

A new term

by *The San Diego Union-Tribune*

The U.S. Supreme Court began a new session this week, and observers are nearly as divided as the court itself on how the nine justices will rule on the major cases before them.

So far, the court has agreed to accept 43 cases, about half the number it accepted last term. Among the cases that could lead to far-reaching decisions:

- Voter identification: The court will decide the validity of an Indiana law that requires voters to show photo identification at the polls.

- Death penalty: In a case from Kentucky, death row inmates argue that drugs used in lethal injections, similar to those used in California and many other states, can cause agonizing deaths and therefore violate the Constitution's ban on cruel and unusual punishment.

- Guantanamo inmate rights: Prisoners at the Guantanamo naval base in Cuba dispute a federal law limiting their right to habeas corpus, the constitutional right to challenge their confinement and the charges against them in court.

- Sentencing guidelines: Two cases, one involving crack cocaine versus powdered cocaine, will examine how much discretion federal judges have in sentencing those convicted of crimes.

- International court jurisdiction: In a case from Texas, a Mexican citizen was not advised of his right to contact his consulate, as required by international treaty, after his arrest. The International Court of Justice ruled Texas law violated the treaty. President Bush ordered Texas to comply. Texas said no. Although it has not decided yet, the court likely will rule on a Washington, D.C., case that may determine if U.S. citizens have an individual right, under the Second Amendment, to own firearms.

Last year, 24 of the 70 or so rulings handed down by the Supreme Court were 5-4 decisions, with Justice Anthony Kennedy almost always the swing vote. This year, observers expect more close rulings, but the issues are ones that Kennedy historically has sided more with liberals, detainee rights being a prime example. With this term extending into a presidential election year, there are bound to be political fireworks either way.

Reprinted from San Diego Union-Tribune © CNS.

