



# The Last Democrats: How America Fought and Lost the War Against Judicial Supremacy

*Joseph P. Dailey*

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Slavery, abortion, school prayer, homosexuality, the War on Terror. These are just some of the issues that have been decided by judges in what is supposed to be the greatest democracy on Earth.

Chief Justice William Howard Taft said America lives "under a Constitution, but the Constitution is what the judges say it is." Another Chief Justice, Earl Warren, said the Court's authority has been respected "by the country as a permanent and indispensable feature of our constitutional system" since the earliest days of the republic.

Are the justices correct? Has their sweeping power always been respected by the nation? Surprisingly, the answer is no, as readers of *The Last Democrats* will discover.

*The Last Democrats* is the story of how four presidents--Jefferson, Madison, Jackson, and Lincoln--fought and defeated claims of judicial supremacy, and how a fifth president, FDR, lost everything they had gained.

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