## Contents

	Acknowledgments	ix
	Introduction. America's Contribution to Political Thought: Prophylactic Judicial Independence as an Instrument of Democratic Constitutionalism	I
I.	The Foundations of American Constitutionalism	13
2.	A Taxonomy of Judicial Independence	52
3.	Judicial Impeachment, Judicial Discipline, and American Constitutionalism	77
4.	State Courts, Due Process, and the Dangers of Popular Constitutionalism	IIO
5.	Constitutionalism, Democracy, and the Pathology of Legislative Deception	139
6.	Habeas Corpus, Due Process, and American Constitutionalism	166
	Conclusion	199
	Notes	207
	Index	259