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11 One often hears the claim that there is no adequate reason to believe it, but I am far from sure. David Cole argues, (David Cole , Judging the Next Emergency: Judicial Review and Individual Rights in Times of Crisis, 101 Mich. L. Rev. 2565-95 (2003)), “When considered over time, courts have played a valuable role in reviewing and ultimately restraining some of the more egregious rights ...

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