Rice Debaters Discuss...

A Very Timely Question

Ed. Note — This article is to acquaint readers with the topic which will occupy Rice’s debaters in forthcoming competition. Our columnist, a member of the debate team, outlines the pros and cons of this timely question.

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Resolved: That Congress should be given the power to reverse the decisions of the Supreme Court.

This question as a debate topic in 1954 would have stirred heated partisanship. Indeed, there is some question as to whether one could have found teams willing to take the negative side in some parts of the South.

The school segregation decisions serve well to illustrate the controversy about the Supreme Court’s actions and proper functions. It is claimed by many that these decisions were based on psychological and sociological data rather than the legal aspects of the case. If this be true, then the Supreme Court has usurped what has traditionally been a function of Congress.

No Direct Check

It is further argued that an anomaly has existed since our country’s inception in the system of checks and balances. The Supreme Court can overrule Congress and the president, but no direct check exists on the court. Granting Congress the power to overrule the Court’s decisions would create such a check.

Finally there is the old argument that nine old men, perhaps prejudiced (some would even say senile) have the power to thwart the will of the people.

Cogent reasons exist, however on the negative side of the question. For over a century the Supreme Court has served effectively as an umpire between the various branches of the government. Its function as an arbiter is admittedly necessary. Perhaps to give Congress the power to overrule its decision would violate its effectiveness.

Against Impetuous Change

In addition, it serves as a valuable check against impetuous change— as in 1936, when it prevent