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Edmund Burke Selected Wrk 3vol

John A. Murley, Sean D. Sutton



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The Works of the Right Honorable Edmund Burke ...: Charge against Warren Hastings concluded. Political letters Edmund Burke,1889 The Supreme Court against the Criminal Jury John A. Murley,Sean D. Sutton,2014-06-12 The Supreme Court against the Criminal Jury Social Science and the Palladium of Liberty is an analysis of the United States Supreme Court decisions in what has come to be called the jury size and jury decision rule cases In *Williams v Florida* 1970 and *Ballew v Georgia* 1978 a majority of the Supreme Court looked to history empirical studies and functional analysis to support its claim that there was no discernible difference between the verdicts of juries of six and juries of twelve In the process the Court also decided that the number twelve was an historical accident and that the twelve member jury was not an essential ingredient of trial by jury Two years later the Court following essentially the same line of reasoning used in *Williams* decided in the companion cases *Apodaca v Oregon* 1972 and *Johnson v Louisiana* 1972 that defendants were as well served with juries that reached verdicts by a majority vote of 11 1 10 2 and 9 3 as they were with unanimous jury verdicts In these cases the Supreme Court rejected the centuries old common law view that the unanimous jury verdict was an essential element of trial by jury With these four decisions the criminal jury as it had been known for more than six hundred years under the common law and the Constitution was in principle abandoned We critique these decisions from the perspective of unreliable jury studies and the impact of these decision on jury nullification **Bookseller's catalogues** Irene Burn,1822

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