

Logical argument:
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Logical argument: legislative ity of the judiciary The role of the judiciary, as conservatives would argue, and as it has traditionally been perceived even among elites, is in the interpretation of the constitution and other sources of law. This is based on the doctrine of separation of power among arms of the government, the executive, the legislature, and the judiciary. While the legislature's role is in law making and the executive implements the laws, the judiciary's duty is to interpret the made laws for implementation. It will therefore be admissible to argue that extending the role of one of the arms of the government to assume the duty of another will undermine the primary doctrine of separation of power, a move that can compromise the aim of separating the powers of the government to control arbitrary authority by one arm. Assuming the role of changing existing laws by the judiciary through developing judicial precedents and declaring laws null and void due to ultra ' viresness' is therefore a controversial issues for either opinions (Antoine, p. 119- 126).

While the conservatives may criticize the extension of the roles of the judiciary to change the existing laws, this role is arguably legal and provided for in the constitution through administrative laws and has a number of advantages. It for example facilitates checks on the legislative role of the parliament by reviewing the made laws for conformity with existing laws and rules of natural justice. It also allows for correction of laws made by parliament out of selfish ambitions at the expense of public interest. Parliament also often lack legal expertise and requires the judiciary to validate legality of its decisions in amendments. The argument that judges have the authority to add to the meaning of the constitution through the

process of interpreting it in federal courts may therefore be justified (Antoine, p. 119- 126).

Works cited

Antoine, Rose. Commonwealth Caribbean Law And Legal Systems. New York, NY: Routledge, 2008. Print