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Due Process of Law A Brief History

By John V. Orth

University Press of Kansas. Paperback. Book Condition: New. Paperback. 128 pages. Dimensions: 7.7in. x 6.1in. x 0.4in. Many rights that Americans cherish today go unmentioned in the U. S. Constitution. Where do these freedoms come from John V. Orth answers that question in this unique and gem-like history of due process. No persons life, liberty, or property may be taken without due process of law. What exactly that means has been one of the most frequently asked questions in American constitutional history. Today, the answer is usually given in two parts: what procedures the government must follow and in exceptional cases what the government cannot do even if it follows the proper procedures. The procedural aspect of this answer has been far less controversial than substantive due process, which at one time limited government regulation of business and today forbids the states from outlawing abortions. Due process of law, as a phrase and as a concept, was already old at the time it was adopted by American constitution-writers, both state and federal. Mindful of the English background and of constitutional developments in the several states, Orth in a succinct and readable narrative traces the history of due process, from its origins in medieval...



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