1. Record Nr. UNINA9910480739403321 Autore Taslitz Andrew E. <1956-> Titolo Reconstructing the Fourth Amendment [[electronic resource]]: A History of Search and Seizure, 1789-1868 / / Andrew E. Taslitz New York,: New York University Press, c2006 Pubbl/distr/stampa 0-8147-8421-6 **ISBN** 0-8147-8315-5 Descrizione fisica 1 online resource (375 p.) Disciplina 345.73/054409034 Soggetti Searches and seizures - United States - History Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references (p. 279-342) and index. Plugging into the Fourth Amendment's matrix -- Violence as political Nota di contenuto expression -- The quantity and quality of evidence -- Modern implications I: peoplehood and inter-branch responsibilities -- Modern implications II: precedent and political meaning -- Expressive violence and southern honor -- Slave locomotion -- Mobility's meaning for the South -- Mobility's meaning for the North -- Privacy and property --Civil War and Reconstruction -- Law on the street. Sommario/riassunto The modern law of search and seizure permits warrantless searches that ruin the citizenry's trust in law enforcement, harms minorities, and embraces an individualistic notion of the rights that it protects, ignoring essential roles that properly-conceived protections of privacy, mobility, and property play in uniting Americans. Many believe the Fourth Amendment is a poor bulwark against state tyrannies, particularly during the War on Terror. Historical amnesia has obscured the Fourth Amendment's positive aspects, and Andrew E. Taslitz

rescues its forgotten history in Reconstructing the Fourth