

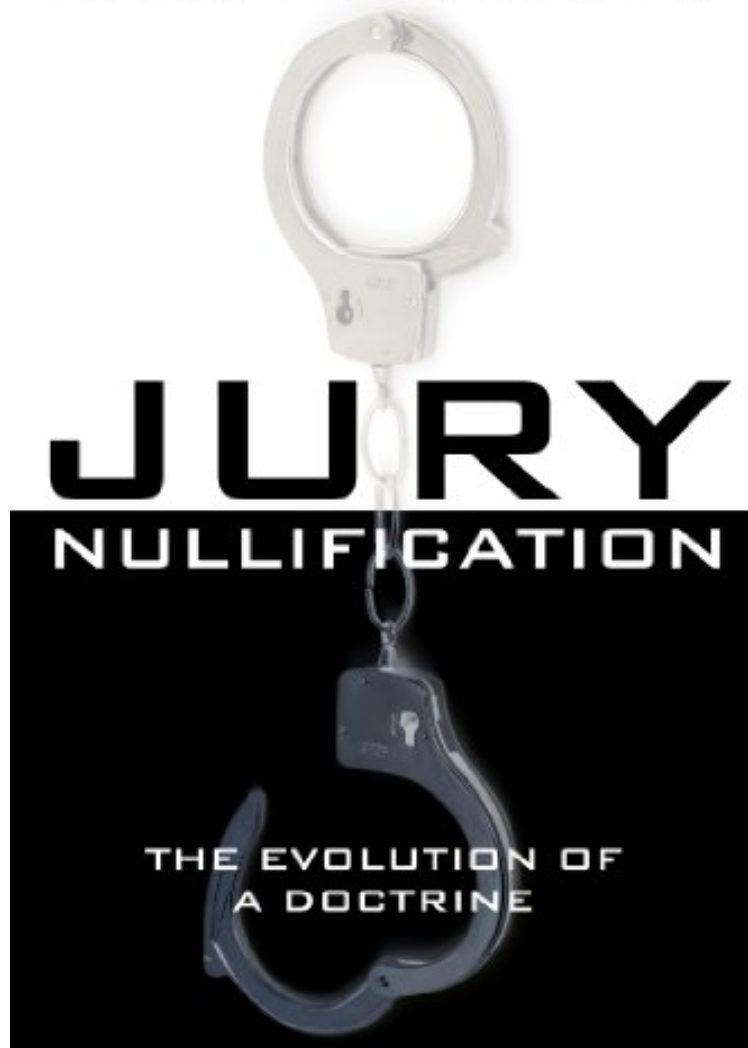
(Free pdf) Jury Nullification: The Evolution of a Doctrine

## Jury Nullification: The Evolution of a Doctrine

Von Clay S. Conrad

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CLAY S. CONRAD



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**Von Clay S. Conrad : Jury Nullification: The Evolution of a Doctrine** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Jury Nullification: The Evolution of a Doctrine:

Kundenrezensionen Hilfreichste Kundenrezensionen 0 von 0 Kunden fanden die folgende Rezension hilfreich. excellent review of a "top secret" constitutional right Von Ross Nordeen Many have heard how juries bravely refused to convict people accused of assisting runaway slaves in the 19th century but few know the full history of jury nullification. Clay Conrad aims to remedy that ignorance in this excellent book from the Cato Institute. Starting with cases from hundreds of years ago, the history of jury powers is meticulously detailed with all the major episodes covered including recent

events such as the Laura Kriho conviction. Jury independence is shown time and again to have been on the right side of issues such as slavery, prohibition, the labor movement and draft resistance. The modern jury power movement is also examined. This isn't just a history book, though. The author looks at constitutional issues, studies of jury behavior, and also addresses many of the criticisms of jury power. The most widely repeated criticism is that jury nullification was largely responsible for the lack of convictions in the South of whites committing crimes against blacks. Conrad makes a strong case that it was racist judges, police and prosecutors as well as the practice of preventing blacks from serving on juries that resulted in so few convictions. The book is rounded out with a chapter full of interesting tactics on how lawyers can introduce nullification arguments in court.

0 von 0 Kunden fanden die folgende Rezension hilfreich. A Most Excellent Book Von Ein Kunde Conrad's book is superb! He examines the history of the right of "jury nullification" or "jury independence" (the right and obligation of jurors to judge the LAW, as well as the FACTS in any case). Like most people, I knew relatively little about this right, which today is usually never mentioned to actual sitting jurors. Conrad traces the history of the use of this right, which was well known and legally recognized until very recently by the courts. Part of English common law, it was used extensively from the 1200's until the 1930's. From "seditious libel against the crown", to the slavery issue, to Prohibition, Jury Nullification was used to acquit defendants whenever the jury felt that the specific law was unjust or the penalty was grossly unfair. Thus, jurors had the right and obligation to judge the LAW and the case FACTS in order to render justice - regardless of any instructions from the presiding judge and the courts. This is a remarkable book, easy to read and filled with interesting facts that every American should know. I recommend it highly.

0 von 0 Kunden fanden die folgende Rezension hilfreich. Jury discretion: no scarier than prosecutorial discretion Von Glenn H. Reynolds A fascinating study of the often-ignored history of jury nullification in America. Today we mostly think of this phenomenon in the context of the O.J. Simpson trial, or the juries that refused to convict racist killers in the South during the Civil Rights era. As the author points out, that's a small part of the jury nullification picture. The Framers considered such injustices well worth it in light of the jury's ability to frustrate the actions of would-be tyrants. Such discretion on the part of juries has its downside, of course -- but so does the unbridled discretion of prosecutors, which is generally considered to be a Good Thing by many of those who fear giving the same discretion to juries. As Conrad makes clear, it's not obvious why this should be the case.

Kurzbeschreibung The Founding Fathers guaranteed trial by jury three times in the Constitution more than any other right since juries can serve as the final check on governments power to enforce unjust, immoral, or oppressive laws. But in America today, how independent can a jury be? How much power does a jury have to not only judge a defendants actions, but the merits of the law? What happens when jurors decide in criminal trials not to enforce the law or not to convict a defendant if they conclude it would be unjust? This classic book, originally published 15 years ago and now brought back into wide national view by the Cato Institute, answers these questions by taking readers through a history of jury independence and exploring the range of powers a jury can undertake in ensuring justice and fairness in our cherished legal system.

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Autorenkommentar Gratifying to see the responses It is truly gratifying to see the responses this book has been getting. The book has been out less than four months as I type this, and the first printing is about seventy percent sold out. Jury nullification is an extremely important topic for many reasons. Juries are, within their domain, the most powerful institution in America. However, few Americans know why the Founders were so insistent about the right to trial by jury (guaranteeing it three times in the Constitution and Bill of Rights - more than any other right) or what the intended role for juries was to be in this country. While jury nullification has widely been discussed in the law journals, it has rarely come to light in the popular media - and when it has, usually inaccurately. One reason jury nullification has so rarely been given a respectful hearing in the popular media is that juries are so routinely scapegoated for failures elsewhere in the system. The institution for generations has been the target of misguided abuse and criticism, while the fact that jurors have rarely abused their discretion almost never comes to light. If this book can lead to enriching the popular debate on this topic with some history and respect, it will have served its purpose.