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Scientific Evidence And Equal Protection Of The Law

Gerda A. Kleijkamp



Scientific Evidence And Equal Protection Of The Law:

Scientific Evidence and Equal Protection of the Law Angelo N Ancheta, 2006-02-02 Scientific and social scientific evidence has informed judicial decisions and the making of constitutional law for decades but for much of U S history it has also served as a rhetorical device to justify inequality It is only in recent years that scientific and statistical research has helped redress discrimination but not without controversy Scientific Evidence and Equal Protection of the Law provides unique insights into the judicial process and scientific inquiry by examining major decisions of the U S Supreme Court civil rights advocacy and the nature of science itself Angelo Ancheta discusses leading equal protection cases such as Brown v Board of Education and recent litigation involving race related affirmative action gender inequality and discrimination based on sexual orientation He also examines less prominent but equally compelling cases including McCleskey v Kemp which involved statistical evidence that a state s death penalty was disproportionately used when victims were white and defendants were black and Castaneda v Partida which established key standards of evidence in addressing the exclusion of Latinos from grand jury service For each case Ancheta explores the tensions between scientific findings and constitutional values

Evaluating Scientific Evidence Erica Beecher-Monas, 2007 This book examines scientific evidence in both civil and criminal contexts

Modern Scientific Evidence David Laurence Faigman, 2002

Modern Scientific Evidence, 2005

The Science and Politics of Racial Research William H. Tucker, 1994 Unlike other critiques of the scientific literature on racial difference The Science and Politics of Racial Research argues that there has been no scientific purpose or value to the study of innate differences in ability between groups William Tucker shows how for more than a century scientific investigations of supposedly innate differences in ability between races have been used to rationalize social and political inequality as the unavoidable consequence of natural differences Tucker structures his work chronologically with each chapter describing how research on genetic difference was used in a particular era to support a particular political agenda He begins with the use of science to support slavery in the mid nineteenth century and ends with the effects of Jensenism in the 1970s Highlights include one chapter describing a little known but concerted attempt by a group of scientists to overturn the Brown v Board of Education decision on the basis of expert testimony about racial differences and another that presents a review of the eugenics movement in the twentieth century The author also considers how to balance the rights and responsibilities of scientists concluding that one generally neglected method is to strengthen the rights of research subjects

Nussbaum and Law Robin West, 2017-07-05 The essays collected in this volume reflect the profound impact of Martha Nussbaum s philosophical writings on law and legal scholarship The capabilities approach that she has largely authored has influenced the approach scholars take to the law of disabilities both in the United States and in Canada as well as to international human rights and to domestic private law s protections of vulnerable populations Her analyses of the relationship between our emotions and our thought and action has triggered a re assessment of the legal regulation and

recognition of emotion in a range of fields most particularly in the field of criminal law and her writing on the nature of dignity has informed an understanding of the emerging civil rights of gay and lesbian citizens worldwide Our appreciation of the role of narrative in legal thought and discourse and the contributions of literature to law and legal culture have also been broadened and deepened by her contributions Taken together and including the introduction by the editor the essays collected in this volume demonstrate the far reaching impact of Nussbaum's philosophical oeuvre

The Supreme Court and Constitutional Theory, 1953-1993 Ronald Kahn, 1994 Combining theoretical sophistication with a fundamental comprehension of the political institutions of the USA this study aims to demystify the workings of the United States Supreme Court and its place in democracy

Personhood Mary Ziegler, 2025-04-22 The next phase of the war over reproduction in America What's next for the battle over abortion Mary Ziegler argues that simply undoing *Roe v Wade* has never been the endpoint for the antiabortion movement Since the 1960s the larger goal has been to secure recognition of fetuses and embryos as persons under the Fourteenth Amendment of the U S Constitution a step that the modern antiabortion movement argues would make liberal abortion laws unconstitutional *Personhood* chronicles the internal struggles and changing ideas about race sex religion war corporate rights and poverty that shaped the personhood struggle over half a century The book explores how Americans came to take for granted that fetal personhood requires criminalization and suggests that other ways of valuing both fetal life and women's equality might be possible Ziegler ultimately shows that the battle for personhood has long been about more than abortion it has aimed to overhaul the regulation of in vitro fertilization contraception and the behavior of pregnant women change the meaning of equality under the law and determine how courts decide which fundamental rights Americans enjoy This book is necessary reading for anyone seeking to understand the era launched by the reversal of *Roe*

Lesbians and Gay Men as Foster Parents Wendell Ricketts, 1991 New York Court of Appeals. Records and Briefs. New York (State).

The Role of Law in Social Work Practice and Administration Theodore J. Stein, 2004-07-06 This book addresses this relationship between the professions of social work and law and helps social workers develop the knowledge necessary to practice in a legal environment The author focuses on how the law affects the day to day practice of social work the creation administration and operation of social service agencies and the ways in which social workers and attorneys collaborate to serve the public

Congressional Record United States. Congress, 1981 The *Congressional Record* is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The *Congressional Record* began publication in 1873 Debates for sessions prior to 1873 are recorded in *The Debates and Proceedings in the Congress of the United States 1789-1824* the *Register of Debates in Congress 1824-1837* and the *Congressional Globe 1833-1873*

Facts and Norms in Law Sanne Taekema, Bart van Klink, Wouter de Been, 2016-07-27 *Facts and Norms in Law* Interdisciplinary Reflections on Legal Method presents an innovative collection of essays on the relationship between descriptive and normative elements in legal inquiry and legal

practice What role does empirical data play in law New insights in philosophy the social sciences and the humanities have forced the relationship between facts and norms on to the agenda especially for legal scholars doing interdisciplinary work This timely volume carefully combines critical perspectives from a range of different disciplinary traditions and theoretical positions Mixed Race America and the Law Kevin R. Johnson,2003-02 This ground breaking anthology examines the

mixed race experience and the impact of law on mixed race citizens in America **Family Life and Family Interests** Gerda A. Kleijkamp,2023-07-03 The purpose of this comparative study is three fold Firstly it offers an analysis of and a comparison between the application and interpretation of Article 8 often in conjunction with the anti discrimination principle of Article 14 of the European Convention of Human Rights and the application and interpretation of the Due Process and Equal Protection Clauses of the Fourteenth Amendment of the United States Constitution in particular with regard to family law Secondly it compares and analyses the answers to the specific questions regarding circumstances under which a legal parent child relationship may be established and by whom as described under Dutch Chapter 4 and Californian New York and Texas Law Chapter 5 And thirdly it compares and analyses the compliance with and influence of the European Convention as reflected in family law by the Dutch Supreme Court and the compliance with and influence of the U S Constitution as reflected in family law decisions and filiation law in particular by the courts in California New York and Texas

Research Report ,1994 Constitutional Law for a Changing America Lee Epstein, Kevin T. McGuire, Thomas G. Walker,2023-10-10 Excellent balance of case excerpts and author explanation highly appropriate for undergraduate students Dr Wendy Brame Briar Cliff University Political factors influence judicial decisions Arguments and input from lawyers and interest groups the ebb and flow of public opinion and especially the ideological and behavioral inclinations of the justices all combine to shape the development of constitutional doctrine Drawing from political science as much as from legal studies Constitutional Law for a Changing America A Short Course helps students realize that Supreme Court cases are more than just legal names and citations With meticulous revising the authors streamline material while accounting for recent landmark cases and new scholarship Ideal for a one semester course the Ninth Edition of A Short Course offers all the hallmarks of the Rights and Powers volumes also included in the Constitutional Law for a Changing America series in a more condensed format Included with this title LMS Cartridge Import this title s instructor resources into your school s learning management system LMS and save time Don t use an LMS You can still access all of the same online resources for this title via the password protected Instructor Resource Site Constitutional Revolutions Robert Justin Lipkin,2000-05-17 Rethinks constitutional jurisprudence from a postmodern perspective attempting to integrate a Kuhnian approach to intellectual transformations with a Rawlsian pragmatic approach to decision making *P5 Medicine and Justice* Santo Davide Ferrara,2018-03-27 This book describes the state of the art and future prospects of the most important bio medicolegal subdisciplines in the post genomic framework of personalized medicine Focusing on the three main themes Innovation

Unitariness and Evidence the book addresses a wide range of topics including Bio Medicolegal and Criminological Sciences Forensic Pathology and Anthropology Clinical and Forensic Medicine in Living Persons from Interpersonal Violence to Personal Injury and Damage Malpractice Personal Identification and Age Estimation Forensic Genetics and Genomics and Toxicology and Imaging The unitariness of the Bio Medicolegal Sciences historically founded on the accuracy and rigor of the methods of ascertainment and criteria of evaluation should be re established on the basis of molecular evidence and used to promote Personalized Justice Taken together the book s conclusions and future perspectives outline a vision of transdisciplinary innovation and future evidence in the framework of personalized justice **AIDS and the Law, 6th**

Edition Skinner-Thompson, Scott, 2019-12-17 AIDS and the Law Sixth Edition AIDS and the Law provides comprehensive coverage of the complex legal issues as well as the underlying medical and scientific issues surrounding the HIV epidemic Covering a broad range of legal fields from employment to health care to housing and privacy rights this essential resource provides thorough up to date coverage of a rapidly changing area of law AIDS and the Law brings you up to date on the latest developments including Updates regarding additional consensus that Undetectable Untransmittable Chapter 2 Overview of continuing efforts to chip away at the Affordable Care Act Chapter 2 Discussion regarding states now imposing work requirements for Medicaid Chapter 9 Analysis of the Trump Administration s many changes to immigration policy including policing of immigrants seeking public benefits Chapter 11 Overview of the Department of Justice s decision regarding whether domestic violence can serve as the basis for asylum Chapter 11 Updates on new Supreme Court precedent regarding exhaustion of administrative remedies under the Prison Litigation Reform Act Chapter 14 New case law pertaining to the impact of HIV in the family law context Chapter 13

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