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THE THIRD BRANCH, 1995-1997 (CLASSIC REPRINT) (HARDBACK)



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Forgotten Books, 2017. Hardback. Condition: New. Language: English . Brand New Book ***** Print on Demand *****.Excerpt from The Third Branch, 1995-1997 Whether the scheme of federal sentencing should emphasize deterrence as opposed to punishment, what is an appropriate sentence for a particular offense, and similar matters, are questions upon which a judge's view should carry no more weight than the View of any other citizen. In such cases I do not believe that the Judicial Conference, or other judicial organizations, should take an official position. Individual judges have, on occasion, expressed opposition to mandatory minimum sentences as a matter of policy. There is certainly no formal inhibition on judges publicly stating their own personal opinions about matters of policy within the domain of Congress, but the fact that their position as a judge may give added weight to their statements should counsel caution in doing so. There is considerable sentiment in the federal judiciary at the present time against further expansion of federal jurisdiction into areas which have been previously the province of state courts enforcing state laws. Part of this stems from a genuine concern about the erosion of federalism, and the traditional division of responsibility between federal courts and state courts. As long ago as 1922, Chief Justice William Howard Taft warned about the tendency of Congress toward wider regulation of matters plainly within the federal power which it had not been thought wise theretofore to subject to federal control. Part of the sentiment within the federal judiciary stems from a desire to keep the number of federal judges and federal courts circumscribed as they have been in the past. About the Publisher Forgotten Books publishes hundreds of thousands of rare and classic books. Find more at This book...



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