatory note, No one can come away from reading [Higher Law] without realizing how much we in America are part of Western civilization. The men we meet in the pages of this essay Demosthenes, Sophocles, Aristotle, Cicero, Seneca, Ulpian, Gaius, John of Salisbury, Isidore of Seville, St. Thomas Aquinas, Bracton, Fortescue, Coke, Grotius, Newton, Hooker, Pufendorf, Locke, Blackstone all insisted that the laws by which men live can and should be the embodiment of essential and unchanging justice, and we may salute them respectfully as founding fathers of our experiment in ordered liberty. In this volume Corwin demonstrates how the concept of a higher law developed and was understood by the leading thinkers of the American Revolutionary period as well as how the ideal of the higher law impacted the creation of the American Constitution. Students, scholars, and general interested readers of constitutional law and political theory will find inspiration in the pages of *The Higher Law Background of American Constitutional Law*. Edward S. Corwin (1878-1963) served as the McCormick Professor of Jurisprudence at Princeton University from 1908 to 1946.