

THE CONSTITUTION  
IN A TIME OF TERROR

# A WAR LIKE NO OTHER

OWEN FISS

EDITED AND WITH A FOREWORD BY  
TREVOR SUTTON

# A War Like No Other The Constitution In A Time Of Terror

**F Rizvi**



## **A War Like No Other The Constitution In A Time Of Terror:**

**A War Like No Other** Owen Fiss, 2004-04-15 A scholarly and cautionary collection of essays focusing on what Fiss views as the post 9 11 debasements of key provisions of the Constitution Kirkus Reviews A leading legal scholar for more than thirty years Owen Fiss's focus was civil procedure and equal protection But when the War on Terror began to shroud legal proceedings in secrecy he realized the bulwarks of procedure that shield the individual from the awesome power of the state were dissolving perhaps irreparably and that it was time for him to speak up The ten chapters in this volume cover the major legal battlefronts of the War on Terror from Guantanamo to drones with a focus on the constitutional implications of those new tools The underlying theme is Fiss's concern for the offense done to the US Constitution by the administrative and legislative branches of government in the name of public safety and the refusal of the judiciary to hold the government accountable A War Like No Other is an essential intellectual foundation for all concerned about constitutional rights and the law in a new age Fiss is one of our most clear eyed and hard edged constitutional analysts and this critique of the damage done to our constitutional heritage in the name of waging a war on terror is the most devastating I have seen Stanley N Katz director of the Princeton University Center for Arts and Cultural Policy Studies An essential contribution from one of the country's foremost legal scholars Jonathan Hafetz former senior attorney for the National Security project of the ACLU Thought provoking Publishers Weekly

**The Age of Deference** David Rudenstine, 2016 The Age of Deference traces the Court's role in the rise of judicial deference to executive power since the end of World War II

In the Shadow of Korematsu Eric K. Yamamoto, 2018 This book discusses the present day significance of the Supreme Court's partially discredited yet never overruled 1944 decision upholding the constitutional validity of the mass Japanese American exclusion leading to indefinite incarceration It charts policymakers and judges' chameleonic deployment of the muddled high court ruling alternatively to legitimate or to reject present day security actions that undercut fundamental rights to freedom association religious choice due process and equality rights of immigrants and citizens protestors and justice organizations worshippers and journalists

**Pearl Harbor** Craig Nelson, 2017-08 A valuable reexamination Booklist starred review of the event that changed twentieth century America Pearl Harbor based on years of research and new information uncovered by a New York Times bestselling author The America we live in today was born not on July 4 1776 but on December 7 1941 when an armada of 354 Japanese warplanes supported by aircraft carriers destroyers and midget submarines suddenly and savagely attacked the United States killing 2 403 men and forced America's entry into World War II Pearl Harbor From Infamy to Greatness follows the sailors soldiers pilots diplomats admirals generals emperor and president as they engineer fight and react to this stunningly dramatic moment in world history Beginning in 1914 bestselling author Craig Nelson maps the road to war when Franklin D Roosevelt then the Assistant Secretary of the Navy attended the laying of the keel of the USS Arizona at the Brooklyn Navy Yard Writing with vivid intimacy Nelson traces Japan's leaders as they lurch into

ultranationalist fascism which culminates in their scheme to terrify America with one of the boldest attacks ever waged Within seconds the country would never be the same Backed by a research team s five years of work as well as Nelson s thorough re examination of the original evidence assembled by federal investigators this page turning and definitive work weaves archival research interviews and personal experiences from both sides into a blow by blow narrative of destruction liberally sprinkled with individual heroism bizarre escapes and equally bizarre tragedies Kirkus Reviews Nelson delivers all the terror chaos violence tragedy and heroism of the attack in stunning detail and offers surprising conclusions about the tragedy s unforeseen and resonant consequences that linger even today      **Humanity at Sea** Itamar Mann,2016-09-29 This book integrates legal historical and philosophical materials to illuminate the migration topic and to provide a novel theory of human rights      **Law Without Future** Jack Jackson,2019-06-28 A provocative sobering analysis of twenty first century court cases that undermine the very idea of constitutional government As the 2000 decision by the Supreme Court to effectively deliver the presidency to George W Bush recedes in time its real meaning comes into focus If the initial critique of the Court was that it had altered the rules of democracy after the fact the perspective of distance permits us to see that the rules were in some sense not altered at all Here was a landmark decision that according to its own logic was applicable only once and that therefore neither relied on past precedent nor lay the foundation for future interpretations This logic according to scholar Jack Jackson not only marks a stark break from the traditional terrain of U S constitutional law but exemplifies an era of triumphant radicalism and illiberalism on the American Right In Law Without Future Jackson demonstrates how this philosophy has manifested itself across political life in the twenty first century and locates its origins in overlooked currents of post WWII political thought These developments have undermined the very idea of constitutional government and the resulting crisis Jackson argues has led to the decline of traditional conservatism on the Right and to the embrace on the Left of a studiously legal apolitical understanding of constitutionalism with ironically reactionary implications Jackson examines Bush v Gore the post 9 11 torture memos the 2005 Terri Schiavo controversy the Republican Senate s norm obliterating refusal to vote on President Obama s Supreme Court nominee Merrick Garland and the ascendancy of Donald Trump in developing his claims Engaging with a wide array of canonical and contemporary political thinkers including St Augustine Alexis de Tocqueville Karl Marx Martin Luther King Jr Hannah Arendt Wendy Brown Ronald Dworkin and Hanna Pitkin Law Without Future offers a provocative sobering analysis of how these events have altered U S political life in the twenty first century in profound ways and seeks to think beyond the impasse they have created      **America's Military Biomedical Complex** Chief Justice Thomas J Moyer Professor for the Administration of Justice and Rule of Law and Professor of Public Health Efthimios Parasidis,Efthimios Parasidis,2025 America s Military Biomedical Complex traces how laws and ethical codes have co evolved with America s military science pursuits It vividly illustrates how the drive for scientific and military superiority has led to transformational achievements in medicine and science demonstrating how these endeavors have

shifted the moral compass of government and society Along with comprehensive historical analysis the book introduces the concept of *jus in praeparatione bellum* justice in war preparations and recommends policies that balance national security priorities with fundamental principles of justice and human dignity Yale Law Journal: Volume 125, Number 3 - January 2016 Yale Law Journal,2016-01-22 This issue of the Yale Law Journal the third issue of academic year 2015 2016 features articles and essays by notable scholars as well as extensive student research Contents include Article Corporate Control and Idiosyncratic Vision by Zohar Goshen Assaf Hamdani Essay The Domestic Analogy Revisited Hobbes on International Order by David Singh Grewal Note Repairing the Irreparable Revisiting the Federalism Decisions of the Burger Court by David Scott Louk Note Reconciling the Crime of Aggression and Complementarity Unaddressed Tensions and a Way Forward by Julie Veroff Comment Unpacking Wolf Packs by Carmen X W Lu Comment Jurisdictional Rules and Final Agency Action by Sundeeep Iyer Quality digital edition includes active Contents for the issue and for individual articles linked footnotes active URLs in notes and proper digital and Bluebook presentation from the original edition **Pillars of Justice** Owen Fiss,2017-05-08 The constitutional theorist Owen Fiss explores the purpose and possibilities of life in the law through a moving account of thirteen lawyers who shaped the legal world during the past half century He tries to identify the unique qualities of mind and character that made these individuals so important to the institutions and principles they served

**Why Democracies Flounder and Fail** Michael Haas,2018-06-26 Democracy is in crisis because voices of the people are ignored due to a politics of mass society After demonstrating how the French Fourth Republic failed wherein Singapore s totalitarianism is a dangerous model Washington is enmeshed in gridlock and there is a global democracy deficit solutions are offered to revitalize democracy as the best form of government The book demonstrates how mass society politics operates with intermediate institutions of civil society media pressure groups political parties no longer transmitting the will of the people to government but instead are concerned with corporate interests and have developed oligarchical mindsets Rather than micro remedy bandaids the author focuses on the need to transform governing philosophies from pragmatic to humanistic solutions

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