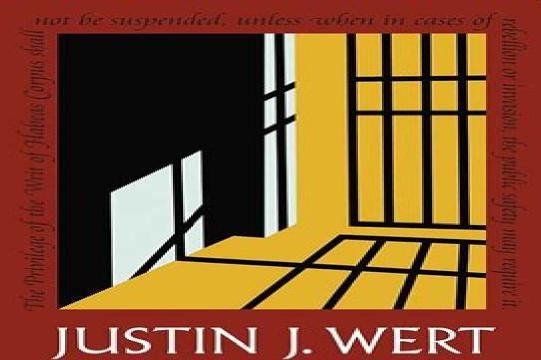
HABEAS CORPUS IN AMERICA

The Politics of Individual Rights



<u>Habeas Corpus In America The Politics Of Individual</u> <u>Rights Constitutional Thinking</u>

RD Boyd

Habeas Corpus In America The Politics Of Individual Rights Constitutional Thinking:

Habeas Corpus in America Justin J. Wert, 2023-09-15 For most Americans habeas corpus is the cornerstone of our legal system the principal constitutional check on arbitrary government power allowing an arrested person to challenge the legality of his detention In a study that could not be more timely Justin Wert reexamines this essential individual right and shows that habeas corpus is not necessarily the check that we ve assumed Habeas corpus it emerges is as much a tool of politics as it is of law In this first study of habeas corpus in an American political context Wert shifts our collective emphasis from the judicial to the political toward the changes in the writ influenced by Congress the president political parties state governments legal academics and even interest groups By doing so he reveals how political regimes have used habeas corpus both to undo the legacies of their predecessors and to establish and enforce their own vision of constitutional governance Tracing the history of the writ from the Founding to Hamdi v Rumsfeld and Boumediene v Bush Wert illuminates crucial developmental moments in its evolution He demonstrates that during the antebellum period Reconstruction Gilded Age Great Society and the ongoing war on terrorism habeas corpus has waxed and waned in harmony with the interests of majoritarian politics Along the way Wert identifies and explains the political context of fine points of law that many political scientists and historians may not be aware of such as the exhaustion rule requiring that a federal habeas participant must first exhaust all possible claims for relief in state court a maneuver by which the post Reconstruction Court abandoned supervision of race relations in the South Especially in light of the new scrutiny of habeas corpus prompted by the Guant namo detainees Wert s book is essential for broadening our understanding of how law and politics continue to intersect after 9 11 Brimming with fresh insights into constitutional development and regime theory it shows that the Great Writ of Liberty may not be so great as we have supposed because while it has the potential to enforce conceptions of rights that are consistent with the best ideals of American politics it also has the potential to enforce its worst aspects as well **Politics in America** Thomas R. Dye, 2003 For all freshman sophomore level courses in American Government this updated text uses Harold Laswells classic definition of politics Who gets what when and how as a framework for presenting a clear concise and stimulating introduction to the American political system The DNA of Constitutional Justice in Latin America Daniel M. Brinks, Abby Blass, 2018-04-19 In recent times there has been a dramatic change in the nature and scope of constitutional justice systems in the global south New or reformed constitutions have proliferated protecting social economic and political rights While constitutional courts in Latin America have traditionally been used as ways to limit power and preserve the status quo the evidence shows that they are evolving into a functioning part of contemporary politics and a central component of a system of constitutional justice This book lays bare the political roots of this transformation outlining a new way to understand judicial design and the very purpose of constitutional justice Authors Daniel M Brinks and Abby Blass use case studies drawn from nineteen Latin American countries over forty years to reveal the ideas behind the new systems of constitutional justice They

show how constitutional designers entrust their hopes and fears to dynamic governance systems in hopes of directing the development of constitutional meaning over time **The Constitution on the Campaign Trail** Andrew Busch, 2007 This book is designed to be the most comprehensive book on splenic pathology to date It is an easy to use overview of the lesions both neoplastic and nonneoplastic that arise in the spleen Topics of focus include infectious diseases and lymphoproliferative disorders of the spleen It analyzes each entity under the categories of definition etiologies and pathogenesis clinical presentations treatment prognosis imaging macroscopic features microscopic features cytopathology and ancillary studies and differential diagnosis This text would be an ideal tool for surgical pathologists Hematopathologists pathology residents and medical students FEATURES Features the classic benefits of all Amirsys R titles including time saving bulleted text Key Facts in each chapter stunning annotated images and an extensive index Includes both an extensive antibody index and molecular factors index Amirsys eBook Advantage TM an online version of the print book with fully searchable text

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