# A letter on “US Supreme Court hears arguments on habeas corpus for Guantánamo prisoners”

**10 December 2007**

*The WSWS received the following letter on* “US Supreme Court hears arguments on habeas corpus for Guantánamo prisoners” .

Good piece John.

I think that habeas corpus is one of the most overblown myths of the American legal system. A lot of people like to pay lip service to the notion of habeas corpus, as long as no one is released from prison, that is.

It doesn’t hurt to point out that habeas corpus has long been gutted for American prisoners and is fairly meaningless. Prison Legal News recently reported on the Vanderbilt University study that found that habeas relief was granted in .03% of non-capital habeas cases. But that is hardly news, even before AEDPA [Antiterrorism and Effective Death Penalty Act] it was a rare prisoner who won a habeas case (the habeas lottery, as I like to call it). A few years ago a federal judge in Florida, I think it was Laura Snow, wrote a law review article where she called for the repeal of the federal habeas statutes by noting they were pretty meaningless and noting that in her “x” number of decades on the bench she had never granted a habeas petition.

The US has a truly bipartisan criminal justice policy. AEDPA was signed by Clinton after being passed as a budget rider by a unanimous congress with the purpose of screwing Timothy McVeigh out of his appeals. This was long after the Supreme Court had pretty much nailed the habeas coffin shut.

I think it gives the legal system more legitimacy than it deserves to imply that habeas petitions amount to much of anything.

And the state appeals systems are often no better. Periodically I read articles that note another year has gone by in Virginia or New York where the state appeals courts hear thousands of criminal appeals and don’t reverse a single conviction.

Habeas corpus is a nice idea.

Paul Wright, editor
Prison Legal News
972 Putney Rd. #251
Brattleboro, VT 05301
802-257-1342
pwright@prisonlegalnews.org
www.prisonlegalnews.org
Seattle office:
Prison Legal News
2400 NW 80th St. #148
Seattle, WA 98117
206-246-1022

To contact the WSWS and the Socialist Equality Party visit:

**wsws.org/contact**

© World Socialist Web Site