



# Constructing Civil Liberties: Discontinuities in the Development of American Constitutional Law

*Ken I. Kersch*

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## **Constructing Civil Liberties: Discontinuities in the Development of American Constitutional Law** Ken I. Kersch

The modern jurisprudence of civil liberties and civil rights is best understood, not as the application of principles to facts, but as a product of currents of progressive reformist political thought. This book demonstrates that rights of individuals in the criminal justice system, workplace, and school now identified with the essence of civil rights and liberties, were the end point of a layered succession of progressive-spirited ideological and political campaigns of statebuilding and reform. In questioning this vision of constitutional development, this book integrates the developmental paths of civil liberties law into an account of the rise of the modern state and the reformist political and intellectual movements that shaped and sustained it. In doing so, *Constructing Civil Liberties* provides a vivid, multi-layered, revisionist account of the genealogy of contemporary constitutional law and morals.

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