

“The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.”

**Article I, Section IX of the United States
Constitution
September 17, 1787**

Habeas corpus is Latin for “have the body.” A writ of habeas corpus is a court order directing that a prisoner be brought to court and that the government show lawful grounds for his or her detention. The inclusion of the writ of habeas corpus in the Constitution prior to the passage of the Bill of Rights illustrates how important this right was to the founding fathers of our country.

In extreme cases, habeas corpus has been suspended. President Lincoln suspended habeas corpus a few times in response to unrest and rebellion during the Civil War. Again during World War II, Japanese Americans living on the West Coast were forced into internment camps following the attack on Pearl Harbor and detained for a couple of years.

With the passage of the Civil Liberties Act of 1988, the U.S. Government offered formal apologies and payments to Japanese-Americans who were forcibly relocated in WWII.

Look for news reports in-print or online that might require the necessity to suspend habeas corpus. Under what circumstances do you think one’s rights to due process could or should be reasonably curtailed?

Next installment: The Fifth Amendment



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