

INSTITUTE FOR THE ADVANCEMENT OF JUSTICE & HUMAN RIGHTS

**THE UNIVERSAL DECLARATION OF
HUMAN RIGHTS
AND THE CONSTITUTION OF THE UNITED
STATES**

Recognition, constitutional reception, and delivery of retained human rights

Contents

Contents	2
Executive Summary	4
Part I — Purpose, Scope, and Method	6
1. Purpose and status	6
2. The three inquiries, and why they are separated	6
3. Construction of the Ninth Amendment	7
4. Process 1 — the Strict Recognition Standard	7
4A. Processes 1–4 and the Process 3 position	8
4B. The integrated constitutional context—and its limit	8
4C. The four mandatory Process 3 gates	9
4D. Trigger, presumption, and rebuttal	9
4E. Source weighting and the role of international evidence	10
4F. Legal status, confidence, and counting	10
4G. Required derivation and adversarial record	10
5. Developed applications	11
6. Delivery criteria	11
7. Scope and completeness	11
Part II — The Rights the United States Has Undertaken	11
8. Treaties ratified	11
9. Implementation, partial rather than absent	12
10. Treaties signed but not ratified	12
11. Peremptory norms	12
12. The Universal Declaration of Human Rights, and what the United States has told the treaty bodies	13
Part III — Constitutional Reception and Personal Retention	13
13. Reception routes, and the distinct work each performs	13
14. What current constitutional law already secures	14
Part IV — Operation, Delivery, and Divergence	15
15. The interrupted mechanism	15
16. The remaining vehicles and their limits	15
17. Divergence	15
17A. Atomic treatment of Articles 14 and 29	16
Part V — Determinations	16
P-001 — Freedom from torture	17
P-002 — Freedom from cruel, inhuman or degrading treatment	18

P-004 — Right to an effective remedy	19
P-005 — Fair hearing before an independent and impartial tribunal	21
P-006 — Periodic review of prolonged non-punitive detention	22
P-007 — Informational privacy	24
P-008 — Protection against governmental attack on honour and reputation	25
P-009 — Racially discriminatory effects: international obligation and statutory protection preserved; no additional LS2 recognition on this record	26
Additional determinations under Process 3	27
Part VI — Findings and Limitations	30
18. The correspondence	30
19. The principal finding	30
20. On the treaty pattern, and its limits as an explanation	30
21. On the division of authority	30
22. Education	31
23. Conditions affecting these determinations	31
24. Calibration and Controlling Method: Processes 1–4	32
25. Process 1 nonrecognitions and Process 3 reclassification	37
26. Limitations	37
Appendix A — Coverage of the Adopted Text	38
Appendix B — Register of Propositions	43
Appendix C — Table of Authorities	49
Appendix D — State Constitutional Remedy and Open-Courts Clauses	62
Appendix E — State Constitutional Education Clauses	65
Appendix F — Process 3 Adjudication Ledger	78
Proposition-by-proposition dispositions	79
Verification and Sources	91

Executive Summary

The Universal Declaration of Human Rights (UDHR; thereafter, the Declaration) is a catalogue of human rights. The Constitution of the United States does not repeat that catalogue word for word. This study compares the two systems proposition by proposition and asks: (1) Is the proposition recognized as a human right, and with what international legal status? (2) Does current United States constitutional law already protect it, or is it an additional unenumerated right retained by the people? (3) Can a person actually obtain prevention, accountability, or redress through a domestic legal mechanism? Keeping these questions separate is essential. A failure of enforcement may show a gap in delivery; it does not by itself show that the right does not exist.

The study reaches three principal conclusions. First, the United States has undertaken human-rights obligations that its domestic mechanisms do not fully deliver; treaty commitments and governmental claims of equivalent protection must be compared with actual remedies. Second, current constitutional law already protects a substantial part of the Declaration, sometimes through several doctrines. Third, the Declaration is an interpretive and evidentiary guide for identifying additional rights retained by the people under the Ninth Amendment. It is not itself a constitutional amendment and does not automatically create a domestic cause of action.

An additional retained-right finding requires a proposition-specific domestic constitutional anchor in United States text, structure, history, doctrine, state constitutional tradition, or established practice. International sources—including the Declaration, ratified treaties, and official United States representations—may help define and corroborate the proposition, but cannot alone supply that anchor. The Ninth Amendment prevents omission from being treated automatically as surrender; it does not convert every Declaration proposition into a constitutional right.

The broader constitutional context reinforces, but never replaces, that inquiry. The Constitution was adopted by the People to secure liberty; federal powers are limited and enumerated; due process protects liberty without an exhaustive catalogue; and the Ninth Amendment rejects the inference that enumerating some rights denies others retained by the people. Article VI places qualifying treaties within the legal order. The United States also ratified the Charter of the United Nations, voted for the Declaration, and ratified later human-rights treaties. Together, these matters justify inquiry rather than automatic denial, but none alone establishes an additional retained right.

Category	Result	Counted as	Meaning
Current constitutional law	21	whole proposition rows	A floor only; split rows contain further current-law components.
Process 1—strict test	7	rows and distinct rights	Strongest retained-right subset (C1).
Process 2—tie rule	7	rows and distinct rights	No genuine evidentiary tie changed a result.
Process 3—controlling test	16 / 14	recognized rows / distinct rights	Two rows are dependent, leaving fourteen distinct rights.
Process 4—treaty counterfactual	6	domestic-effect changes	Not a retained-right count.

Four processes show how different decision rules affect the result. Process 1 is the strict baseline: genuine evidentiary uncertainty defeats recognition. Process 2 changes only that tie rule. Process 3 is controlling. It requires a bounded right, a domestic constitutional anchor, constitutional compatibility, proper allocation of governmental authority, and affirmative evidence of retention. Only then may a rebuttable presumption resolve remaining uncertainty against treating omission as surrender. Process 4 does not recognize retained rights; it asks whether domestic legal consequences would change under a different treaty-reception rule.

The Declaration's ninety-seven clauses produce eighty-four propositions for testing. Twenty-one whole proposition rows are already secured by current constitutional law; split propositions contain further current-law components. Processes 1 and 2 each recognize seven additional retained-right rows. Process 3 recognizes sixteen rows, including those seven. Two—P-071 as an application of P-050 and P-074 as an application of P-073—add no separate right, leaving fourteen distinct additional retained-right units. Process 4 identifies six domestic-effect changes. These categories are not additive.

In the tables, LS1 means protection under current constitutional law; LS2 means an additional retained constitutional right. The twenty-one figure counts only whole rows, while the fourteen-unit figure removes overlap and dependencies. NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD means only that the proposition was not proved as an additional retained right under this method. It does not mean the human right does not exist or lacks protection under current law, statute, state law, treaty, custom, or another classification.

Only two propositions are constitutionally excluded as formulated: P-024 would suppress expression beyond unprotected incitement, threats, or conduct; P-035 claims an absolute franchise despite constitutional text permitting specified voting qualifications. These narrow exclusions do not deny the underlying human-rights interests. The overall conclusion is affirmative and corrective: the constitutional order contains a broad body of rights; the Declaration helps reveal, organize, and test them; and gaps between obligation, recognition, and delivery must be identified rather than used to deny the rights themselves.

Part I — Purpose, Scope, and Method

1. Purpose and status

This independent civil-society human-rights study is non-adjudicative. It establishes nothing as law and binds no court, government, institution, or person.

2. The three inquiries, and why they are separated

Level One — existence and international status (Plane A). Whether the proposition is recognised as a human right, and with what status. Sources include the Universal Declaration of Human Rights (UDHR; thereafter, the Declaration); treaties ratified by the United States and the reservations, understandings and declarations attached to them; treaties signed but not ratified; customary international law; peremptory norms; the reports and assurances the United States has given to treaty bodies; and comparative constitutional recognition. These sources do not carry identical weight, and the study states the weight of each.

Level Two-A — constitutional reception of the obligation. Whether and by what route an assumed obligation is situated within the constitutional order: Article VI and the Treaty Clause, valid federal implementation, the canon of consistent construction, or constitutional structure.

Level Two-B — personal constitutional retention. Whether the right is held personally, whether through enumerated text, the Ninth Amendment, the Fourteenth Amendment, or state constitutional obligation. Reception does not establish retention, and the two are determined separately for every proposition.

Level Three — operation and delivery (Plane B). Whether a person holding the right can obtain its protection: self-execution, implementing legislation, causes of action, jurisdiction, standing, immunity, available defendants, relief, territorial reach, and practical access.

The separation is not a technicality. A method that requires proof of prior domestic enforcement before a right may be recognised makes the failure to enforce into evidence that there was nothing to enforce. That reasoning is circular and would convert every institutional failure documented here into a refutation of the claim being documented. Failure at Level Three is recorded as divergence between obligation and delivery. It is not evidence against the right.

This separation is the Two-Plane Framework used here. Plane A is the existence and character of the human-rights violation. Plane B is domestic enforceability. Doctrines of immunity, finality, abstention, non-self-execution, jurisdictional limitation, and procedural default are domestic-implementation mechanisms: they govern how a claim is pleaded or preserved on Plane B, and they cannot define away the underlying violation on Plane A. The framework and its applications are stated in the cited standards on the Convention against Torture and on judicial torture and cruel, inhuman or degrading treatment.

Corrective Constitutional Interpretation is the study's overarching position: the Constitution, faithfully interpreted, should be read consistently with the Nation's lawful human-rights commitments where constitutional text and structure permit. Process 3 supplies the retention method within that position. The integrated-context theory described below is not a fifth recognition process; it is one constitutional justification for Process 3's rule against resolving incomplete enumeration automatically against the right-holder.

The converse discipline applies with equal force. Ratification conclusively establishes that the United States assumed the treaty obligation within its reservations, understandings and declarations. It does not automatically establish that the right is retained personally under the Ninth Amendment; that is a distinct determination on the whole record. Non-ratification means the obligation has not been assumed under that

instrument. It does not prove that the human right does not exist, that it cannot be customary, or that it cannot be constitutionally retained on other convergent evidence.

3. Construction of the Ninth Amendment

The Ninth Amendment forbids construing the enumeration of certain rights to deny or disparage others retained by the people. The study uses that command as an anti-negative-inference rule: omission alone cannot establish surrender or inferior status. The Amendment is not treated as a self-executing catalogue, and it does not supply the substantive content of a claimed right without an independently adequate constitutional anchor.

Potential foundations for retained rights are cumulative but disciplined: the Ninth Amendment's anti-denial and anti-disparagement command; the presumption that government requires lawful authority to restrict liberty; the distinction between rights antecedent to government and benefits created by government; limited and enumerated federal powers; due-process protection of "liberty" without an exhaustive textual inventory; historically recognised developed applications; the rule that omission alone cannot defeat retention; and the evidentiary principle that uncertainty produced by incomplete enumeration should not automatically be resolved against the holder.

Domestic contrary authority is stated at full strength. Process 3 does not misreport a retained-right determination as current Supreme Court law, does not erase federalism or state-action limits, and does not create a cause of action. It asks a separate institutional question: whether the bounded right is best classified as retained after the mandatory domestic anchor, compatibility, allocation, contrary-evidence, and rebuttal inquiries are completed.

4. Process 1 — the Strict Recognition Standard

Six requirements govern personal retention at Level Two-B. R1, R2, R3, R4 and R6 are cumulative; R5 is a compatibility screen supplying no affirmative support.

R1 — Identifiable holder. The proposition identifies the natural person or justified class entitled to invoke the right. A right ordinarily belongs to natural persons. An association or other entity may invoke a retained right where the protection claimed is derivative of, or necessary to secure, the rights of identified natural persons, or where sustained constitutional tradition recognises the entity as a right-holder for that protection. A collective holder must have a definable membership or political boundary and a stated mechanism of assertion.

R2 — Justiciable right-form. The proposition identifies the protected interest, the governmental restraint or duty, and conduct capable of constituting a violation. It need not predetermine every doctrinal boundary; constitutional rights may be expressed as standards and developed through adjudication. R2 fails only where no cognisable duty to a person can be stated and the proposition reduces to a demand for general good policy.

R3 — Constitutional grounding. The proposition bears a direct and substantial relationship to American constitutional text, structure, history, an amendment-era principle, a common-law right, a treaty made under the authority of the United States, or sustained constitutional tradition. General importance or social usefulness is insufficient.

R4 — Evidence of retention as a right. The whole record materially favours treating the underlying interest as belonging to persons as of right rather than as legislative grace, governmental policy, regulatory convenience, or a public programme. Evidence need not contain the exact modern formulation; a retained principle may receive developed applications. Evidence concerning a materially different interest cannot establish the proposition. State practice alone does not automatically establish a federal right. Statutory

protection is evidence only where it reflects right-form recognition. A single divided decision is evidence, not proof.

R5 — Constitutional compatibility and allocation. No express constitutional text or unavoidable structure negates the proposition. The analysis identifies whether the duty is negative, affirmative or both; the governmental order bound; the actor bearing the duty; and the constitutional basis for that allocation.

R6 — Institutional conclusion on the whole record. The study recognises the right only where the complete supporting and contrary record makes recognition materially better supported than competing explanations and every preceding requirement is affirmatively satisfied. Equipose, material evidentiary gaps, or unresolved contradiction produces NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Express constitutional negation produces CONSTITUTIONALLY EXCLUDED AS FORMULATED. Current law already imposing the identical duty produces SUBSUMED BY CURRENT LAW, and only a distinct residual beyond current law may enter Part V as a retained determination; the subsumed proposition remains recorded in Appendix B.

4A. Processes 1–4 and the Process 3 position

Process 1 remains a valid strict method and identifies the strongest constitutional minimum. R1 identifies the holder; R2 requires a justiciable right-form; R3 requires constitutional grounding; R4 requires evidence that the interest is retained as a right rather than granted as policy or program; R5 tests compatibility and allocation; and R6 requires the whole record materially to favor recognition. Genuine equipose, material gaps, or unresolved contradiction defeat recognition.

Process 2 uses the same architecture but resolves a genuine evidentiary tie in favor of retention. It does not fill an absent domestic anchor, override controlling constitutional structure, or turn an unbounded objective into a right. The completed record contains no proposition that changes solely because of this tie rule.

Process 3 is the study's retention-sensitive convergent-evidence method. It responds to the Ninth Amendment problem in Process 1: once a proposition-specific constitutional nexus and affirmative right-form evidence exist, a rule that invariably resolves residual uncertainty against retention may allow incomplete enumeration to do the disparaging work the Ninth Amendment forbids. Process 3 changes that uncertainty rule only after four mandatory gates are satisfied.

Process 4 is a counterfactual reception test, not a method for recognizing retained rights. It asks whether treating a relevant ratified treaty provision as self-executing domestic law would materially change the domestic legal consequence. Its six changes and thirteen-item comparative figure must never be added to an LS2 count.

4B. The integrated constitutional context—and its limit

The integrated-context theory is not necessarily a fifth recognition method. It supplies one missing constitutional justification for Process 3's presumption of liberty and operates together with the Ninth Amendment, limited powers, antecedent rights, due-process liberty, state constitutional tradition, and developed applications. No international instrument substitutes for a domestic constitutional anchor.

The Preamble identifies the People as the source of authority and securing the Blessings of Liberty as a constitutional object. It neither enlarges federal power nor independently creates an enforceable right. Confederation-era law-of-nations practice and international engagements show that the new Constitution did not begin in an interpretive vacuum. Article VI preserved preconstitutional debts and engagements and made qualifying treaties supreme law. Those provisions make lawful international engagement constitutionally

relevant; they do not authorize a treaty to amend the Constitution or override constitutional limitations. *Jacobson v. Massachusetts*, 197 U.S. 11, 22 (1905); *Reid v. Covert*, 354 U.S. 1, 16–17 (1957) (plurality).

The United States ratified the Charter of the United Nations through the treaty process. The Charter repeatedly commits Members to human rights and fundamental freedoms. In 1948 the United States affirmatively voted for—not “signed”—the Universal Declaration, which is not a treaty but is an official common standard of achievement. Later human-rights ratifications, implementing enactments, RUDs, reports, and representations of domestic equivalence form a constitutionally relevant governmental record. These acts cannot coherently be treated as frivolous or interpretively meaningless, but their precise legal status and proposition-specific weight must always be stated.

A treaty may add supreme-law obligations and public objects to the legal order without becoming an Article V amendment. A non-self-execution declaration concerns domestic judicial operation, not whether the United States assumed the international obligation. A reservation cannot authorize derogation from a peremptory norm such as the prohibition of torture. Whether a particular RUD is invalid under international law, and what follows domestically, requires clause-specific analysis; systematic absence or failure of the equivalence represented at ratification destroys any claim that the RUD or declaration is affirmative evidence against the underlying right. It does not automatically constitutionalize every treaty formulation.

4C. The four mandatory Process 3 gates

G1 — identifiable holder and duty-bearer. The record must identify the natural person or justified class holding the right, the governmental actor bound, and the government level to which the duty is allocated. A diffuse social objective or institutional aspiration does not pass.

G2 — bounded constitutional right-form. The proposition must state the protected interest, minimum core, violation threshold, principal exclusions, and whether the duty is negative, affirmative, procedural, equality-based, or mixed. Compound propositions must be split where their components have different sources or allocations.

G3 — irreducible Domestic Constitutional Anchor. The proposition must have a direct, substantial, and proposition-specific connection to constitutional text, structure, history, an amendment-era principle, a common-law right received into American constitutional tradition, sustained state constitutional recognition, or a developed application of an independently established parent right. Generic references to dignity, liberty, the Preamble, treaty reception, or international consensus do not pass G3.

G4 — constitutional compatibility and allocation. The proposed right must survive express text, unavoidable structure, state-action rules, federalism, separation of powers, enumerated authority, adverse doctrine, and identification of the correct duty-bearer. A valuable interest fails G4 if the formulation erases a constitutional allocation or silently converts a program into a universal federal entitlement.

4D. Trigger, presumption, and rebuttal

The Process 3 presumption is triggered only after G1–G4 pass, affirmative evidence supports retention as a right, the remaining uncertainty is genuine rather than manufactured by an undefined proposition, and the uncertainty is materially connected to incomplete enumeration or dispersed evidence. The claimant retains the burden on every gate. The presumption resolves only the residual tie; it does not excuse missing proof.

Rebuttal succeeds where the asserted right is negated by express text or unavoidable structure; the domestic anchor is generic or directed to a different interest; sustained contrary history defeats continuity; current law already imposes the identical duty; the proposition duplicates another recognized unit; the duty is assigned to

the wrong actor or level of government; or the record establishes only a statute, treaty obligation, governmental program, construction principle, or international right rather than LS2 retention.

4E. Source weighting and the role of international evidence

International material may confirm that the United States or the international community treats an interest as a right; clarify holder, content, arbitrariness, minimum core, or nonderogability; corroborate a developed application; expose inconsistency between governmental representations and actual delivery; and strengthen the rule against treating omission as surrender. It may not alone establish G3, amend the Constitution, override Reid, make a non-self-executing provision directly enforceable, or eliminate a proposition-specific compatibility inquiry.

The weight varies by source: constitutional text and structure; ratified and self-executing treaty law; ratified but non-self-executing obligation; implementing legislation; customary or peremptory law; the UN Charter; the nonbinding UDHR; signed but unratified treaties; governmental reports and claimed equivalence; and comparative practice are not interchangeable. Repetition does not cure legal weakness, and an equivalence assertion that systematically fails or is absent by design is evidence of divergence, not proof of domestic sufficiency.

4F. Legal status, confidence, and counting

Each proposition receives a legal-status code independent of the moral importance of the underlying UDHR right. LS1 is current constitutional law; LS2 an additional retained constitutional right; LS3 a constitutional principle; LS4 a structural or governmental duty; LS5 a statutory right; LS6 an international right or obligation; LS7 a benefit or program created by law; LS8 no additional LS2 recognition on the retention record; and LS9 not an individual right or excluded. Failure of LS2 never erases a valid LS1, LS3–LS7, state-law, or international classification.

Confidence applies only inside LS2. C1 identifies the seven Process 1 rights. C2 identifies a strong P3 determination with multiple substantial pathways and weak or answered rebuttal. C3 identifies a supported but materially contested or qualified P3 determination. A non-LS2 proposition receives no C-code.

The study counts both recognized proposition rows and nonduplicative retained-right units. P-071 is a dependent no-tuition application of P-050; P-074 is a documentation/re-entry application within P-073. Each remains a recognized row for transparency but adds zero separate unit. P-070's remedial limb depends on P-004 but its broader prevention claim fails, so P-070 is not a recognized row.

4G. Required derivation and adversarial record

Every Process 3 adjudication discloses the exact proposition; bounded constitutional formulation; Level One status; DCA and inferential bridge; evidence of retention rather than grace; international corroboration and its legal weight; compatibility and allocation; strongest contrary constitutional, historical, doctrinal, and administrability evidence; trigger and rebuttal findings; LS/C classification; scope and remedy reservations; and dependency and unit count. Appendix F supplies the reader-facing disposition record, while the accompanying Public Evidence Workbook supplies the supporting authorities and evidence.

The strongest objections are built into the method. The Ninth Amendment is used as a construction rule, not a catalogue. Glucksberg, Dobbs, and other history-focused authority are confronted where due-process liberty is invoked. Economic and social claims must identify bounded duties and allocation despite DeShaney. Treaties and the UDHR cannot evade Article V. The method was applied without a target count to fifty propositions, of

which sixteen are recognized as rows and fourteen as nonduplicative units. That reduction is evidence that the gates constrained the inquiry.

5. Developed applications

A later application counts where an older right or principle is independently established; the later application is framed as a right rather than convenience; it has meaningful and sustained American acceptance as a right, a single decision corroborating but not by itself establishing this; it preserves the older principle under changed conditions; and no currently operative constitutional text negates it. Historically contrary laws, provisions, decisions and practices are stated and weighed, and defeat the application where they materially disprove continuity of the claimed underlying right and cannot be reconciled as superseded, exceptional, or directed to a materially different proposition. Contrary history is not automatically dispositive merely because it once existed.

6. Delivery criteria

A right is DELIVERED only where every material component is supplied: a legal duty of the correct scope; an identified duty-bearer; an enforceable vehicle; an available forum; a cause of action; an available defendant; standing; relief adequate to the violation; and practical accessibility. It is PARTLY DELIVERED where the duty and a vehicle exist but one or more material components is absent, restricted, or available only in some settings. It is NOT DELIVERED where no vehicle capable of producing relief for the residual exists, or where every available vehicle is foreclosed for the class of claims in question. The accompanying Public Evidence Workbook supplies the component analysis for each determination.

7. Scope and completeness

The adopted text was decomposed into ninety-seven independently meaningful clauses, recorded in the coverage ledger at Appendix A. The Preamble is identified separately and is not among the ninety-seven: it recites purposes rather than rights and generates no proposition. Every clause carries a disposition at each level. The Declaration text is that adopted by General Assembly resolution 217 A (III) of 10 December 1948, Official Records, A/810 at 71–77, verified against the scanned official record.

Part II — The Rights the United States Has Undertaken

8. Treaties ratified

The United States ratified the Charter of the United Nations in 1945; its Preamble and Articles 1(3), 55 and 56 establish binding international commitments concerning human rights and fundamental freedoms, while not themselves supplying an exhaustive domestic individual-right catalogue. The United States has also ratified four principal United Nations human-rights instruments. The Genocide Convention was ratified in 1988. The ICCPR was signed in 1977 and ratified in 1992 with a non-self-execution declaration. The Convention against Torture and CERD were ratified in 1994 with reservations, understandings and declarations. Those instruments, their implementation, and the representations accompanying them form part of the integrated context but retain their distinct legal effects.

The legal consequence is stated precisely because it is the hinge of this study. A non-self-executing declaration addresses whether the treaty may be enforced directly in American courts without implementing legislation. *Medellín v. Texas*, 552 U.S. 491, 504–07 (2008). It does not withdraw the obligation, and *Medellín*

itself holds that the non-self-executing character of a treaty does not affect its binding nature under international law. More is true, and it is the hinge of the study's analysis: non-self-execution was not a statement that these obligations would remain unenforced. It rested on the opposite premise. The Senate consented on the representation that existing federal and state law and institutions already supplied equivalent protection, so that further legislation was needed only for the specific Article 5 jurisdictional gaps the record identified. S. Exec. Rep. No. 101-30, at 8, 13, 25–36 (1990). Congress then enacted 18 U.S.C. §§2340–2340A before deposit to fill those gaps. Non-self-execution was therefore not non-execution: the pre-1994 statutes were represented as the implementation architecture that made direct self-execution unnecessary, and they should be construed accordingly.

9. Implementation, partial rather than absent

The Institute records the implementation position accurately rather than as a legislative vacuum. There is no comprehensive implementing legislation for the ICCPR, the Convention against Torture, or the Convention on the Elimination of All Forms of Racial Discrimination. There is partial implementation. Congress enacted 18 U.S.C. §§2340–2340A, criminalising torture committed outside the United States, in connection with ratification of the Convention against Torture, and the United States has described that provision to the Committee against Torture as legislation enabling fuller implementation. Forced labour and trafficking offences at 18 U.S.C. §§1589 and 1590, with a civil action at §1595, implement part of the servitude prohibition. The federal civil-rights statutes predate and partially overlap the racial-discrimination obligations. What is absent is general legislation converting the ratified covenants into enforceable domestic law, and it is that absence, not a total legislative silence, that produces the divergence recorded in Part IV.

10. Treaties signed but not ratified

The International Covenant on Economic, Social and Cultural Rights was signed on 5 October 1977 and has never been ratified; the Senate has not taken it up. The Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women were signed and not ratified. Signature carries the obligation not to defeat the object and purpose of a treaty pending a decision on ratification; it does not create the substantive obligations the instrument contains.

The study states the consequence carefully, because the point is easily overstated in both directions. Non-ratification means the treaty obligation has not been assumed under that instrument, and it removes the Article VI reception route that carries several of the determinations in Part V. It does not establish that the right does not exist, that it lacks customary status, or that it cannot be retained on other evidence. Where a proposition drawn from an unratified instrument is recorded as receiving no additional LS2 recognition in this study, the reason is stated in the disposition and is never simply that the instrument is unratified.

11. Peremptory norms

A small class of norms is accepted and recognised by the international community of States as a whole as norms from which no derogation is permitted. The International Law Commission's draft conclusions on peremptory norms, adopted on second reading in 2022, annex a non-exhaustive list including the prohibitions of aggression, genocide, slavery, apartheid and racial discrimination, torture, and crimes against humanity, together with the right of self-determination. The Committee against Torture states that Article 2 of the Convention reinforces the peremptory character of the prohibition of torture.

The study distinguishes carefully between torture and other cruel, inhuman or degrading treatment. The peremptory status of the prohibition of torture is established. The Convention treats the two separately: Article 16 requires prevention of acts not amounting to torture and applies a subset of the Convention's machinery

with substitutions. The study does not assert that every aspect of cruel, inhuman or degrading treatment shares the peremptory status of torture, and determines the two propositions separately at P-001 and P-002. That separation is made to protect the credibility of both findings, not to weaken the protection against degrading treatment, which Article 7 of the Covenant renders non-derogable in its own right.

The study likewise distinguishes slavery, servitude, forced labour, the slave trade, and labour exacted in penal custody. The peremptory prohibition of slavery does not establish that every form of prison labour permitted by the Thirteenth Amendment's punishment clause is slavery. The proposition tested at P-003 was confined to labour exacted under conditions that amount to slavery or servitude rather than to ordinary compulsory work incident to a lawful sentence; on the completed record that conduct is already prohibited by the Thirteenth Amendment, which binds private as well as public actors, so the proposition is recorded as subsumed by current law, with the statutory vehicles that supply the operative cause of action and the residual delivery failures stated in the delivery matrix rather than in the Register.

12. The Universal Declaration of Human Rights, and what the United States has told the treaty bodies

The Declaration was adopted by the General Assembly on 10 December 1948 with the United States voting in favour. It is not a treaty and was not submitted for ratification. Its provisions evidence universal right-recognition, supply a structured interpretive catalogue, and in part reflect customary law. The study does not treat the vote or the Declaration alone as proof of a domestic constitutional right. It treats them as official and proposition-specific evidence whose weight depends on a sufficient domestic constitutional anchor and the other Process 3 gates.

In its periodic reports the United States has maintained that the rights protected by the instruments it has ratified are secured in American law through the Constitution, federal and state statutes, and judicial remedies. Those representations are evidence at Level One and are compared at Level Three with what the domestic system delivers. The specific report paragraphs relied upon are identified in the accompanying Public Evidence Workbook, and the comparison in Part IV is made against those specific representations rather than against a general characterisation.

Part III — Constitutional Reception and Personal Retention

13. Reception routes, and the distinct work each performs

Preamble and Confederation continuity — context, not independent power. The People's adoption of a Constitution directed in part to securing the Blessings of Liberty, the Confederation-era law-of-nations setting, and the preservation of earlier engagements in Article VI establish continuity rather than an interpretively sealed legal order. These materials reinforce an interpretation grounded elsewhere; they do not independently create a cause of action or enlarge delegated power.

Article VI and the Treaty Clause — reception and constitutional context. Article VI preserves preconstitutional debts and engagements and makes treaties made under United States authority supreme law, binding state judges. It therefore places qualifying treaties inside the legal order rather than outside it. Article VI does not make a treaty superior to the Constitution, does not turn every treaty promise into a self-executing cause of action, and does not alone prove personal retention. It supplies reception and constitutionally relevant context; the LS2 inquiry remains separate.

Consistent construction — interpretive reception. An Act of Congress ought never to be construed to violate the law of nations if any other possible construction remains. *Murray v. The Schooner Charming Betsy*, 6 U.S. (2 Cranch) 64, 118 (1804). The canon creates no rights. It performs reception by requiring that domestic law be read compatibly with assumed obligations where the text permits, and it is the route by which *Zadvydas* in substance limited indefinite detention.

Federal implementation — reception and vehicle. Where Congress has legislated, the obligation is received and a vehicle exists to the extent of the legislation. This route carries part of P-001 and part of P-003 and none of the others.

The Ninth Amendment — retention-sensitive construction. It forbids treating enumeration as exhaustive and supplies the anti-disparagement rule used by Process 3. Substantive content must come through the proposition-specific domestic anchor and supporting record. The Amendment supplies neither treaty reception nor an automatic enforcement vehicle.

Enumerated text — retention and vehicle. Where an enumerated provision imposes the identical duty, the proposition does not enter Part V as a retained determination; it remains recorded in Appendix B as subsumed by current law. Where an enumerated provision reaches part of the interest, the residual beyond it is the proposition tested.

The Fourteenth Amendment — the state-binding route. Supplies the route by which a right held against the federal government binds the States, through the Due Process Clause, the Equal Protection Clause, or the Privileges or Immunities Clause. Every determination extending to the States states this route expressly.

14. What current constitutional law already secures

A substantial part of the Declaration is protected by enumerated guarantees, incorporated guarantees, equal protection, due process, and other current constitutional doctrine. The controlling register identifies twenty-one whole proposition rows as SUBSUMED BY CURRENT LAW. That whole-row count excludes additional LS1 components inside split propositions and therefore materially understates the breadth of constitutional correspondence if mistaken for a count of every protected UDHR interest. Appendix A shows clause-level coverage; Appendix B and Appendix F preserve the proposition-level distinctions.

A second group is protected in part, and the partial character is usually concealed by the article's heading. Article 5 is the clearest instance: the Eighth Amendment governs punishment after conviction; mistreatment of pretrial detainees is analysed under the Fourteenth Amendment, *Bell v. Wolfish*, 441 U.S. 520 (1979); conditions of civil commitment under *Youngberg v. Romeo*, 457 U.S. 307 (1982); and police force under the Fourth Amendment, *Graham v. Connor*, 490 U.S. 386 (1989). No single provision is coextensive with the Declaration's prohibition, and it is the residual beyond the enumerated reach that is tested.

A third group lacks a current federal constitutional counterpart in its broad formulation: social security, an adequate standard of living, rest and limitation of working hours, just conditions of work, and remuneration ensuring an existence worthy of dignity. Education likewise is not generally recognized as a fundamental federal right under *Rodriguez*; Process 3 nevertheless recognizes the much narrower minimum civic-education proposition at P-050 and its dependent no-tuition component at P-071 on the bounded record stated below.

Part IV — Operation, Delivery, and Divergence

15. The interrupted mechanism

For a right held under a ratified treaty, the ordinary path to delivery runs through Article VI. The declarations of non-self-execution mean that a person holding a right under those instruments cannot ordinarily enforce it as such in an American court. But the study does not describe the resulting condition as an absent vehicle, because that description concedes what the ratification record denies. The United States represented that the vehicles already existed. The correct description is equivalence-as-operation failure: reach was represented and operation has not followed. The Committee against Torture found in 2014 that the promise has not been kept in practice, identifying the absence of a federal offence in full conformity with Article 1, loopholes created by the prolonged-mental-harm understanding, the invocation of the Article 16 reservation in Office of Legal Counsel memoranda as authority for deeply flawed legal arguments, and the failure fully to investigate the rendition and secret detention programme. CAT/C/USA/CO/3-5, paras. 9, 11.

16. The remaining vehicles and their limits

Where the underlying interest is also protected by an enumerated guarantee, delivery proceeds through ordinary constitutional litigation and is generally effective — which is why the Register contains only residuals. Where it is not, the vehicles are narrow. Section 1983 reaches state actors but requires an underlying federal right that is itself enforceable. The Torture Victim Protection Act and the Alien Tort Statute reach a limited class of claims, the latter narrowed by *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013), and *Nestlé USA, Inc. v. Doe*, 593 U.S. 628 (2021). Implied damages actions against federal officers have been contracted to the point of practical unavailability, *Egbert v. Boule*, 596 U.S. 482 (2022). Sovereign and qualified immunity, standing after *TransUnion LLC v. Ramirez*, 594 U.S. 413 (2021), and the political-question doctrine each remove further categories. *Alexander v. Sandoval*, 532 U.S. 275 (2001), held that no private right of action exists to enforce Title VI disparate-impact regulations. Executive Order 14281 later directed federal agencies to deprioritize disparate-impact enforcement and to repeal or amend Title VI regulations contemplating disparate-impact liability; by the law-as-at date, the Department of Justice, Department of Labor, and Department of Education had adopted the specific rescissions identified in the authority ledger.

17. Divergence

The study uses the term divergence for the condition in which a right is held and an obligation assumed while the domestic system supplies no adequate means of obtaining the right's protection. Divergence is a defect in delivery, not in the right. It operates on three tracks, each foreclosed by its own doctrinal architecture: prevention, accountability, and redress. Formal availability does not establish effectiveness, and the study assesses each claimed mechanism against the remedy-effectiveness audit stated in its standards — the substantive right supporting relief; the institution holding jurisdiction; the authority that can be reached; the timing threshold; the evidence that must already exist and whether the affected person can obtain it before the harm; the abstention, immunity, finality and exhaustion requirements engaged; whether the mechanism can produce the required relief in time; whether that relief is enforceable; what follows when it fails; whether the failure is recorded and reviewable; and whether actual outcomes correspond to theoretical availability.

Applying the delivery criteria, none of the seven C1/Process 1 retained determinations is fully delivered. P-004 is not delivered as to its residual; P-001, P-002, P-005, P-006, P-007 and P-008 are partly delivered. P-009 is no longer classified LS2: purposeful governmental racial discrimination remains LS1, valid statutory effects protections remain LS5, and CERD's broader effects obligation remains LS6. Delivery of the additional

C2/C3 rights recognized under Process 3 is proposition-specific and does not follow automatically from retention; Appendix F records the present-law and remedy caveats.

In most cases the cure is legislative and modest: implementing legislation for a treaty already ratified, withdrawal or narrowing of a non-self-execution declaration, or a statutory cause of action for a right already held. The study records that the United States has told the treaty bodies that existing law secures these rights. Where the study finds divergence, that representation and the delivery record cannot both be complete accounts, and the study states which it finds supported by the mechanism-by-mechanism analysis.

17A. Atomic treatment of Articles 14 and 29

Article 14(1) is no longer tested as one compound claim to seek, enter, receive, and retain asylum. The adopted sentence is preserved exactly—“Everyone has the right to seek and to enjoy in other countries asylum from persecution”—and its operative interests are tested separately. P-029 tests direct communication of a request to the receiving State and excludes entry, admission, grant, removal, and refoulement. P-077 tests punishment imposed solely for making the request and expressly distinguishes Refugee Convention article 31 penalties for illegal entry or presence. P-078 tests the bounded procedural core before termination of granted asylum and is subsumed by current law. P-079 tests substantive continuation while asylum status remains in force and is likewise subsumed because current statutes, regulations, and Matter of N-A-I- impose the same bounded duty.

The domestic authorities are kept in their proper lanes. *Landon v. Plasencia*, 459 U.S. 21 (1982), and *Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103 (2020), limit claims to entry and initial admission but do not squarely decide the non-entry communication limb. *Grigoryan v. Barr*, 959 F.3d 1233, 1240–42 (9th Cir. 2020), and 8 C.F.R. §208.24 supply the termination-process core. *Matter of N-A-I-*, 27 I&N Dec. 72 (BIA 2017), confirms that an asylee may remain indefinitely while status is retained and that voluntary adjustment changes status. Expulsion, non-refoulement, statutory removability, and asylum termination remain distinct questions.

Article 29 is decomposed at the level at which its safeguards can be adjudicated independently. P-063 contains Article 29(1)'s duty to the community and remains not an individual right. Article 29(2) yields four separate right-form propositions: P-080 tests whether a limitation is determined by law; P-082 tests the exclusive permissible-purpose condition; P-083 tests whether the limitation meets the just requirements of that purpose; and P-084 tests compatibility with a democratic society. Each has its own protected interest and violation threshold. Each is not recognised under Processes 1–3 because R4 and R6 fail: American law supplies strong but right-specific analogues rather than a coextensive cross-right rule. P-081 separately records Article 29(3)'s United Nations-purposes boundary as an interpretive limitation, not an individual claim-right.

Current-doctrine and scope controls are stated expressly. P-009 diverges from current Supreme Court doctrine; P-017 is confined to arrest, prompt post-arrest review, and the habeas core; and P-065's R2 failure distinguishes Article 21(3)'s legitimacy principle from the concrete electoral characteristics tested at P-035, P-036, P-037, P-038 and P-072.

Part V — Determinations

Seven propositions satisfy the strict Process 1 standard and form the C1 subset. Process 3, the study's controlling position, recognizes sixteen proposition rows representing fourteen nonduplicative LS2 units. Each is a residual beyond what current constitutional law already secures; identical current-law duties are recorded as subsumed rather than counted again. Appendix F and the accompanying Public Evidence Workbook preserve the source, status, dependency, and delivery record.

P-001 — Freedom from torture

Proposition as determined. Every person holds a right that no public official, or other person acting in an official capacity, inflict upon them conduct satisfying the elements of torture — an act intentionally inflicting severe pain or suffering, physical or mental, for a prohibited or comparable purpose, by or with the consent or acquiescence of such an official, and not arising only from or inherent in lawful sanctions — without any categorical limitation based on custody, institutional setting, or conventional place of detention.

Level One — existence and international status. Peremptory norm of customary international law, pre-existing UNCAT and surviving any reservation to it (ILC Draft Conclusions on Jus Cogens, A/CN.4/L.967 (2022), annex; CAT Comm. Gen. Cmt. No. 2 (2008) ¶1; *Belgium v. Senegal*, 2012 I.C.J. Rep. 422; *Barcelona Traction*, 1970 I.C.J. Rep. 3 (erga omnes)). UNCAT arts. 1-2 (ratified 1994). ICCPR art. 7 (ratified 1992), non-derogable under art. 4(2). Level 5, Five-Level Gravity Scale.

Elements and threshold. All five Article 1 elements are required and are retained in the proposition: (1) an act intentionally inflicting; (2) severe pain or suffering, physical or mental; (3) for a prohibited purpose — information, confession, punishment, intimidation, coercion, or discrimination of any kind; (4) official infliction, consent, or acquiescence; (5) not arising only from, inherent in, or incidental to lawful sanctions. What the proposition removes is not the purpose element but a categorical setting limitation, which appears nowhere in the enacted text of Article 1 or Article 16.

Present domestic baseline. Constitutional protection is fragmented by setting: Eighth Amendment for punishment after conviction; Fourteenth Amendment for pretrial detainees (*Bell v. Wolfish*, 441 U.S. 520 (1979)); *Youngberg v. Romeo*, 457 U.S. 307 (1982), for civil commitment; Fourth Amendment for force in arrest (*Graham v. Connor*, 490 U.S. 386 (1989)). 18 U.S.C. §§2340-2340A criminalises torture committed outside the United States only. The civil routes available to a victim of torture under United States law have narrowed materially and the position is stated as at the law-as-at date. The Alien Tort Statute line runs from *Sosa v. Alvarez-Machain* (2004), which confined judicial recognition to a narrow set of historical norms, through *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013) (presumption against extraterritoriality), *Jesner v. Arab Bank, PLC* (2018) (foreign corporations not amenable) and *Nestle USA, Inc. v. Doe*, 593 U.S. 628 (2021), to *Cisco Systems, Inc. v. Doe*, No. 24-856 (U.S. 23 June 2026), in which the Court held by six votes to three that federal courts may not create new causes of action under the Statute, and further that the Torture Victim Protection Act does not permit aiding-and-abetting liability. What survives is the narrow historical set identified in *Sosa* and the direct claim under the Torture Victim Protection Act against an individual perpetrator acting under colour of foreign law, together with the Trafficking Victims Protection Reauthorization Act, the Anti-Terrorism Act and State-law theories where available. The dissent of Sotomayor, J., joined in part by Kagan and Jackson, JJ., states that the decision overrules *Sosa* without acknowledging it and closes the courthouse doors to virtually every future litigant seeking redress under the Statute.

Supporting evidence. Peremptory status is uncontested and independent of any treaty; state consent cannot lower the floor of the underlying customary prohibition. The enacted text carries no setting qualifier. The ratification record represented that core torture within domestic jurisdiction was already reachable through existing federal and state criminal law (S. Exec. Rep. No. 101-30, at 8, 13, 25-36 (1990)). Article VI makes the Convention supreme law. The Constitution faithfully interpreted reinforces the prohibition. The weight of the custodial-treatment authority is strengthened by the absence of dissent: in *Youngberg v. Romeo*, 457 U.S. 307 (1982), no Justice dissented from the recognition of liberty interests in reasonably safe conditions of confinement and freedom from unreasonable bodily restraint, and in *Graham v. Connor*, 490 U.S. 386 (1989), no Justice dissented from the judgment establishing the objective-reasonableness standard.

Strongest contrary evidence, and why insufficient. The declaration that arts. 1-16 are non-self-executing, and *Medellin v. Texas*, 552 U.S. 491, 504-07 (2008), bar direct domestic enforcement. Insufficient:

Medellin itself holds that non-self-execution does not affect the treaty's binding character in international law, and the declaration governs Plane B only. The prolonged-mental-harm understanding narrows the mental-suffering branch; the Committee found it creates loopholes for impunity (CAT/C/USA/CO/3-5 ¶9), which is a defect in domestic conformity rather than evidence against the norm.

Level Two-A — reception. Article VI; the peremptory norm operating above treaty architecture independently of reception; partial federal implementation at 18 U.S.C. §§2340-2340A; Corrective Constitutional Interpretation.

Level Two-B — retention and constitutional compatibility. Ninth Amendment: enumeration of the Eighth Amendment's punishment-specific prohibition does not deny or disparage the retained freedom from torture in its full setting-independent scope. Fifth and Fourteenth Amendment due process. Fourteenth Amendment as the state-binding route. Compatibility: the duty is a negative restraint requiring no programme and no new federal power; it binds every governmental order and actor.

Exact residual beyond current law. The prohibition as it operates outside the settings the enumerated provisions have been read to reach — the difference between a prohibition fragmented by setting and one defined, as the norm is, by the nature of the act and the actor.

Level Three — delivery. SCOPE AND OPERATION BOTH DEFICIENT. Scope: no federal offence defined in full conformity with Article 1 reaches domestic conduct, and §2340A is confined to extraterritorial acts (CAT/C/USA/CO/3-5 ¶9). Operation: the equivalence representation claimed existing law reached core torture, and the Committee found the promise has not been kept in practice. PARTLY DELIVERED.

P-002 — Freedom from cruel, inhuman or degrading treatment

Proposition as determined. Every person holds a right that no public official, or other person acting in an official capacity, subject them to treatment or punishment which is cruel, inhuman or degrading without amounting to torture — treatment which, assessed on all the circumstances including its duration, its physical or mental effects, and the age, sex, health and vulnerability of the person, causes suffering or humiliation exceeding that unavoidably inherent in a legitimate measure.

Level One — existence and international status. UNCAT art. 16 (ratified 1994, subject to the United States reservation). ICCPR art. 7 (ratified 1992, subject to a parallel reservation), non-derogable under art. 4(2). CRPD art. 15; ECHR art. 3; ACHR art. 5(2); African Charter art. 5; Rome Statute art. 7(1)(f). Absolute and non-derogable across every parallel instrument. Peremptory status more contested than for torture and analysed separately unless the Article 1 threshold is met. Level 4, Five-Level Gravity Scale.

Elements and threshold. Elements: (1) treatment or punishment imposed or knowingly maintained; (2) by or with the consent or acquiescence of a public official; (3) causing suffering or humiliation of a severity exceeding that inherent in a legitimate measure, assessed on the Ireland v. United Kingdom (1978) §162 factors; (4) no purpose element is required, which is the principal distinction from torture; (5) severity below the Article 1 threshold, which is the second distinction. Torture and CIDT are positions on a single continuum (A/HRC/22/53 (2013) ¶¶17-22; Istanbul Protocol).

Present domestic baseline. Eighth Amendment; substantive due process (Rochin v. California, 342 U.S. 165 (1952)); Bell v. Wolfish for pretrial detainees. The ratification record itself conceded that 'Article 16 is arguably broader than existing U.S. law' (S. Exec. Rep. No. 101-30, at 25). The civil routes available to a victim of torture under United States law have narrowed materially and the position is stated as at the law-as-at date. The Alien Tort Statute line runs from Sosa v. Alvarez-Machain (2004), which confined judicial recognition to a narrow set of historical norms, through Kiobel v. Royal Dutch Petroleum Co., 569 U.S. 108 (2013) (presumption against extraterritoriality), Jesner v. Arab Bank, PLC (2018) (foreign corporations not amenable) and Nestle USA, Inc. v. Doe, 593 U.S. 628 (2021), to Cisco Systems, Inc. v. Doe, No. 24-856

(U.S. 23 June 2026), in which the Court held by six votes to three that federal courts may not create new causes of action under the Statute, and further that the Torture Victim Protection Act does not permit aiding-and-abetting liability. What survives is the narrow historical set identified in *Sosa* and the direct claim under the Torture Victim Protection Act against an individual perpetrator acting under colour of foreign law, together with the Trafficking Victims Protection Reauthorization Act, the Anti-Terrorism Act and State-law theories where available. The dissent of Sotomayor, J., joined in part by Kagan and Jackson, JJ., states that the decision overrules *Sosa* without acknowledging it and closes the courthouse doors to virtually every future litigant seeking redress under the Statute.

Supporting evidence. Convergent evidence, not the Senate admission alone. (a) The admission is documentary proof that a gap was identified and measured. (b) ICCPR art. 7 is non-derogable under art. 4(2), and non-derogability is right-form recognition that the protection is not subject to governmental balancing. (c) The English Bill of Rights 1689 and its American receptions — Va. Decl. of Rights (1776) §9; Mass. Const. (1780) pt. I art. XXVI — state the guarantee as a right of the subject. (d) The severity continuum is recognised across every regional system. (e) CRPD art. 15, which the United States has signed, states the same absolute prohibition. The authority is undivided: in *Rochin v. California*, 342 U.S. 165 (1952), no Justice dissented, Black and Douglas, JJ., concurring separately only to urge a Fifth Amendment ground in preference to the due-process formulation.

Strongest contrary evidence, and why insufficient. The reservation is a deliberate limitation and has been treated by the United States as operative; the parallel ICCPR art. 7 reservation limits the same phrase to the same three Amendments, and by its terms does not reach art. 7's prohibition of torture. Insufficient to defeat retention: the reservation binds the treaty plane. It does not determine the antecedent Level Two-B question whether the people retained the protection, which is answered on the convergent evidence above. The Committee recalls that reservations contrary to a treaty's object and purpose are impermissible (CAT/C/USA/CO/3-5 ¶9), though no tribunal has invalidated this one. Preemptory status for CIDT distinct from torture is not established and is not relied on.

Level Two-A — reception. Article VI on the treaty plane, subject to the reservation; Corrective Constitutional Interpretation; the reservation cannot define away a Plane A violation.

Level Two-B — retention and constitutional compatibility. Eighth Amendment where the treatment is punishment; Fifth and Fourteenth Amendment due process; Ninth Amendment as to the conceded delta beyond the three named Amendments; Fourteenth Amendment state-binding route. Compatibility: negative restraint; no programme required.

Exact residual beyond current law. Treatment meeting the stated severity threshold which falls outside the conduct prohibited by the Fifth, Eighth and Fourteenth Amendments as presently construed — the delta the ratification record identified and the reservation closed by narrowing the obligation rather than by raising the law.

Level Three — delivery. SCOPE DELTA ADMITTED AND UNFILLED. PARTLY DELIVERED: the three named Amendments deliver the conduct they reach; the conceded remainder has never had a vehicle.

P-004 — Right to an effective remedy

Proposition as determined. A person whose fundamental right recognised by the Constitution, by a treaty made under the authority of the United States, or by right-creating law has been violated holds a right of access to a competent domestic forum able to determine the claim and to afford relief effective to stop, prevent, or redress the violation.

Level One — existence and international status. ICCPR art. 2(3) (ratified): effective remedy determined by competent authority, notwithstanding that the violation was committed by persons acting in an official capacity, and enforcement of remedies when granted. CAT art. 14 (ratified): redress and an enforceable

right to fair and adequate compensation. CERD art. 6 (ratified): effective protection and remedies. UDHR art. 8.

Elements and threshold. Elements: (1) a violation of a right of the stated class; (2) access to a body with jurisdiction to determine it; (3) capacity in that body to afford relief effective to stop, prevent, or redress; (4) enforceability of relief granted. The right guarantees the availability of an effective remedial route through the system as a whole. It does not guarantee success, a particular defendant, or a particular measure of damages.

Present domestic baseline. Access protected in defined settings (*Boddie v. Connecticut*, 401 U.S. 371 (1971); *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982)); state courts must entertain federal claims absent a valid excuse (*Testa v. Katt*, 330 U.S. 386 (1947); *Howlett v. Rose*, 496 U.S. 356 (1990)); 40 state constitutional remedy or open-courts provisions. No general federal remedial guarantee.

Supporting evidence. ICCPR art. 2(3), CAT art. 14 and CERD art. 6 impose the obligation in express right-form terms, one requiring enforceable compensation. *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163 (1803). State constitutional evidence. Forty States have a remedy provision, an open-courts provision, or both. Each was checked against the official or state-directed source identified in Appendix D. For Arkansas, the Secretary of State's official research page links to the Arkansas Constitution of 1874 through Lexis, and the quoted text of article II, section 13 was cross-checked against concordant Justia and FindLaw transcriptions; the structured findings and the full clause-by-clause dataset appear in Appendix D and the accompanying Public Evidence Workbook. Ten States have none — Alaska, California, Hawaii, Iowa, Michigan, Nevada, New Jersey, New Mexico, New York, Virginia. Under the completed strict classification a controlling decision of the State's highest court construing the provision as conferring an individually enforceable right, or as limiting legislative abolition of established remedies, was located and recorded as a clear favourable construction for ten States: Alabama, Florida, Illinois, Indiana, Kentucky, Missouri, Oregon, Texas, Utah and Wyoming. A limiting controlling decision was located for sixteen States, a related but non-dispositive ground for eight, and Arizona's clause was construed favourably only through a separate remedial provision. No controlling decision was located for five States — Georgia, Minnesota, Mississippi, South Carolina, Vermont — which are not counted either way. Each State is classified per row in Appendix D and in the P-004 State Primary Sources sheet. The determination rests on the ten favourable controlling constructions and on the treaty and federal record, not on the forty, which is a textual count. A route reopened within the stated law-as-at date is recorded. In *Olivier v. City of Brandon*, Mississippi, No. 24-993, 607 U.S. ___, 146 S. Ct. 916 (20 March 2026), a unanimous Court, Kagan, J., held that *Heck v. Humphrey* does not bar an action under 42 U.S.C. §1983 seeking wholly prospective relief notwithstanding a prior conviction under the ordinance challenged: *Heck* prohibits use of the section to challenge the validity of a conviction so as to obtain release or damages, and has no bearing on a suit seeking a prospective remedy. The decision resolved a division in which the Fifth Circuit and four others had barred such suits. The Court did not reach the further question whether *Heck* applies where the plaintiff never had access to habeas relief, on which the circuits remain divided.

Strongest contrary evidence, and why insufficient. Absolute judicial immunity (*Stump v. Sparkman*, 435 U.S. 349 (1978); *Mireles v. Waco*, 502 U.S. 9 (1991)), sovereign immunity (*Alden v. Maine*, 527 U.S. 706 (1999)), qualified immunity (*Harlow v. Fitzgerald*, 457 U.S. 800 (1982)), contraction of implied actions (*Egbert v. Boule*, 596 U.S. 482 (2022)), the 1996 amendment to 42 U.S.C. §1983 barring injunctive relief against judicial officers, standing (*TransUnion LLC v. Ramirez*, 594 U.S. 413 (2021)), and *Mullis* in the Ninth Circuit. *Aicher* (Wis. 2000) holds the state clause confers no independent right; ten States have no clause. Insufficient: each removes a defendant, a remedy, or a forum. None establishes that the people did not retain the guarantee; the study records that convergence as the delivery failure it documents. A limitation internal to the study's own supporting authority is recorded here rather than left to be found. *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 437 (1982), states that nothing in it entitles every civil

litigant to a hearing on the merits in every case: the State may erect reasonable procedural requirements, including limitation periods and in an appropriate case filing fees, and accords due process when it terminates a claim for failure to comply with a reasonable procedural rule. The determination is accordingly stated as a right to a meaningful opportunity to be heard and to a remedy where a right is violated, and not as an entitlement to adjudication on the merits in every case.

Level Two-A — reception. Article VI (ICCPR art. 2(3); CAT art. 14; CERD art. 6); consistent construction; the Supremacy Clause duty of state courts to entertain federal claims.

Level Two-B — retention and constitutional compatibility. Ninth Amendment; Fourteenth Amendment forum-access strand as the state-binding route. Constitutional compatibility. (a) Article III: Congress controls the jurisdiction of inferior federal courts and may make exceptions to the Supreme Court's appellate jurisdiction. The right is compatible because it runs to the legal system as a whole rather than to any particular court, and is satisfied where a state court of general jurisdiction is open. (b) Cause of action: the right does not itself create one. It obliges the responsible legislature — Congress for federal rights, each State for rights it creates — to ensure one exists somewhere in the system. (c) Immunity: the right does not of itself abrogate sovereign or official immunity. Where immunity leaves a class of violations with no reachable defendant anywhere, the obligation is breached and legislative cure is required. The study's contrary determination as to *jus cogens* wrongs is stated separately and is not relied on here. (d) Minimum relief: authoritative determination that the violation occurred, and cessation or prevention where the violation continues; compensation where a completed harm admits of it. (e) Permissible exceptions: reasonable procedural conditions, limitation periods, exhaustion, and forum allocation, provided they do not operate to foreclose the class entirely. (f) Federal and state duties differ: the federal duty is to ensure a route for federal rights; the state duty is to keep its courts open to federal claims (Testa; Howlett) and to supply remedies for rights it creates. Constitutional consequence. The determination does not create a directly enforceable personal claim, and the study does not assert that a court must entertain a suit founded on it. It is an institutional finding of constitutional deficiency: the study determines that the people retained the guarantee, that the United States assumed the obligation by ratified treaty, and that the domestic system does not presently supply an effective remedial route for the identified classes. The consequence is a duty on the responsible legislature — Congress as to federal rights, each State as to rights it creates — to ensure that such a route exists, together with an interpretive obligation on courts under the canon of consistent construction. It is not an abrogation of immunity, and it is not a cause of action.

Exact residual beyond current law. An effective remedial route for classes of fundamental-right violation where the combined operation of immunity, standing, and absent causes of action presently leaves none — the condition documented for rights-violating judicial conduct.

Level Three — delivery. NOT DELIVERED for the identified classes. The treaty vehicle is removed by declaration; no general implementing legislation exists; and for adjudicative rights-deprivation both the state and federal routes return the same answer. Assessed against the eleven-factor remedy-effectiveness audit, formal availability does not establish effectiveness.

P-005 — Fair hearing before an independent and impartial tribunal

Proposition as determined. A person whose rights and obligations are determined in a suit at law holds a right to a fair hearing by a competent, independent and impartial tribunal established by law. The distinct publicity component is adjudicated separately at P-025 and is not included in this determination.

Level One — existence and international status. ICCPR art. 14(1) (ratified, subject to United States understandings concerning the right to counsel and the scope of the article). UDHR art. 10.

Elements and threshold. 'Suit at law' is an autonomous concept under General Comment No. 32 (2007), determined by the nature of the right rather than by the status of a party or the forum. It covers judicial

proceedings determining rights and obligations in contract, property and tort; and equivalent notions in administrative law such as termination of public employment, social-security entitlements, and the determination of pension rights. It does not extend to extradition, expulsion, or deportation procedures, nor to every administrative measure taken by the executive. Where a body is not a court, access to judicial review of its determination may satisfy the guarantee. Independence and impartiality require that the tribunal not be subject to direction by a party as to the outcome, and that its composition and tenure afford sufficient safeguards.

Present domestic baseline. Procedural due process attaches where liberty or property is at stake (*Mathews v. Eldridge*, 424 U.S. 319 (1976); *Armstrong v. Manzo*, 380 U.S. 545 (1965)). Impartiality is secured (*Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)). Determinations of interests outside that classification receive no constitutional hearing guarantee.

Supporting evidence. Article 14(1) is framed by reference to rights and obligations in a suit at law rather than to a liberty-or-property taxonomy, and General Comment No. 32 states the autonomous scope. The founding-era law-of-the-land clauses descend from Magna Carta ch. 39 and are cast as guarantees to the subject without a property qualification: Md. Decl. of Rights (1776) art. 21; N.C. Decl. of Rights (1776) §12; Mass. Const. (1780) pt. I art. XII. The shape of the supporting authority is recorded precisely. *Tumey v. Ohio*, 273 U.S. 510, 523 (1927), is unanimous but narrow: it confines the constitutional rule to a direct, personal, substantial pecuniary interest and describes kinship, personal bias, State policy and remoteness of interest as generally matters of legislative discretion. The broader probability-of-bias standard relied on here rests on *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009), which was decided by five votes to four. The study records the unanimity and the narrowness together rather than the first alone.

Strongest contrary evidence, and why insufficient. The ICCPR is non-self-executing. The liberty-property classification is deeply entrenched and was adopted deliberately. The United States entered an understanding concerning art. 14. Insufficient: the classification is a domestic doctrinal choice about which interests trigger process; it does not determine the antecedent question whether the people retained a hearing guarantee for determinations of legal rights and obligations.

Level Two-A — reception. Article VI (ICCPR art. 14(1)); consistent construction.

Level Two-B — retention and constitutional compatibility. Fifth and Fourteenth Amendment due process as to the classified core; Ninth Amendment as to determinations within the suit-at-law scope falling outside it. Compatibility: the duty falls on the adjudicating institution; no new federal power is required.

Exact residual beyond current law. The hearing guarantee for determinations within the autonomous suit-at-law scope which fall outside the liberty-or-property classification — principally administrative determinations of statutory entitlements and licences not treated as property.

Level Three — delivery. PARTLY DELIVERED. The classified core is enforced and Administrative Procedure Act review supplies a route for federal agency action; determinations outside the classification and outside the APA have no vehicle.

P-006 — Periodic review of prolonged non-punitive detention

Proposition as determined. A person subjected to prolonged non-punitive detention whose justification depends on a continuing factual predicate holds a right to periodic review, by a court or other independent body, of whether that predicate and the necessity of continued detention persist.

Level One — existence and international status. ICCPR art. 9(4) (ratified) guarantees proceedings before a court to decide without delay on the lawfulness of detention. The broader periodic-review duty is derived from Human Rights Committee General Comment No. 35 (2014) rather than from the bare text of art. 9(4), and is confined accordingly.

Elements and threshold. Two distinct guarantees are separated. INITIAL LEGALITY REVIEW: art. 9(4) itself — a single determination, promptly available, of whether the detention is lawful. Habeas corpus supplies this. CONTINUING-NECESSITY REVIEW: periodic reassessment where the ground of detention may cease to exist. General Comment No. 35 ¶12 treats continued detention as arbitrary where it is not subject to periodic reevaluation of its justification; ¶18 addresses security detention; and the discussion of children requires periodic review of continuing necessity and appropriateness. Categories covered by the proposition: immigration detention pending removal; civil commitment on dangerousness grounds; detention of children; and security detention. Not covered: detention serving a determinate criminal sentence, where no continuing predicate exists.

Present domestic baseline. Habeas corpus is constitutionally secured and available. *Zadvydas v. Davis*, 533 U.S. 678, 689-701 (2001), read a reasonable-time limitation into the removal-detention statute by constitutional avoidance. *Demore v. Kim*, 538 U.S. 510 (2003), upheld mandatory detention for the brief period there at issue. *Foucha v. Louisiana*, 504 U.S. 71 (1992), requires release where the ground of civil commitment ceases.

Supporting evidence. Art. 9(4) states the entitlement in personal terms. The habeas tradition is founding-era, textual (Suspension Clause), and continuous. *Zadvydas* treats indefinite civil detention as raising a serious constitutional problem. *Foucha* establishes domestically that detention must end when its predicate does, which is the principle the periodic duty operationalises.

Strongest contrary evidence, and why insufficient. *Jennings v. Rodriguez*, 583 U.S. 281 (2018), rejected the statutory construction that would have required periodic bond hearings, and expressly remanded rather than decided the constitutional claims. The plenary-power tradition in immigration is adverse. The ICCPR is non-self-executing. Insufficient: *Jennings* decided a question of statutory construction and left the constitutional question open by its own terms; it is not a holding that the right does not exist. *Demore v. Kim*, 538 U.S. 510 (2003), upholding mandatory detention without an individualised hearing during removal proceedings, is the principal contrary authority. Its weight is reduced on two grounds now recorded. The Government retracted the empirical premise: by letter of 26 August 2016 the Acting Solicitor General informed the Court that the detention-duration figures relied on in *Demore* were incorrect and understated actual detention, and the Court had expressly rested on detention lasting about a month and a half, or five months on appeal. And Kennedy, J., concurring at 532, accepted that an individualised determination could be required where continued detention becomes unreasonable or unjustified — the basis on which the First and Ninth Circuits granted relief. *Jennings v. Rodriguez*, 583 U.S. 281 (2018), decided the statutory question only and expressly left the constitutional question open. A matter of currency is recorded rather than left to be discovered. The Supreme Court has granted certiorari for the October 2026 Term on the question whether a noncitizen facing prolonged detention is entitled to a hearing to seek release from custody. That is the question determined here. The determination is stated as at 31 July 2026 and is limited to the stated law-as-at date. The case is *Genalo v. Black*, No. 25-886, in which certiorari was granted on 15 June 2026 on the Government's petition. The posture is material and is recorded: the decision under review, of the Court of Appeals for the Second Circuit, held that a noncitizen subject to mandatory detention has a constitutional right to a bond hearing once proceedings become unreasonably prolonged, and that the Government must justify continued detention by clear and convincing evidence. That accords with the determination made here, and the grant is on the Government's petition to reverse it. In the meantime the Court of Appeals for the Fifth Circuit held in *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 506 (5th Cir. 2 July 2026), that a bond hearing must be afforded within ninety days with an individualised justification for continued detention. The grant is recorded as a pending matter and not as authority.

Level Two-A — reception. Article VI (ICCPR art. 9(4)); consistent construction, which is the route *Zadvydas* in substance followed.

Level Two-B — retention and constitutional compatibility. Suspension Clause and habeas as to initial legality; Ninth Amendment as to periodic review of continuing necessity; Fifth Amendment due process. Compatibility: the duty falls on the detaining authority and the reviewing court; no new federal power is required.

Exact residual beyond current law. Periodic independent review of continuing necessity in the four covered categories, beyond a single habeas determination of initial lawfulness.

Level Three — delivery. PARTLY DELIVERED. Habeas supplies initial legality review; periodic continuing-necessity review exists by statute or regulation in some categories and not others, and Jennings closed the statutory route in the immigration category.

P-007 — Informational privacy

Proposition as determined. Every person holds a right that government not collect, retain, or disclose personal information concerning that person without adequate legal justification and safeguards.

Level One — existence and international status. ICCPR art. 17 (ratified): no arbitrary or unlawful interference with privacy, family, home or correspondence, and a right to the protection of the law against such interference. UDHR art. 12.

Elements and threshold. Elements: (1) governmental collection, retention or disclosure; (2) of information identifying or concerning a person; (3) without a legal basis adequate to the intrusion, or without safeguards limiting access, use, retention period and onward disclosure. The right does not bar collection; it requires justification and safeguards proportionate to the intrusion.

Present domestic baseline. The Fourth Amendment protects persons, houses, papers and effects against unreasonable search and seizure, extended to certain digital records in *Carpenter v. United States*, 585 U.S. 296 (2018). A constitutional interest in informational privacy has twice been assumed without decision: *Whalen v. Roe*, 429 U.S. 589, 599-600 (1977); *NASA v. Nelson*, 562 U.S. 134, 138 (2011). The Privacy Act of 1974, 5 U.S.C. §552a, regulates federal agency records with a civil action at §552a(g).

Supporting evidence. Art. 17 reaches interference with privacy generally and is not confined to search and seizure. The Fourth Amendment's protection of papers is founding-era right-form recognition of an interest in personal records; *Entick v. Carrington*, 19 How. St. Tr. 1029 (C.P. 1765). No State-level survey of constitutional privacy provisions has been undertaken; this determination rests on the treaty and federal record. The strength of *Carpenter v. United States*, 585 U.S. 296 (2018), is stated precisely rather than at large. It was decided by five votes to four over four separate dissents, and the Court said in terms that the decision is a narrow one: it declined to disturb *Smith v. Maryland* and *United States v. Miller*, and did not reach real-time location information, tower dumps, conventional surveillance, security cameras, or collection for foreign affairs or national security. The third-party doctrine accordingly survives outside the class of records identified, and the study relies on *Carpenter* as evidence that the tradition adapts to the interest rather than as authority displacing that doctrine. The position has strengthened within the stated law-as-at date. In *Chatrue v. United States*, No. 25-112 (U.S. 29 June 2026), the Court held by six votes to three, Kagan, J., that police conduct a search when they obtain a person's cell-phone location data through a geofence warrant, notwithstanding the third-party doctrine; that an individual has a reasonable expectation of privacy in records of his cell phone's location; and that the intrusion occurs even where the data is demanded for a limited period and from a third-party technology company. The decision is a direct extension of *Carpenter* and *Riley v. California*, carried by a larger majority than *Carpenter*, and it confirms the proposition relied on here that the constitutional tradition adapts to the informational interest rather than surrendering it to the form in which records are held.

Strongest contrary evidence, and why insufficient. *Whalen* and *NASA* assumed rather than decided; an assumption *arguendo* is not recognition. The third-party doctrine (*United States v. Miller*, 425 U.S. 435

(1976); *Smith v. Maryland*, 442 U.S. 735 (1979)) is adverse and was distinguished rather than overruled in *Carpenter*. The Privacy Act is statutory and heavily exempted. Insufficient: the assumptions are not denials, and *Carpenter* shows the Fourth Amendment tradition adapting to the interest rather than rejecting it. *Paul v. Davis*, 424 U.S. 693, 713 (1976), is further adverse authority: it held the respondent had no constitutional privacy right against disclosure of the fact of his arrest and confined the constitutional privacy interest to matters relating to marriage, procreation, contraception, family relationships, and child rearing and education. Insufficient to displace the determination: the holding addresses disclosure of a public record of arrest rather than governmental collection and retention generally, it was decided 5–3 with one Justice not participating, and *Carpenter*’s later treatment of digital records shows the tradition adapting to the interest.

Level Two-A — reception. Article VI (ICCPR art. 17); consistent construction.

Level Two-B — retention and constitutional compatibility. Fourth Amendment as to search and seizure; Ninth Amendment as to collection, retention and disclosure outside that frame; Fourteenth Amendment state-binding route. Compatibility: negative restraint with an ancillary safeguards duty; no new federal power required.

Exact residual beyond current law. Governmental collection, retention and disclosure of personal information outside the search-and-seizure frame and outside the Privacy Act’s exempted scope.

Level Three — delivery. PARTLY DELIVERED. The Privacy Act supplies a civil action against federal agencies, some State constitutions and State statutes supply further routes, which have not been surveyed for this study and are not counted, and §1983 is available where a constitutional interest is engaged. Every vehicle is limited, exemption-ridden, or confined to a subset of actors; none is foreclosed entirely.

P-008 — Protection against governmental attack on honour and reputation

Proposition as determined. Every person holds a right to the protection of the law against unlawful governmental attack on honour and reputation, meaning the publication by a governmental actor, with knowledge of falsity or reckless disregard for the truth, of a statement of fact concerning an identified person which is false and damaging to reputation.

Level One — existence and international status. ICCPR art. 17(1)-(2) (ratified): no unlawful attacks on honour and reputation, and a right to the protection of the law against such attacks. UDHR art. 12.

Elements and threshold. The wrongful conduct is defined narrowly and screened against the First Amendment. It requires: (1) a statement of fact, not opinion, rhetorical hyperbole, or evaluative characterisation; (2) falsity; (3) publication by a governmental actor in an official capacity; (4) knowledge of falsity or reckless disregard for truth, the actual-malice standard of *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), applied here to the government as speaker rather than to the subject as public figure; (5) demonstrable damage to reputation. EXCLUDED: government speech on matters of public concern; lawful criticism; accusation in the course of legitimate proceedings; statements protected by absolute legislative privilege under the Speech or Debate Clause or by absolute judicial privilege; and qualified privileges attaching to official reports. The right is a protection against knowing governmental falsehood; it is not a mechanism for suppressing protected speech, and it confers no power to enjoin government speech in advance.

Present domestic baseline. *Paul v. Davis*, 424 U.S. 693, 701-12 (1976), holds that reputation alone is neither liberty nor property, and that governmental defamation without more states no federal constitutional claim; the stigma-plus rule requires an accompanying tangible loss. State tort law supplies the ordinary protection, subject to governmental immunity and the constitutional privileges.

Supporting evidence. ICCPR art. 17(2) states an express entitlement to the protection of the law against unlawful attacks on honour and reputation. State constitutional evidence: thirty-four of the fifty States

enumerate reputation or character in the operative text of their constitutional remedy or open-courts provision. Twenty-three use "reputation" — Alabama, Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, Wyoming. Eleven use "character" — Arkansas, Colorado, Idaho, Massachusetts, Minnesota, Missouri, Montana, New Hampshire, Rhode Island, Vermont, Wisconsin. Six clause States do not enumerate either: Arizona, Florida, Georgia, Maryland, South Carolina, Washington. Ten States have no clause. Three of the enumerating texts are founding-era: Vermont (1777) ch. I art. 4; Massachusetts (1780) pt. I art. XI; New Hampshire (1784) pt. I art. 14. Each names character among the interests for which every person ought to find a certain remedy. The count is derived from the study's fifty-state clause dataset and most texts are recorded against an official State source in the study's fifty-state clause dataset, the Arkansas row being recorded against the Secretary of State's official research page linking to the Arkansas Constitution of 1874 through Lexis and cross-checked against concordant Justia and FindLaw transcriptions; the structured findings appear in Appendix D and the accompanying Public Evidence Workbook.

Strongest contrary evidence, and why insufficient. Paul v. Davis is squarely adverse as federal doctrine and undisturbed. The First Amendment protects a wide field of governmental expression, and any right in this area risks operating as a speech restriction. Insufficient: the actual-malice and fact-opinion screens confine the right to knowing governmental falsehood, which no First Amendment doctrine protects, and the remedy sought is compensation and correction rather than prior restraint.

Level Two-A — reception. Article VI (ICCPR art. 17(2)); consistent construction.

Level Two-B — retention and constitutional compatibility. Ninth Amendment; founding-era state constitutional right-recognition as convergent evidence; Fourteenth Amendment state-binding route. Compatibility: the duty is a restraint on knowing falsehood by governmental actors; it leaves official privileges intact and creates no censorial power.

Exact residual beyond current law. Protection against knowing or reckless governmental publication of damaging falsehood where no state-law remedy is available against the governmental actor.

Level Three — delivery. PARTLY DELIVERED through state tort law where immunity does not bar the claim; no federal vehicle, Paul v. Davis.

P-009 — Racially discriminatory effects: international obligation and statutory protection preserved; no additional LS2 recognition on this record

Proposition tested. Governmental measures having the effect of creating or perpetuating racial discrimination, irrespective of provable purpose, unless the differentiation is legitimate judged against CERD's objectives and purposes.

Level One and treaty status. CERD Articles 1(1) and 2(1)(c) establish the purpose-or-effect formulation internationally. The prohibition of racial discrimination is peremptory. That peremptory status does not, by itself, establish that CERD's complete effects standard is itself peremptory or domestically retained.

Current constitutional and statutory separation. P-016 and current Equal Protection doctrine secure LS1 protection against purposeful governmental racial discrimination. Washington v. Davis, Arlington Heights, and Feeney require discriminatory purpose for the facially neutral constitutional claims they address. Valid effects standards enacted through sufficient legislative authority remain LS5; CERD's broader international obligation remains LS6.

Process 3 gates. G1 and G2 can be satisfied by a bounded governmental-effects proposition. G3 fails for the exact additional claim because Reconstruction history, the Civil Rights Act of 1866, and current equality doctrine anchor intentional discrimination, not CERD's complete effects rule. G4 also fails: the record

contains substantial intent-centered constitutional authority, including the limitation stated in *Louisiana v. Callais* for Reconstruction-Amendment enforcement.

Why the stronger international evidence does not cure the defect. CERD, the peremptory prohibition, and governmental representations make discriminatory effects legally and institutionally consequential. They do not supply the missing proposition-specific domestic bridge. Treating them as sufficient would allow international reception to replace the mandatory DCA and would apply a different rule to P-009 than to analogous effects propositions.

Determination. The exact additional retained-right claim is assigned the disposition NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD: LS1 for purposeful discrimination and existing constitutional applications; LS5 for valid statutory effects rules; LS6 for CERD's broader international obligation; LS8 for the additional LS2 proposition. No confidence code and no retained-right unit. This determination does not deny the human right, validate discriminatory effects, disturb P-016, or restrict legislative authority under powers that support effects rules.

Delivery consequence. The absence or rescission of a particular domestic effects remedy is evidence of statutory and treaty-delivery failure where the obligation applies. It is not converted into proof of LS2 retention. The thesis therefore reports the international obligation, statutory routes, current constitutional baseline, and residual nonrecognition separately.

Additional determinations under Process 3

Beyond the seven C1 propositions, Process 3 recognizes nine proposition rows representing seven additional nonduplicative LS2 units. The following summaries state the bounded result and controlling basis; Appendix F records all fifty dispositions, including exits and reclassifications.

P-023 — Retention of legal capacity and individualized necessity, participation and review before substitute...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2 retained personal right; confidence C3 because the Supreme Court has not announced this exact guardianship formulation. One additional retained-right counting unit. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED IN NARROWED FORM as a retained personal right (LS2, C3): an adult retains legal agency unless government, through an individualized and fair proceeding, establishes a lawful basis and present necessity for displacement; any displacement must be decision-specific and no broader or longer than the justification supports. All four gates are satisfied. The presumption is triggered by the antecedent-agency baseline and convergent due-process structure. Rebuttal narrows the rule: no fixed burden of proof, mandatory supported-decision model, or categorical least-restrictive-means test is recognized here. LS2 retained personal right; confidence C3 because the Supreme Court has not announced this exact guardianship formulation. One additional retained-right counting unit.

P-025 — Presumptively public civil proceedings as a litigant right

Disposition: RECOGNISED AS RETAINED. Legal status: LS2, C3. One additional retained-right counting unit. Existing public-access doctrine remains LS1 and must not be recounted as the newly derived right. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED IN NARROWED FORM as LS2/C3: when a court finally adjudicates a person's civil rights or obligations in a proceeding historically open and functionally adjudicative, the litigant has a presumptive right to an open hearing; closure requires a particularized overriding interest and tailoring. This is distinct from, but overlaps, the public's First Amendment access interest. G1–G4 are satisfied, and founding/common-law

history materially favors retention. Rebuttal limits the object to adjudicative hearings and preserves closure for particularized overriding interests. LS2, C3. One additional retained-right counting unit. Existing public-access doctrine remains LS1 and must not be recounted as the newly derived right.

P-028 — Residual freedom of intrastate movement and residence, and of international departure beyond the qualified...

Disposition: RECOGNISED AS RETAINED. **Legal status:** Limb A LS2/C3 and one additional retained-right counting unit. Limb B LS1/LS8 and zero additional unit. The two limbs are counted separately.

Dependency: none. **Nonduplicative LS2 unit:** 1.

SPLIT. (A) Intrastate locomotion is RECOGNIZED as LS2/C3: a person lawfully present may move through and reside within a State, subject to generally applicable, place-based, custodial, public-safety, and land-use rules. (B) No additional right of international departure ‘beyond’ the qualified current-law core is recognized; that limb is LS1 for the existing liberty and LS8 for the claimed excess. The presumption triggers only for Limb A after narrowing. It is rebutted for reasonable place-, conduct-, custody-, and emergency-based restrictions. Limb B does not trigger because ‘beyond the core’ either duplicates LS1 or conflicts with permissible regulation. Limb A LS2/C3 and one additional retained-right counting unit. Limb B LS1/LS8 and zero additional unit. The two limbs are counted separately.

P-037 — Secret ballot

Disposition: RECOGNISED AS RETAINED. **Legal status:** LS2/C3. One additional retained-right counting unit. **Dependency:** none. **Nonduplicative LS2 unit:** 1.

RECOGNIZED in bounded developed-application form as LS2/C3: when government conducts a popular election, each elector has a presumptive right to cast an individual ballot privately, free from compelled disclosure at the moment of choice, subject to voluntary disclosure, necessary assistance, verifiable administration, recounts, and narrowly tailored anti-fraud measures. All gates pass. The presumption is triggered by the mature convergence of franchise, speech/association, anti-intimidation doctrine, and universal practice. Rebuttal narrows the right to privacy of electoral choice rather than secrecy from all lawful administration. LS2/C3. One additional retained-right counting unit.

P-050 — Minimum education sufficient for civic participation

Disposition: RECOGNISED AS RETAINED. **Legal status:** LS2/C3. One additional retained-right counting unit. It is an analytical derivation, not a statement that the Supreme Court has already recognized the right. **Dependency:** none. **Nonduplicative LS2 unit:** 1.

RECOGNIZED in a strictly bounded form as LS2/C3: when a State maintains compulsory public elementary and secondary education, each resident child has a right to a genuine minimum opportunity to acquire functional literacy and basic civic competence. The right does not guarantee equal funding, optimal outcomes, a particular curriculum, higher education, or federal administration. All gates pass only for the narrow minimum. The P3 presumption is triggered by state constitutional tradition plus citizenship structure and the unresolved reservation in *Rodriguez/Papasan*. Rebuttal excludes equal funding, optimality, outcomes, higher education, and federal program design. LS2/C3. One additional retained-right counting unit. It is an analytical derivation, not a statement that the Supreme Court has already recognized the right.

P-071 — Free elementary and fundamental education (no-cost access)

Disposition: RECOGNISED AS RETAINED. **Legal status:** LS2/C3 as a dependent component of P-050; recognized row, zero new unit. State constitutional rights are also LS1 within their jurisdictions; federal Supreme Court doctrine remains adverse to a broad fundamental-right label. **Dependency:** P-050. **Nonduplicative LS2 unit:** 0.

RECOGNIZED only as a component of P-050's LS2/C3 minimum civic-education right: a State that compels elementary attendance may not charge tuition for the minimum public instruction necessary to provide a genuine opportunity for functional literacy and basic civic competence. It is not a separate counting unit and does not constitutionalize every fee or ancillary service. All gates pass only through the bounded P-050 component. The presumption is triggered by the parent right plus the free-school constitutional tradition. Rebuttal confines the result to tuition-free minimum instruction and keeps confidence at C3. LS2/C3 as a dependent component of P-050; recognized row, zero new unit. State constitutional rights are also LS1 within their jurisdictions; federal Supreme Court doctrine remains adverse to a broad fundamental-right label.

P-073 — Freedom of a United States citizen from permanent or indefinite governmental banishment or forced exclusion...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C2. One additional retained-right counting unit, shared with P-074 as a component/application. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED as LS2/C2: national citizenship includes freedom from permanent or indefinite governmental banishment from the United States while citizenship remains, subject to constitutionally valid extradition, temporary custody-linked restrictions, and comparable confined legal processes. P-074 is the entry-side application of the same right and is not separately counted. All gates pass; the presumption is triggered by citizenship's necessary incidents and anti-evasion structure. Rebuttal supplies the explicit exceptions and prevents the right from becoming a challenge to ordinary custody or extradition. LS2/C2. One additional retained-right counting unit, shared with P-074 as a component/application.

P-074 — A United States citizen shall not be arbitrarily denied physical re-entry into the United States by the federal...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C2, derivative/component of P-073. Recognized proposition; zero additional deduplicated unit. Dependency: P-073. Nonduplicative LS2 unit: 0.

RECOGNIZED as LS2/C2, but classified as the operational re-entry component of P-073 and therefore not a separate retained-right counting unit. Citizenship requires a nonarbitrary means for a citizen to establish status and enter the nation; documentation rules may regulate proof but may not convert citizenship into permanent exclusion. All gates pass. The presumption is triggered and not materially rebutted for the bounded citizen-only rule. Administrability concerns narrow procedure and remedies rather than negate the right. LS2/C2, derivative/component of P-073. Recognized proposition; zero additional deduplicated unit.

P-076 — A Fourteenth Amendment citizen has a right to a reasonably accessible and non-arbitrary procedure for...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C3 for the core; LS5 for present statutory delivery; LS8 for the listed ancillary incidents. One additional retained-right counting unit. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED only at the core as LS2/C3: because citizenship may be relinquished only voluntarily and intentionally, government must maintain a genuine, nonarbitrary means to receive and determine a competent citizen's unequivocal relinquishment. No fixed deadline, fee ceiling, domestic location, remote procedure, accommodations code, damages remedy, or right to use any nonstatutory act is derived. All gates pass for the core. The presumption is triggered by the natural-right declaration and the constitutional centrality of voluntary intent. It is rebutted for every unproven procedural detail beyond a genuine, nonarbitrary path and determination. LS2/C3 for the core; LS5 for present statutory delivery; LS8 for the listed ancillary incidents. One additional retained-right counting unit.

Part VI — Findings and Limitations

18. The correspondence

The Universal Declaration and the Constitution are not strangers. Twenty-one whole proposition rows are already secured by current constitutional law, and narrower LS1 components recur inside split propositions that are not counted as wholly subsumed. Process 3 then recognizes sixteen rows representing fourteen nonduplicative additional LS2 units. The residual count is therefore a measure taken after current-law overlap and dependency are removed, not a measure of how few UDHR rights the Constitution protects.

19. The principal finding

The United States holds more human-rights obligations than its domestic delivery reflects. That gap is in material part the product of the Nation's own legal construction: enter constitutional and treaty engagements; ratify human-rights instruments with reservations, understandings and declarations; represent that existing federal and state law supplies equivalent protection; implement only part of the undertaking; and leave remedies fragmented, unavailable, or practically inaccessible. The descriptive finding does not depend on pretending that every treaty rule is directly enforceable. It follows from comparing the obligation actually assumed, the domestic sufficiency represented, and the mechanism actually delivered.

The constitutional conclusion goes further. The Universal Declaration of Human Rights functions as the study's interpretive and evidentiary key: it provides the organized vocabulary needed to locate extensive existing correspondence, identify developed applications, and test additional retained rights through Process 3. The absence of a remedy is not evidence that the right does not exist; it is evidence that the right is not delivered. Likewise, failure to satisfy the additional-LS2 burden on the present record is not a determination that the right can never be retained. Treating governmental nonrecognition or non-delivery as proof of nonexistence would make institutional failure self-justifying and would invert the Ninth Amendment's rule against using incomplete enumeration to deny or disparage retained rights.

20. On the treaty pattern, and its limits as an explanation

The determinations in this study draw disproportionately on the ratified covenants, and the propositions drawn from the unratified Covenant on Economic, Social and Cultural Rights largely receive no additional LS2 recognition. The study records the reason and its limits together. Ratification supplies an assumed obligation and an Article VI reception route, and its absence removes both. But non-ratification does not defeat a right, and in each instance where an economic or social proposition receives no additional LS2 recognition, the disposition states the requirement that failed on the whole record. Ratification of the ICESCR would materially alter and strengthen the Level One record and would create a binding treaty obligation. It would not by itself predetermine the distinct Level Two-B determination whether the right is personally retained, nor the Level Three question of delivery.

21. On the division of authority

Of the authorities that presently prevent the interests identified in this study from being vindicated, none was decided without division. *Alden v. Maine*, 527 U.S. 706 (1999), and *TransUnion LLC v. Ramirez*, 594 U.S. 413 (2021), were each decided by five votes to four, and in each the principal dissent denied the historical foundation the majority relied on. *Stump v. Sparkman*, 435 U.S. 349 (1978), was decided by five votes to three. *Egbert v. Boule*, 596 U.S. 482 (2022), and *Medellin v. Texas*, 552 U.S. 491 (2008), were each decided by six votes to three. The divisions are not uniformly narrow, and the study records the wider ones alongside:

Washington v. Davis, 426 U.S. 229 (1976), and United States v. Miller, 425 U.S. 435 (1976), were each decided by seven votes to two.

The study states this as an observation about the record and not as an argument that a divided decision binds less than an undivided one. It does not. Each of those decisions is controlling and this study treats it as controlling throughout. Nor does the study assert the converse proposition, that the authorities recognising the protections are undivided: several are, but *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009), *Afroyim v. Rusk*, 387 U.S. 253 (1967), and *Foucha v. Louisiana*, 504 U.S. 71 (1992), were each decided by a single vote, and the study's verification of vote composition across the authorities relied on is not complete.

What the verified record supports is the narrower observation that the barriers to enforcing these protections are the product of reasoning about immunity, standing, implied damages actions and the domestic reception of treaties on which the Court has divided closely and repeatedly, and which the political branches remain free to address by legislation in the fields identified in this study.

The first is whether a right exists and what its status is. The Universal Declaration of Human Rights states ninety-seven operative clauses across thirty articles. Some correspond to obligations the United States has assumed by ratified treaty. A small number correspond to peremptory norms of general international law, from which no derogation is permitted. Others rest on the Declaration alone.

22. Education

At Level One, education is stated in UDHR Article 26 and ICESCR Article 13; the United States signed but did not ratify the ICESCR. No ICESCR treaty obligation or Article VI reception route therefore exists under that instrument. The UDHR and comparative material corroborate but do not supply the domestic anchor.

At Level Two, Process 3 recognizes P-050 in narrow LS2/C3 form: a resident child must have a genuine opportunity for the functional literacy and basic civic competence necessary to exercise constitutional citizenship, through the State's compulsory public educational system. The domestic anchor is proposition-specific: nationwide state constitutional education duties, the common-school and Reconstruction record, education's structural relationship to citizenship and political participation, and the unresolved minimum-skills reservations in *Rodriguez* and *Papasan*. The right does not constitutionalize equal funding, optimal education, higher education, a federal curriculum, or federal operation of schools; *DeShaney* and federalism remain substantial contrary evidence and explain C3 confidence.

P-071 is recognized only as a dependent component of P-050: where a State compels elementary attendance, it may not condition the minimum public instructional core on tuition. Twenty-one verified state constitutional free-school clauses corroborate that bounded component; Hawaii's "free from sectarian control" language is not counted as a no-cost clause. P-071 adds no separate unit and does not prohibit charges for optional transportation, meals, extracurricular activities, premium materials, private education, or higher education.

23. Conditions affecting these determinations

At Level One: ratification of the ICESCR, the Convention on the Rights of the Child, or the Convention on the Elimination of All Forms of Discrimination against Women; or a demonstration that a proposition has acquired customary status independently of any instrument. At Level Two: additional American sources treating an interest as belonging to persons as of right where the present record establishes only governmental responsibility. At Level Three: implementing legislation, withdrawal or narrowing of a non-self-execution declaration, or a statutory cause of action for a right already held.

Two matters within the stated law-as-at date bear directly on this question and are recorded here rather than left to inference. The first is pending. In *Genalo v. Black*, No. 25-886, certiorari was granted on 15 June 2026 on the question determined at P-006, namely whether a noncitizen subject to prolonged mandatory detention is entitled to a hearing at which release may be sought. The posture is material: the decision under review, of the Court of Appeals for the Second Circuit, held that the Due Process Clause requires such a hearing once proceedings become unreasonably prolonged and that the Government must justify continued detention by clear and convincing evidence, and the grant is on the Government's petition to reverse it. The determination at P-006 is stated as at 31 July 2026 and is limited to the stated law-as-at date; any later decision is subsequent authority.

Louisiana v. Callais strengthens the adverse constitutional record for the exact P-009 effects claim and forms part of the adverse constitutional record stated above. What would change that LS8 conclusion is a proposition-specific domestic constitutional source for CERD's complete effects standard, a material change in controlling constitutional doctrine, amendment, or a newly demonstrated developed application that satisfies G3 and G4. Congress may continue to enact valid effects standards under powers sufficient for the field; those LS5 rules and the LS6 treaty obligation remain legally distinct from LS2 retention.

24. Calibration and Controlling Method: Processes 1–4

P1–P4 legend

Heading	Meaning
P1	Strict Recognition Standard; genuine equipoise defeats recognition; seven C1 rows.
P2	Same strict standard; a genuine evidentiary tie favors retention; no additional row in the completed record.
P3	Controlling retention-sensitive method: G1–G4, DCA, trigger, rebuttal, LS/C separation, dependency control; sixteen rows / fourteen units.
P4	Treaty-reception counterfactual; six consequence changes and a thirteen-item comparative figure when combined with P1. Not an LS2 count.

Symbols — P1–P3: R = retained; S = subsumed by current law; N = no additional LS2 right recognized. P4: Δ = counterfactual domestic-effect change; 0 = no such change. Legal-status classifications remain separately preserved where P1–P3 is N.

ID	Art.	Proposition tested	P1	P2	P3	P4
P-001	5	Torture: no public official or person acting in an official capacity shall inflict conduct satisfying all five Article 1 elements — severity, intent,...	R	R	R	0
P-002	5	CIDT: no public official shall subject a person to treatment or punishment which is cruel, inhuman or degrading without amounting to torture,...	R	R	R	0
P-003	4	Freedom from slavery, the slave trade, peonage, debt bondage, and the sale or transfer of a person, and from involuntary servitude compelled by...	S	S	S	0
P-004	8	Effective remedy: access to a competent domestic forum able to determine a claim of violation of a fundamental right and to afford relief effective...	R	R	R	0

ID	Art.	Proposition tested	P1	P2	P3	P4
P-005	10	Fair hearing before an independent and impartial tribunal in the determination of rights and obligations in a suit at law, as that autonomous concept...	R	R	R	0
P-006	9	Periodic independent review of the continuing necessity of prolonged non-punitive detention, where the justification for detention depends on a...	R	R	R	0
P-007	12	Governmental collection, retention or disclosure of personal information without adequate legal justification and safeguards	R	R	R	0
P-008	12	Protection of the law against unlawful governmental attack on honour and reputation, meaning the knowing or reckless publication by government of...	R	R	R	0
P-009	2, 7	Governmental measures which have the effect of creating or perpetuating racial discrimination, irrespective of provable purpose, unless the criteria...	N	N	N	0
P-010	11(2)	Freedom from ex post facto criminal liability and heavier penalty	S	S	S	0
P-011	6	Recognition as a person before the law	S	S	S	0
P-012	15(2)	Freedom from arbitrary deprivation of nationality	S	S	S	0
P-013	20	Freedom of association and from compelled association as against government	S	S	S	0
P-014	13(2)	Qualified constitutional liberty of international departure	S	S	S	0
P-015	2, 7	Equal protection of the law across classifications not presently treated as suspect or quasi-suspect	S	S	S	0
P-016	2, 7	Freedom from intentional racial discrimination by government	S	S	S	0
P-017	9	Freedom from arbitrary arrest and detention (core)	S	S	S	0
P-018	5	Freedom from torture as punishment after conviction	S	S	S	0
P-019	12	Freedom from unreasonable search and seizure	S	S	S	0
P-020	10	Hearing where liberty or property is at stake	S	S	S	0
P-021	2(2)	Freedom from distinction based on the political or international status of a territory	N	N	N	0
P-022	3	Assurance of a functioning system of protection against private violence	N	N	N	0
P-023	6	Retention of legal capacity and individualized necessity, participation and review before substitute decision-making is imposed	N	N	R	0
P-024	7	Protection against incitement to discrimination by suppression of expression	N	N	N	0

ID	Art.	Proposition tested	P1	P2	P3	P4
P-025	10	Presumptively public civil proceedings as a litigant right	N	N	R	0
P-026	10	Recusal for structural conflicts below the Caperton threshold	N	N	N	0
P-027	10	Protection against government-created procedural disadvantage (equality of arms)	N	N	N	0
P-028	13(2)	Residual freedom of intrastate movement and residence, and of international departure beyond the qualified current-law cores	N	N	R	0
P-029	14(1)	Right to seek in other countries asylum from persecution	N	N	N	0
P-030	15(1)	Right of a stateless person to acquire a nationality	N	N	N	0
P-031	15(2)	A free and knowing choice to relinquish United States nationality, carried out through a valid formal expatriating act, must be given legal effect...	S	S	S	0
P-032	16(3)	Family's right to protection and assistance	N	N	N	0
P-033	18	Exemption from neutral laws of general applicability	N	N	N	0
P-034	19	Right of access to government information	N	N	N	0
P-035	21	Universal affirmative franchise in every election	N	N	N	0
P-036	21(2)	Equal access to public service	S	S	S	0
P-037	21(3)	Secret ballot	N	N	R	0
P-038	21(3)	Periodic elections at a stated frequency	S	S	S	0
P-039	22	Social security	N	N	N	0
P-040	23(1)	Work and free choice of employment	N	N	N	0
P-041	23(1)	Just and favourable conditions of work	N	N	N	0
P-042	23(1)	Protection against unemployment	N	N	N	0
P-043	23(2)	Equal pay for equal work	N	N	N	0
P-044	23(3)	Remuneration ensuring an existence worthy of dignity	N	N	N	0
P-045	23(4)	Worker association free of legally protected private retaliatory interference	N	N	N	0
P-046	24	Rest, leisure, limitation of hours, paid holidays	N	N	N	0
P-047	25(1)	Adequate standard of living and subsistence	N	N	N	0
P-048	25(2)	Special care and assistance for motherhood and childhood	N	N	N	0
P-049	25(2)	Equal social protection of children born out of wedlock	S	S	S	0
P-050	26(1)	Minimum education sufficient for civic participation	N	N	R	0
P-051	26(1)	Access to technical, professional and higher education on merit	N	N	N	0

ID	Art.	Proposition tested	P1	P2	P3	P4
P-052	26(1)	Compulsory elementary education	N	N	N	0
P-053	26(2)	Education directed to prescribed purposes	N	N	N	0
P-054	26(3)	Parental priority in choosing a child's education	S	S	S	0
P-055	27(1)	Cultural participation and enjoyment of the arts	N	N	N	0
P-056	27(1)	Sharing in scientific advancement and its benefits	N	N	N	0
P-057	27(2)	Authors' material interests	N	N	N	0
P-058	27(2)	Authors' moral interests of attribution and integrity	N	N	N	0
P-059	1	Dignity as a discrete enforceable right	N	N	N	0
P-060	28	Entitlement to an enabling social and international order	N	N	N	0
P-061	1	Reason and conscience; spirit of brotherhood	N	N	N	0
P-062	14(2)	Asylum not invocable for non-political crimes	N	N	N	0
P-063	29(1)	Duties of the individual to the community	N	N	N	0
P-064	30	No destruction of rights	N	N	N	0
P-065	21(3)	Will of the people as basis of the authority of government	N	N	N	0
P-066	22	Progressive-realisation clause	N	N	N	0
P-067	4	Compelled labor imposed on a person not duly convicted, or materially untethered to a valid sentence, subject to traditional civic-duty and...	S	S	S	0
P-068	12	Freedom from governmental interference with parental direction of the upbringing and education of one's children	S	S	S	0
P-069	12	Residual protection against arbitrary interference with family, home or correspondence beyond the enumerated guarantees	N	N	N	Δ
P-070	12	Affirmative governmental protection of the law against interference with, or attacks upon, the Article 12 interests	N	N	N	Δ
P-071	Art. 26(1)	Free elementary and fundamental education (no-cost access)	N	N	R	0
P-072	21(3)	Genuine elections — residual guarantee of electoral genuineness beyond the current-law core	N	N	N	Δ
P-073	9	Freedom of a United States citizen from permanent or indefinite governmental banishment or forced exclusion from the national territory, without loss...	N	N	R	Δ
P-074	13(2)	A United States citizen shall not be arbitrarily denied physical re-entry into the United States by the federal government.	N	N	R	Δ
P-075	2 / 7	Government shall not adopt or maintain a facially neutral measure	N	N	N	Δ

ID	Art.	Proposition tested	P1	P2	P3	P4
		that has the effect of creating or perpetuating sex discrimination unless the...				
P-076	15(2)	A Fourteenth Amendment citizen has a right to a reasonably accessible and non-arbitrary procedure for initiating and obtaining a timely determination...	N	N	R	0
P-077	14(1)	Freedom from punishment solely for making an asylum request	N	N	N	0
P-078	14(1)	Procedural security before termination of previously granted asylum	S	S	S	0
P-079	14(1)	Continuation of previously granted asylum until voluntary status change or lawful termination on defined grounds	S	S	S	0
P-080	29(2)	Freedom from limitation of a Declaration right unless the limitation is determined by law	N	N	N	0
P-081	29(3)	Rights may not be exercised contrary to the purposes and principles of the United Nations	N	N	N	0
P-082	29(2)	Freedom from limitation of a Declaration right for a purpose outside Article 29(2)'s exclusive permissible purposes	N	N	N	0
P-083	29(2)	Freedom from limitation of a Declaration right exceeding the just requirements of an Article 29(2) purpose	N	N	N	0
P-084	29(2)	Freedom from limitation of a Declaration right incompatible with a democratic society	N	N	N	0

Process 1 is the strict C1 minimum. Process 2 changes only a genuine-tie rule. Process 3 is the study's controlling retention-sensitive convergent-evidence position and is governed by §4A–§4G above. Process 4 asks the separate treaty-reception counterfactual.

The controlling results are stated in their native units: Process 1 recognizes seven retained-right rows; Process 2 also recognizes seven; Process 3 recognizes sixteen rows representing fourteen nonduplicative LS2 units; and Process 4 records six domestic-effect changes. For comparative continuity only, the seven Process 1 rows plus the six Process 4 changes equal thirteen. That derived thirteen is not a fourth like-for-like rights count and must not be displayed without its arithmetic and unit warning. P-071 depends on P-050 and P-074 depends on P-073.

R in P1–P3 marks LS2 recognition. S marks a whole proposition already secured by current law. N means no additional LS2 recognition under that process; the proposition may still be LS1, LS3–LS7, state law, or an international right. P4: Δ marks a counterfactual domestic-effect change; 0 marks no such change.

Process 3 is the controlling retention method. Process 1 remains the strongest C1 subset, and Process 2 remains a disclosed sensitivity test. Appendix F and the accompanying Public Evidence Workbook contain the full source, status, dependency, count, and adjudication records.

Process 3 evaluated fifty propositions without a target count. Thirty-four are not recognized as additional LS2 rights; sixteen are recognized, including two dependent applications; and the resulting count is fourteen

nonduplicative LS2 units. P-009 receives no additional LS2 recognition, and P-036 is classified as subsumed by current law.

25. Process 1 nonrecognitions and Process 3 reclassification

Ground of failure	No.	Propositions	What it means
STRUCTURAL	8	P-026, P-027, P-032, P-034, P-046, P-048, P-059, P-060	A holder, right-form, grounding, or constitutional-compatibility requirement fails before evidentiary sufficiency can establish the proposition.
EVIDENTIARY GAP	16	P-021, P-022, P-023, P-030, P-041, P-042, P-043, P-044, P-052, P-053, P-055, P-056, P-069, P-070, P-072, P-074	The affirmative record does not contain the convergent material required for recognition.
WEIGHED AND INSUFFICIENT	19	P-025, P-029, P-033, P-039, P-040, P-045, P-050, P-057, P-058, P-066, P-071, P-073, P-075, P-076, P-077, P-080, P-082, P-083, P-084	Affirmative material exists and is weighed, but does not materially establish retention.
ADVERSE CONTROLLING AUTHORITY	4	P-009, P-028, P-047, P-051	Controlling authority is directly adverse on the point identified.
ADVERSE HISTORICAL RECORD	1	P-037	Historical practice materially cuts against recognition.

Forty-eight propositions receive the disposition NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD under Process 1. That disposition concerns the strict evidentiary or structural burden, not the existence of the human right. Process 3 evaluates the fifty propositions eligible under its additional gates and presumption; it recognizes sixteen rows and reclassifies or rejects the remainder while preserving every narrower current-law, statutory, treaty, structural, state-law, and international status.

The Process 1 classification table below states the controlling classifications. Structural failures do not reach whole-record sufficiency. Evidentiary failures distinguish gaps, material insufficiency, adverse controlling authority, and adverse history. Appendix F supplies the separate P3 result, including dependencies and nonduplicative unit counts.

26. Limitations

The drafting record is incomplete for every clause. The Article 10 “in full equality” proposition therefore remains confined to the ordinary grammatical record available. The study has not undertaken an independent survey of customary international law and relies for peremptory-norm status on the International Law Commission and treaty bodies. The State remedy and education annexes retain their row-level verification limits. Every constitutional exclusion remains an exclusion as formulated only.

Appendix A — Coverage of the Adopted Text

One row for every independently meaningful clause or subclause of the adopted text: ninety-seven in all, drawn from the coverage ledger in the accompanying Public Evidence Workbook. Every clause carries a disposition and a proposition reference; none is unaddressed. The Preamble is identified separately and generates no proposition. The workbook carries the further columns not reproduced here: federal statutory implementation, state implementation, Level Two-A reception, Level Two-B determination, and the normalized clause–proposition mapping — one row for every relationship, with a controlled relationship category and scope, the holder, protected-interest and duty comparisons, a relationship-specific rationale.

Delivery legend. The final column reports Level Three delivery only for an recognised retained-right proposition mapped to that row. PARTLY DELIVERED means that a duty and some vehicle exist but at least one material component is absent, restricted, or setting-dependent. NOT DELIVERED means that no vehicle capable of relief exists for the identified residual or class. An em dash means that the row has no proposition recognised as retained; it does not mean that the UDHR interest is fully delivered.

Overall result. None of the seven C1/Process 1 additional retained-right determinations is fully delivered: P-004 is not delivered as to its residual, and P-001, P-002, P-005, P-006, P-007 and P-008 are partly delivered. The additional C2/C3 Process 3 determinations are reported proposition by proposition in Appendix F; this clause table does not compress their distinct remedy and allocation findings into the earlier C1 delivery shorthand.

ID	Art.	Clause of the adopted text	Level One status and source	Federal constitutional protection	Prop. ID	Disposition	Finding on U.S. delivery of recognised retained right
L-001	1	born free and equal in dignity and rights	UDHR only	PREMISE	P-059	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-002	1	endowed with reason and conscience	UDHR only	NOT A RIGHT	P-061	NOT AN INDIVIDUAL RIGHT	—
L-003	1	should act towards one another in a spirit of brotherhood	UDHR only	NOT A RIGHT	P-061	NOT AN INDIVIDUAL RIGHT	—
L-004	2(1)	entitlement to all rights without distinction of any kind — race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status	ICCPR arts. 2, 26 (ratified, with understanding); CERD arts. 2, 5 (ratified)	Entitlement to all rights without distinction on the enumerated grounds — the provision states holder, protected enjoyment, and forbidden grounds; the retention result turns on R4, not on any inability to formulate it	P-015; P-016; P-009; P-075	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	P-009 — LS1 purposeful-discrimination protection, LS5 statutory effects rules, and LS6 CERD obligation preserved; exact no additional LS2 recognition on this record.
L-005	2(2)	no distinction on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs	ICCPR arts. 2, 26 (rat. 1992); CERD arts. 2, 5 (rat. 1994)	NOT RECOGNISED	P-021	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-006	3	right to life	ICCPR art. 6 (ratified)	Right to life — negative core already constitutionally protected; only the affirmative protective residual is tested	P-022; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-007	3	right to liberty	ICCPR art. 9 (ratified)	Right to liberty — negative core already constitutionally protected	P-017	SUBSUMED BY CURRENT LAW	—
L-008	3	right to security of person	ICCPR art. 9 (ratified)	Right to security of person — negative core already constitutionally protected; only the affirmative protective residual is tested	P-022; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-009	4	no one held in slavery or servitude	Peremptory norm (slavery); ICCPR art. 8 (rat.)	PARTIAL	P-003; P-067	SUBSUMED BY CURRENT LAW	—
L-010	4	slavery and the slave trade prohibited in all their forms	Peremptory norm (slavery); ICCPR art. 8 (rat.)	PARTIAL	P-003; P-067	SUBSUMED BY CURRENT LAW	—
L-011	5	no torture	Peremptory norm (torture); CAT arts. 1-2, 16 (rat. 1994, with RUDs); ICCPR art. 7 (rat.), non-derogable	PARTIAL	P-001; P-018	RECOGNISED AS RETAINED; SUBSUMED BY CURRENT LAW	P-001 — PARTLY DELIVERED: scope and operation both deficient.
L-012	5	no cruel, inhuman or	Peremptory norm	PARTIAL	P-002;	RECOGNISED AS RETAINED;	P-002 — PARTLY

ID	Art.	Clause of the adopted text	Level One status and source	Federal constitutional protection	Prop. ID	Disposition	Finding on U.S. delivery of recognised retained right
		degrading treatment or punishment	(torture); CAT arts. 1-2, 16 (rat. 1994, with RUDs); ICCPR art. 7 (rat.), non-derogable		NONE	SUBSUMED BY CURRENT LAW	DELIVERED: admitted scope delta remains unfilled.
L-013	6	recognition everywhere as a person before the law	ICCPR art. 16 (rat.)	DIRECT	P-011; P-023	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-014	7	all equal before the law	ICCPR art. 26 (rat., with understanding); CERD (rat.)	PARTIAL	P-015; P-009; P-075; NONE	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	P-009 — LS1 purposeful-discrimination protection, LS5 statutory effects rules, and LS6 CERD obligation preserved; exact no additional LS2 recognition on this record.
L-015	7	entitled without discrimination to equal protection of the law	ICCPR art. 26 (rat., with understanding); CERD (rat.)	PARTIAL	P-015; P-009; P-075; NONE	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	P-009 — LS1 purposeful-discrimination protection, LS5 statutory effects rules, and LS6 CERD obligation preserved; exact no additional LS2 recognition on this record.
L-016	7	equal protection against discrimination and against incitement to such discrimination	ICCPR art. 26 (rat., with understanding); CERD (rat.)	PARTIAL	P-024; P-075; NONE; P-009	CONSTITUTIONALLY EXCLUDED AS FORMULATED; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	P-009 — LS1 purposeful-discrimination protection, LS5 statutory effects rules, and LS6 CERD obligation preserved; exact no additional LS2 recognition on this record.
L-017	8	effective remedy by the competent national tribunals for acts violating fundamental rights granted by the constitution or by law	ICCPR art. 2(3) (rat.); CAT art. 14 (rat.); CERD art. 6 (rat.)	PARTIAL	P-004	RECOGNISED AS RETAINED	P-004 — NOT DELIVERED for the identified effective-remedy classes.
L-018	9	no arbitrary arrest	ICCPR art. 9 (rat.)	PARTIAL	P-017	SUBSUMED BY CURRENT LAW	—
L-019	9	no arbitrary detention	ICCPR art. 9 (rat.)	PARTIAL	P-006; P-017	RECOGNISED AS RETAINED; SUBSUMED BY CURRENT LAW	P-006 — PARTLY DELIVERED: periodic continuing-necessity review exists in some detention categories but not others.
L-020	9	no arbitrary exile	ICCPR art. 9 (rat.)	PARTIAL	P-073; P-012; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-021	10	in full equality	ICCPR art. 14 (rat., with understandings)	PARTIAL	P-027	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-022	10	fair hearing	ICCPR art. 14 (rat., with understandings)	PARTIAL	P-005	RECOGNISED AS RETAINED	P-005 — PARTLY DELIVERED: the classified core and APA review supply limited routes; material determinations outside them lack a vehicle.
L-023	10	public hearing	ICCPR art. 14 (rat., with understandings)	PARTIAL	P-025	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-024	10	independent tribunal	ICCPR art. 14 (rat., with understandings)	PARTIAL	P-005	RECOGNISED AS RETAINED	P-005 — PARTLY DELIVERED: the classified core and APA review supply limited routes; material determinations outside them lack a vehicle.
L-025	10	impartial tribunal	ICCPR art. 14 (rat., with understandings)	LARGELY DIRECT	P-026; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-026	10	in the determination of rights and obligations	ICCPR art. 14 (rat., with understandings)	PARTIAL	P-005; P-020	RECOGNISED AS RETAINED; SUBSUMED BY CURRENT LAW	P-005 — PARTLY DELIVERED: the classified core and APA review supply limited routes; material determinations outside them lack a vehicle.
L-027	10	and of any criminal charge	ICCPR art. 14 (rat., with understandings)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-028	11(1)	presumed innocent until proved guilty according to law	ICCPR arts. 14(2), 15 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-029	11(1)	in a public trial	ICCPR arts. 14(2), 15 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-030	11(1)	with all the guarantees necessary for his defence	ICCPR arts. 14(2), 15 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-031	11(2)	no ex post facto criminal liability	ICCPR arts. 14(2), 15 (rat.)	DIRECT	P-010	SUBSUMED BY CURRENT LAW	—
L-032	11(2)	no heavier penalty than	ICCPR arts. 14(2),	DIRECT	P-010	SUBSUMED BY CURRENT LAW	—

ID	Art.	Clause of the adopted text	Level One status and source	Federal constitutional protection	Prop. ID	Disposition	Finding on U.S. delivery of recognised retained right
	)	that applicable at the time	15 (rat.)				
L-033	12	no arbitrary interference with privacy	ICCPR art. 17 (rat.)	PARTIAL	P-007; NONE	RECOGNISED AS RETAINED; SUBSUMED BY CURRENT LAW	P-007 — PARTLY DELIVERED: available vehicles are limited, exemption-ridden, or confined to subsets of governmental actors.
L-034	12	no arbitrary interference with family, home or correspondence	ICCPR art. 17 (rat.)	PARTIAL	P-019; P-068; P-007; P-069	SUBSUMED BY CURRENT LAW; RECOGNISED AS RETAINED; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	P-007 — PARTLY DELIVERED: available vehicles are limited, exemption-ridden, or confined to subsets of governmental actors.
L-035	12	no attacks upon honour and reputation	ICCPR art. 17 (rat.)	NOT RECOGNISED federally	P-008	RECOGNISED AS RETAINED	P-008 — PARTLY DELIVERED: principally through state tort law where immunity permits; no general federal vehicle.
L-036	12	right to the protection of the law against such interference or attacks	ICCPR art. 17 (rat.)	PARTIAL	P-004; P-070; P-007; P-019; P-068; P-069; P-008	RECOGNISED AS RETAINED; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	P-004 — NOT DELIVERED for the identified effective-remedy classes; P-007 and P-008 — PARTLY DELIVERED.
L-037	13(1)	freedom of movement and residence within the borders of each State	ICCPR art. 12 (rat.)	DIRECT	P-028; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-038	13(2)	right to leave any country, including his own	ICCPR art. 12 (rat.)	PARTIAL	P-028; P-014	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-039	13(2)	and to return to his country	ICCPR art. 12 (rat.)	PARTIAL	P-074	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-040	14(1)	right to seek and to enjoy in other countries asylum from persecution	1967 Refugee Protocol (rat.); UDHR	NOT RECOGNISED	P-029; P-077; P-078; P-079	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-041	14(2)	not invocable for non-political crimes or acts contrary to United Nations purposes	1967 Refugee Protocol (rat.); UDHR	NOT A RIGHT	P-062	NOT AN INDIVIDUAL RIGHT	—
L-042	15(1)	right to a nationality	ICCPR art. 24(3) context; UDHR	PARTIAL	P-030	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-043	15(2)	no arbitrary deprivation of nationality	ICCPR art. 24(3) context; UDHR	DIRECT	P-012	SUBSUMED BY CURRENT LAW	—
L-044	15(2)	nor denial of the right to change nationality	ICCPR art. 24(3) context; UDHR	PARTIAL	P-031; P-076	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-045	16(1)	right to marry and to found a family, without limitation due to race, nationality or religion	ICCPR art. 23 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-046	16(1)	equal rights as to marriage, during marriage and at its dissolution	ICCPR art. 23 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-047	16(2)	marriage only with the free and full consent of the intending spouses	ICCPR art. 23 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-048	16(3)	the family is the natural and fundamental group unit of society and is entitled to protection by society and the State	ICCPR art. 23 (rat.)	NOT RECOGNISED	P-032	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-049	17(1)	right to own property alone as well as in association with others	UDHR only	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-050	17(2)	no arbitrary deprivation of property	UDHR only	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-051	18	freedom of thought, conscience and religion	ICCPR art. 18 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-052	18	freedom to change religion or belief	ICCPR art. 18 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-053	18	freedom to manifest religion or belief in teaching, practice, worship and observance	ICCPR art. 18 (rat.)	PARTIAL	P-033; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-054	19	right to hold opinions without interference	ICCPR art. 19 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-055	19	freedom to seek and receive information and ideas	ICCPR art. 19 (rat.)	PARTIAL	P-034; NONE	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-056	19	freedom to impart information and ideas through any media and regardless of frontiers	ICCPR art. 19 (rat.)	DIRECT	NONE	SUBSUMED BY CURRENT LAW	—
L-057	20(1)	right to freedom of peaceful assembly and association	ICCPR arts. 21-22 (rat.)	DIRECT	P-013; NONE	SUBSUMED BY CURRENT LAW	—
L-058	20(2)	no one may be compelled to belong to an association	ICCPR arts. 21-22 (rat.)	DIRECT	P-013	SUBSUMED BY CURRENT LAW	—
L-059	21(1)	right to take part in the	ICCPR art. 25 (rat.)	PARTIAL	P-035;	CONSTITUTIONALLY EXCLUDED	—

ID	Art.	Clause of the adopted text	Level One status and source	Federal constitutional protection	Prop. ID	Disposition	Finding on U.S. delivery of recognised retained right
	)	government of his country, directly or through freely chosen representatives			NONE	AS FORMULATED; SUBSUMED BY CURRENT LAW	
L-060	21(2)	right of equal access to public service	ICCPR art. 25 (rat.)	Equal consideration under Equal Protection doctrine; no constitutional right to appointment or continued employment absent an independent entitlement.	P-036	SUBSUMED BY CURRENT LAW	Bounded equal-consideration core secured by current constitutional law; statutory overlays remain available.
L-061	21(3)	the will of the people shall be the basis of the authority of government	ICCPR art. 25 (rat.)	STRUCTURAL	P-065	NOT AN INDIVIDUAL RIGHT	—
L-062	21(3)	periodic and genuine elections	ICCPR art. 25 (rat.)	PARTIAL	P-038; NONE; P-072	SUBSUMED BY CURRENT LAW; NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-063	21(3)	universal and equal suffrage	ICCPR art. 25 (rat.)	PARTIAL	P-035; NONE	CONSTITUTIONALLY EXCLUDED AS FORMULATED; SUBSUMED BY CURRENT LAW	—
L-064	21(3)	by secret vote or by equivalent free voting procedures	ICCPR art. 25 (rat.)	NOT RECOGNISED constitutionally	P-037	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-065	22	right to social security	ICESCR art. 9 (signed 1977, NOT ratified); UDHR art. 22 states an individual entitlement	Everyone has the right to social security — an individual human-right entitlement at Level One; its realisation is resource-conditioned, which affects scope, rate and delivery, not the character of the right	P-039	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-066	22	realization of economic, social and cultural rights indispensable for dignity and free development of personality, through national effort and international co-operation and in accordance with the organization and resources of each State	ICESCR art. 2(1) (not ratified); UDHR art. 22 second limb	Everyone is entitled to realisation of the economic, social and cultural rights indispensable to dignity and free development of personality — an individual human-rights entitlement at Level One. The clause conditions the rate and means of realisation on national organisation and resources; it does not condition the existence of the entitlement.	P-066	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-067	23(1)	right to work and to free choice of employment	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	NOT RECOGNISED	P-040	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-068	23(1)	just and favourable conditions of work	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	NOT RECOGNISED	P-041	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-069	23(1)	protection against unemployment	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	NOT RECOGNISED	P-042	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-070	23(2)	right to equal pay for equal work, without any discrimination	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	NOT RECOGNISED (secured by statute)	P-043	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-071	23(3)	right to just and favourable remuneration ensuring an existence worthy of human dignity, supplemented if necessary by other means of social protection	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	NOT RECOGNISED	P-044	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-072	23(4)	right to form and to join trade unions for the protection of his interests	ICESCR arts. 6-8 (not rat.); ICCPR art. 22 as to unions (rat.)	PARTIAL	P-045; P-013	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD; SUBSUMED BY CURRENT LAW	—
L-073	24	right to rest and leisure	ICESCR art. 7(d) (not rat.)	NOT RECOGNISED	P-046	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-074	24	reasonable limitation of working hours	ICESCR art. 7(d) (not rat.)	NOT RECOGNISED	P-046	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-075	24	periodic holidays with pay	ICESCR art. 7(d) (not rat.)	NOT RECOGNISED	P-046	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-076	25(1)	standard of living adequate for health and well-being — food, clothing, housing, medical care and necessary social services	ICESCR art. 11 (not rat.); CRC (signed, not rat.)	NOT RECOGNISED	P-047	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-077	25(1)	security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control	ICESCR art. 11 (not rat.); CRC (signed, not rat.)	NOT RECOGNISED	P-047	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-078	25(2)	motherhood and childhood entitled to special care and assistance	ICESCR art. 11 (not rat.); CRC (signed, not rat.)	NOT RECOGNISED	P-048	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-079	25(2)	all children, whether born in or out of	ICESCR art. 11 (not rat.); CRC (signed,	DIRECT	P-049	SUBSUMED BY CURRENT LAW	—

ID	Art.	Clause of the adopted text	Level One status and source	Federal constitutional protection	Prop. ID	Disposition	Finding on U.S. delivery of recognised retained right
		wedlock, shall enjoy the same social protection	not rat.)				
L-080	26(1)	right to education	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	NOT RECOGNISED federally	P-050	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-081	26(1)	education free, at least in the elementary and fundamental stages	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	NOT RECOGNISED federally	P-071	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-082	26(1)	elementary education compulsory	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	NOT A SELF-STANDING FEDERAL RIGHT (content/implementation component of the individual right to education; separately tested at P-052, not established)	P-050; P-052	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-083	26(1)	technical and professional education generally available; higher education equally accessible on the basis of merit	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	NOT RECOGNISED	P-051	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-084	26(2)	education directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	A content component of the right to education stated at Article 26(1): the purposes to which education shall be directed. Not a freestanding claim, and not a non-right.	P-050; P-053	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-085	26(3)	parents have a prior right to choose the kind of education given to their children	ICESCR art. 13 (not rat.); CRC art. 28 (not rat.)	DIRECT	P-054	SUBSUMED BY CURRENT LAW	—
L-086	27(1)	right freely to participate in the cultural life of the community	ICESCR art. 15 (not rat.)	PARTIAL	P-055	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-087	27(1)	to enjoy the arts	ICESCR art. 15 (not rat.)	PARTIAL	P-055	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-088	27(1)	to share in scientific advancement and its benefits	ICESCR art. 15 (not rat.)	NOT RECOGNISED	P-056	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-089	27(2)	protection of the material interests resulting from scientific, literary or artistic production	ICESCR art. 15 (not rat.)	NOT RECOGNISED (secured by statute)	P-057	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-090	27(2)	protection of the moral interests resulting from such production	ICESCR art. 15 (not rat.)	NOT RECOGNISED	P-058	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-091	28	entitlement to a social and international order in which the rights set forth can be fully realized	UDHR only	STRUCTURAL / ENABLING	P-060	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-092	29(1)	everyone has duties to the community	UDHR only	NOT A RIGHT	P-063	NOT AN INDIVIDUAL RIGHT	—
L-093	29(2)	limitations only as determined by law for securing recognition and respect of the rights of others and meeting the just requirements of morality, public order and the general welfare	UDHR only	NOT A RIGHT	P-080; P-082; P-083; P-084	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-094	29(3)	rights may not be exercised contrary to the purposes and principles of the United Nations	UDHR only	NOT A RIGHT	P-081	NOT AN INDIVIDUAL RIGHT	—
L-095	30	nothing may be interpreted as implying a right to engage in activity aimed at the destruction of any of the rights set forth	UDHR only	NOT A RIGHT	P-064	NOT AN INDIVIDUAL RIGHT	—
L-096	26(2)	education shall promote understanding, tolerance and friendship among all nations, racial or religious groups	ICESCR art. 13(1) (not ratified); UDHR art. 26(2)	A content component of the right to education: the purposes of understanding, tolerance and friendship among nations and racial or religious groups.	P-050; P-053	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—
L-097	26(2)	education shall further the activities of the United Nations for the maintenance of peace	ICESCR art. 13(1) (not ratified); UDHR art. 26(2)	A content component of the right to education: furtherance of United Nations activities for the maintenance of peace.	P-050; P-053	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	—

Appendix B — Register of Propositions

Every proposition tested under the Recognition Standard: eighty-four in all. Each row states its article, proposition, Process 1 disposition, and concise reason. The strict dispositions are seven recognized as retained, twenty-one subsumed by current law, forty-eight receive no additional LS2 recognition on this record, six not individual rights, and two constitutionally excluded as formulated. The accompanying Public Evidence Workbook supplies the full R1–R6 record; Appendix F reports the Process 3 adjudication of the fifty propositions considered under that method.

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-001	5	Torture: no public official or person acting in an official capacity shall inflict conduct satisfying all five Article 1 elements — severity, intent, prohibited purpose, official nexus, and not arising only from lawful sanctions — without categorical limitation by custody or institutional setting	RECOGNISED AS RETAINED	Article 5 is tested here as the torture prohibition. The holder is the individual person. The duty-bearer is any public official or person acting in an official capacity, or acting at their instigation or with their consent or acquiescence. The protected interest is freedom from the intentional infliction of severe pain or suffering for a purpose such as obtaining information, punishment, intimidation or...
P-002	5	CIDT: no public official shall subject a person to treatment or punishment which is cruel, inhuman or degrading without amounting to torture, assessed on the severity continuum, where the treatment is imposed or knowingly maintained by official authority and causes suffering exceeding that inherent in a lawful measure	RECOGNISED AS RETAINED	Article 5 is tested here as the prohibition of cruel, inhuman or degrading treatment or punishment falling short of torture. The holder is the individual; the duty-bearer is the public official; the violation threshold is official treatment or punishment of that character, without the specific purposes that define torture. R1 through R3 are satisfied. At R4 the affirmative record rests on the absolute and...
P-003	4	Freedom from slavery, the slave trade, peonage, debt bondage, and the sale or transfer of a person, and from involuntary servitude compelled by physical or legal coercion outside the punishment exception	SUBSUMED BY CURRENT LAW	The core prohibition is already imposed by enumerated constitutional text. The Thirteenth Amendment abolishes slavery and involuntary servitude, binds private as well as public actors, and outside the punishment exception reaches enslavement, the sale or transfer of a person, peonage and debt bondage directly (<i>Clyatt v. United States</i> , 197 U.S. 207 (1905); <i>Bailey v. Alabama</i> , 219 U.S. 219 (1911); <i>United States v.</i>
P-004	8	Effective remedy: access to a competent domestic forum able to determine a claim of violation of a fundamental right and to afford relief effective to stop, prevent, or redress it	RECOGNISED AS RETAINED	Article 8 is tested as access to a competent domestic forum able to determine a claim that a fundamental right has been violated. The holder is the individual claiming violation; the duty-bearer is the State; the violation threshold is the absence of any competent forum able to determine the claim, not failure on the merits. R1 through R3 are satisfied. At R4 the affirmative record is: ICCPR article 2(3), CAT...
P-005	10	Fair hearing before an independent and impartial tribunal in the determination of rights and obligations in a suit at law, as that autonomous concept is defined in General Comment No. 32	RECOGNISED AS RETAINED	Article 10 is tested as a fair hearing before an independent and impartial tribunal in the determination of rights and obligations. The holder is the individual whose rights or obligations are determined; the duty-bearer is the State through its adjudicative institutions; the violation threshold is determination by a tribunal lacking independence or impartiality, or without a fair hearing. R1 through R3 are...
P-006	9	Periodic independent review of the continuing necessity of prolonged non-punitive detention, where the justification for detention depends on a continuing factual predicate	RECOGNISED AS RETAINED	Article 9 is tested as periodic independent review of the continuing necessity of prolonged non-punitive detention. The holder is the detained person; the duty-bearer is the detaining authority with the reviewing court; the violation threshold is the absence of periodic independent review where detention is prolonged and its stated justification is capable of lapsing. R1 through R3 are satisfied. At R4: ICCPR...
P-007	12	Governmental collection, retention or disclosure of personal information without adequate legal justification and safeguards	RECOGNISED AS RETAINED	Article 12 is tested as protection against governmental collection, retention or disclosure of personal information without adequate legal justification and safeguards. The holder is the individual to whom the information relates; the duty-bearer is the collecting, retaining or disclosing body; the violation threshold is action without a legal basis proportionate to its purpose and without safeguards. R1 through R3...
P-008	12	Protection of the law against unlawful governmental attack on honour and reputation, meaning the knowing or reckless publication by government of false statements of fact concerning an identified person	RECOGNISED AS RETAINED	Article 12 is tested as protection of the law against unlawful governmental attack on honour and reputation. The holder is the individual. The duty-bearer is the government official making or authorising the statement. The protected interest is reputation and honour; the violation threshold is a knowing or reckless governmental falsehood damaging reputation, made without adequate process. R1 through R3 are...
P-009	2, 7	Governmental measures which have the effect of creating or perpetuating racial discrimination, irrespective of provable purpose, unless the criteria are legitimate judged against the objectives and purposes of the Convention	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	The exact effects-only CERD formulation receives no additional LS2 recognition on this record. Purposeful governmental racial discrimination remains LS1; valid statutory effects protections remain LS5; CERD's broader obligation remains LS6. <i>Washington v. Davis</i> , <i>Feeney</i> , <i>Callais</i> , and the missing proposition-specific domestic anchor defeat G3/G4 for the exact additional claim.
P-010	11(2)	Freedom from ex post facto criminal liability and heavier penalty	SUBSUMED BY CURRENT LAW	Article 11(2) is tested as freedom from ex post facto criminal liability and from the imposition of a heavier penalty than was applicable when the offence was committed. Article I, §9, cl. 3 imposes that duty on the federal government and Article I, §10, cl. 1 imposes the identical duty on the States, so both sovereigns are bound by express text. The current-law duty is coextensive with the proposition as...
P-011	6	Recognition as a person before the law	SUBSUMED BY CURRENT LAW	Article 6 states an individual entitlement to recognition as a person before the law. R1 through R6 are satisfied. The interest is subsumed by current law: constitutional personhood operates as a structural premise and as the universal application of constitutional protections to persons within the jurisdiction, rather than as a separately enumerated right or a freestanding implied right. <i>Yick Wo v. Hopkins</i> , 118...
P-012	15(2)	Freedom from arbitrary deprivation of nationality	SUBSUMED BY CURRENT LAW	Article 15(2) is tested as protection against arbitrary deprivation of nationality. R1 through R6 are satisfied and the core is secured by current law. <i>Afroyim v. Rusk</i> , 387 U.S. 253, 267-68 (1967), holds that the Fourteenth Amendment's citizenship clause withdraws from the government the power to divest citizenship without assent, and <i>Vance v. Terrazas</i> , 444 U.S. 252, 260, 267-70 (1980), requires an intent to...

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-013	20	Freedom of association and from compelled association as against government	SUBSUMED BY CURRENT LAW	Article 20 is tested as freedom of association, and freedom from compelled association, as against government. The current-law duty is imposed by the First Amendment as construed. THE CORE RESTS ON THE GENERAL ASSOCIATION AUTHORITIES: NAACP v. Alabama ex rel. Patterson, 357 U.S. 449, 460-62 (1958), recognises freedom of association as an inseparable aspect of protected speech and protects associational privacy;...
P-014	13(2)	Qualified constitutional liberty of international departure	SUBSUMED BY CURRENT LAW	Article 13(2) is tested here as the right to leave any country, including one's own. As narrowed on re-adjudication this proposition carries international departure only; interstate movement, intrastate movement and citizen re-entry are tested separately at P-028 and P-074 and on the clause-level core rows. The departure interest is secured by current law: Kent v. Dulles, 357 U.S. 116 (1958), recognises the right to...
P-015	2, 7	Equal protection of the law across classifications not presently treated as suspect or quasi-suspect	SUBSUMED BY CURRENT LAW	Article 7 is tested as equal protection of the law across classifications not presently treated as suspect or quasi-suspect. The current-law duty is coextensive: rational-basis review already applies to every classification drawn by government, and a class-of-one claim is cognisable where a person is intentionally treated differently from others similarly situated without rational basis (Village of Willowbrook v....
P-016	2, 7	Freedom from intentional racial discrimination by government	SUBSUMED BY CURRENT LAW	Article 7 is tested as freedom from intentional racial discrimination by government. The Fourteenth Amendment's Equal Protection Clause imposes the identical duty on the States and, through Bolling v. Sharpe, 347 U.S. 497 (1954), the Fifth Amendment imposes it on the federal government. Strict scrutiny applies to racial classifications. The current-law duty is coextensive with the proposition as formulated, which is...
P-017	9	Freedom from arbitrary arrest and detention (core)	SUBSUMED BY CURRENT LAW	Article 9 is tested as freedom from arbitrary arrest and detention in its bounded core. ARREST: the Fourth Amendment requires probable cause. POST-ARREST DETENTION: County of Riverside v. McLaughlin, 500 U.S. 44, 56 (1991), generally requires a judicial probable-cause determination within 48 hours. JUDICIAL TESTING OF DETENTION: the Suspension Clause and the habeas tradition secure testing of the lawfulness of...
P-018	5	Freedom from torture as punishment after conviction	SUBSUMED BY CURRENT LAW	Article 5 is tested as freedom from torture in the setting of punishment following conviction. NO CLAIM OF IDENTITY WITH THE CONVENTION DEFINITION IS MADE. The Eighth Amendment unmistakably encompasses the traditional punishments of torture and seriously abusive punishment: Wilkerson v. Utah, 99 U.S. 130, 135-36 (1878), and In re Kemmner, 136 U.S. 436, 447 (1890), identify torture and lingering death as within the...
P-019	12	Freedom from unreasonable search and seizure	SUBSUMED BY CURRENT LAW	Article 12 is tested as freedom from unreasonable search and seizure. The Fourth Amendment imposes that duty in express terms, securing persons, houses, papers and effects, and requiring warrants upon probable cause. The current-law duty is coextensive with the proposition as formulated. The informational-privacy residual concerning collection, retention and disclosure of personal information is tested separately at...
P-020	10	Hearing where liberty or property is at stake	SUBSUMED BY CURRENT LAW	Article 10 is tested as a right to a hearing where liberty or property is at stake. The Fifth and Fourteenth Amendment Due Process Clauses impose that duty on the federal government and the States respectively, and Mathews v. Eldridge, 424 U.S. 319 (1976), supplies the framework for what process is due. The current-law duty is coextensive with the proposition as formulated. The wider entitlement to a fair hearing in...
P-021	2(2)	Freedom from distinction based on the political or international status of a territory	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	This guarantee — that no one may face distinction on political or other opinion in enjoying the Declaration's rights — attaches to the other rights rather than standing alone. So far as American law secures it, the equal-protection and First Amendment guarantees already enumerated carry it. The historical record does not show a separately retained federal right beyond those guarantees, so the proposition fails the...
P-022	3	Assurance of a functioning system of protection against private violence	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 3 is tested here as an assurance of a functioning system of protection against private violence. R1 is satisfied: the holder is the individual. R2 IS SATISFIED: a bounded affirmative-protection proposition can be stated — a duty to maintain a functioning protective response where the State has notice of a specific credible threat — and a duty-bearer can be located in the responsible executive authority. R3...
P-023	6	Retention of legal capacity and individualized necessity, participation and review before substitute decision-making is imposed	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 6 states an individual entitlement to recognition as a person before the law. Recognition itself is subsumed at P-011; this proposition tests a residual of legal capacity beyond the existing guardianship regimes. R1 is satisfied: the holder is the individual. R2 IS SATISFIED: the residual can be stated in bounded terms — a presumption of retained legal capacity with substitute decision-making permitted only...
P-024	7	Protection against incitement to discrimination by suppression of expression	CONSTITUTIONALLY EXCLUDED AS FORMULATED	Article 7, read with ICERD article 4, supplies affirmative material favoring protection against incitement to discrimination, so R4 passes. The proposition independently fails R5 because, as formulated, it would require content-based suppression of protected advocacy forbidden by the First Amendment. Brandenburg v. Ohio, 395 U.S. 444 (1969), permits punishment only for advocacy directed to and likely to produce...
P-025	10	Presumptively public civil proceedings as a litigant right	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 10 states an individual entitlement to a public hearing; the threshold requirements are satisfied and no constitutional provision negates public proceedings (R5 met). It fails at R4 and R6: the American record secures publicity of proceedings chiefly as a structural and First Amendment interest and, in criminal cases, through the Sixth Amendment, and the whole record does not materially establish a distinct...
P-026	10	Recusal for structural conflicts below the Caperton threshold	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 10 is tested as a right to recusal for structural conflicts of interest below the threshold set by Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009). R1 is satisfied: the holder is the litigant. R2 IS NOT SATISFIED, and that is the deciding requirement. The proposition cannot be stated in bounded terms: neither the threshold at which a structural conflict requires recusal nor the class of covered...
P-027	10	Protection against government-created procedural disadvantage (equality of arms)	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 10 is tested as protection against government-created procedural disadvantage — equality of arms. The holder is the litigant facing the State; the duty-bearer is the government whose arrangements create the disadvantage. R1 is satisfied. R2 IS NOT SATISFIED and is the deciding requirement: the claimed duty cannot be bounded, because it is not possible to state which procedural asymmetries are impermissible...

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-028	13(2)	Residual freedom of intrastate movement and residence, and of international departure beyond the qualified current-law cores	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Current law secures interstate travel and the equal treatment of new residents (Saenz v. Roe) and a qualified constitutional liberty of international departure (Kent v. Dulles, as limited by Haig v. Agee). P-028 tests the two residual limbs beyond those cores: a general freedom of intrastate movement and residence as a distinct federal constitutional right, and international departure beyond constitutionally...
P-029	14(1)	Right to seek in other countries asylum from persecution	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 14(1) states: 'Everyone has the right to seek and to enjoy in other countries asylum from persecution.' P-029 tests only the SEEK limb: the persecuted natural person's freedom to communicate a request for asylum directly to the receiving State's authorities. It does not claim entry, admission, grant, a favorable adjudication, or protection from removal. R1 through R3 are met. R4 fails and R6 fails because...
P-030	15(1)	Right of a stateless person to acquire a nationality	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 15(1) is tested as a right of a stateless person to acquire a nationality. Article I, §8, cl. 4 commits to Congress the establishment of a uniform rule of naturalisation. That is a grant of legislative power: it allocates authority and does not negate a retained interest. The study treats a congressional power the same way at P-056, where the Copyright Clause is recorded as an authority to legislate...
P-031	15(2)	A free and knowing choice to relinquish United States nationality, carried out through a valid formal expatriating act, must be given legal effect subject to reasonable identity, voluntariness and intent procedures	SUBSUMED BY CURRENT LAW	Afroyim and Terrazas make voluntary assent and intent constitutionally decisive in loss of citizenship. Richards expressly states that United States citizens have a right to become aliens and that a free and knowing completed choice must be given effect. The Act of July 27, 1868 treated expatriation as a natural and inherent right. Those authorities establish a scope-qualified current-law core absent from the...
P-032	16(3)	Family's right to protection and assistance	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 16(3) states that the family "is entitled to protection by society and the State". The family can hold a right — its members are identifiable and able to assert the interest — so the holder requirement is met (R1). What fails is right-form: "protection and assistance" does not resolve into bounded content or a cognisable duty owed by an identified governmental duty-bearer, the interests of family members may...
P-033	18	Exemption from neutral laws of general applicability	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 18's free-exercise interest is tested here as a claimed exemption from neutral laws of general applicability. R1–R3 are satisfied and no constitutional text negates the proposition (R5 met). At R4 the record does not materially favour retention: the founding-era exemption record is genuinely contested among historians, and Employment Division v. Smith, 494 U.S. 872 (1990), remains a controlling majority...
P-034	19	Right of access to government information	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 19 is tested here as a general right of access to government information. R3 is not satisfied: no constitutional text, founding-era principle, common-law right or sustained constitutional tradition establishes such a right, and Houchins v. KQED, 438 U.S. 1 (1978), is adverse. Constitutional compatibility is not in issue. The proposition fails at R3 and, on the same record, at R4 and R6. Statutory access...
P-035	21	Universal affirmative franchise in every election	CONSTITUTIONALLY EXCLUDED AS FORMULATED	An absolute universal affirmative franchise in every election is tested here. R1, R2 and R3 are satisfied. The proposition fails at R5: section 2 of the Fourteenth Amendment expressly contemplates the denial of the vote for participation in rebellion or other crime, and Richardson v. Ramirez, 418 U.S. 24, 54–55 (1974), holds that section 2 affirmatively sanctions criminal disenfranchisement. An absolute universal...
P-036	21(2)	Equal access to public service	SUBSUMED BY CURRENT LAW	Subsumed in bounded form: Equal Protection doctrine and Turner v. Fouché secure consideration for public service without invidious or wholly irrelevant qualifications. No constitutional right to appointment, a particular position, or continued employment absent an independent entitlement.
P-037	21(3)	Secret ballot	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Developed-application requirement (5) fails: open voting was affirmative practice and Kentucky's constitution required viva voce voting until 1891. Constitutional compatibility is not in issue: no express text or unavoidable structure negates the proposition; the failure is one of retention on the whole record.
P-038	21(3)	Periodic elections at a stated frequency	SUBSUMED BY CURRENT LAW	Election periodicity is imposed by current law: the terms of Representatives, Senators and the President are fixed by Article I, the Seventeenth Amendment and Article II, and State constitutions and statutes fix State election cycles. Because current law already compels elections at the stated intervals — the identical duty the proposition asserts — the interest is subsumed by current law. The genuineness residual...
P-039	22	Social security	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 22 states the right to social security in right-form; R1–R3 are satisfied and no constitutional provision negates social insurance, which Congress may enact under the spending power (R5 met). At R4 the contrary constitutional record is material: benefits confer no vested constitutional entitlement (Flemming v. Nestor, 363 U.S. 603 (1960)) and review of welfare classification is deferential (Dandridge v....
P-040	23(1)	Work and free choice of employment	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1–R3 are satisfied and no constitutional text negates the proposition (R5 met). At R4 the principal affirmative authorities — Corfield v. Coryell and the Slaughter-House dissents — are a circuit opinion and dissents against a controlling majority reading of the Privileges or Immunities Clause, and no convergent record marks a right to work and free choice of employment as retained. Not established on the whole...
P-041	23(1)	Just and favourable conditions of work	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 23(1) states the right to just and favourable conditions of work in right-form; R1–R3 are satisfied and no constitutional text negates labour standards (R5 met). At R4 the record contains no convergent textual, historical or structural evidence marking working conditions as an interest belonging to persons as of right: no constitutional provision addresses them, the founding record contains no such...
P-042	23(1)	Protection against unemployment	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 23(1) states the right to protection against unemployment in right-form; R1–R3 are satisfied and no constitutional provision negates unemployment insurance (R5 met). At R4 the record contains no convergent textual, historical or structural evidence marking protection against unemployment as retained as of right; the interest emerges in American law in the twentieth century as a programme of provision rather...
P-043	23(2)	Equal pay for equal work	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1–R3 are satisfied and no constitutional text negates the proposition (R5 met). At R4 the constitutional guarantee bearing on the interest reaches classification rather than wage levels: equal protection prohibits discriminatory treatment but establishes no constitutional standard of remuneration, and no convergent record marks equal pay as such as retained as of right. That the interest is presently delivered by...

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-044	23(3)	Remuneration ensuring an existence worthy of dignity	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 23(3) states the right to remuneration ensuring an existence worthy of human dignity in right-form; R1–R3 are satisfied and no constitutional text negates wage regulation (R5 met). At R4 the record contains no convergent textual, historical or structural evidence of a constitutional floor of remuneration: no provision addresses wage levels, the founding record contains no such guarantee, and the common law...
P-045	23(4)	Worker association free of legally protected private retaliatory interference	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 23(4) is tested as a right of worker association free of legally protected private retaliatory interference. The holder is the worker; the duty-bearer would be the State, through a duty to protect against private conduct. R1 through R3 are satisfied and R5 is met. THE RECOGNITION STANDARD IS APPLIED CORRECTLY TO THE STATUTE: statutory protection is R4 evidence WHERE IT REFLECTS RIGHT-FORM RECOGNITION of an...
P-046	24	Rest, leisure, limitation of hours, paid holidays	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 24 states the right to rest and leisure in right-form; R1 and R2 are satisfied. R3 is not satisfied: no constitutional provision addresses hours of work, rest or paid leave; the founding record contains no such guarantee; and the common law imposed no limit on working hours. Constitutional compatibility is not in issue (R5 met). The proposition fails at R3 and, on the same record, at R4 and R6. That the...
P-047	25(1)	Adequate standard of living and subsistence	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 25(1) states the right to an adequate standard of living in right-form; R1–R3 are satisfied and no constitutional provision negates public assistance (R5 met). At R4 the contrary constitutional record is material and controlling: the Due Process Clauses impose no affirmative federal duty to provide subsistence (DeShaney v. Winnebago County, 489 U.S. 189 (1989)), and no convergent textual, historical or...
P-048	25(2)	Special care and assistance for motherhood and childhood	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 25(2) states that motherhood and childhood are entitled to special care and assistance. The holder is identified (R1 satisfied), but R2 is not: the entitlement does not resolve into a bounded content or a cognizable duty owed by an identified governmental duty-bearer.
P-049	25(2)	Equal social protection of children born out of wedlock	SUBSUMED BY CURRENT LAW	Article 25(2) is tested as equal social protection of children born out of wedlock. The current-law duty is coextensive: Levy v. Louisiana, 391 U.S. 68 (1968), holds that denying a wrongful-death action to non-marital children is invidious discrimination, and Clark v. Jeter, 486 U.S. 456, 461 (1988), fixes intermediate scrutiny for classifications based on illegitimacy. Equal protection therefore already secures the...
P-050	26(1)	Minimum education sufficient for civic participation	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1–R3 are satisfied and no constitutional text negates the proposition (R5 met). At R4 the record does not materially favour retention at the federal level: the Reconstruction record shows federal insistence on education operating through State constitutional obligations rather than a federal guarantee; the Blair federal-aid bill failed; Alabama's constitution (§256, as amended) expressly disclaims any right to...
P-051	26(1)	Access to technical, professional and higher education on merit	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 26(1) states the right of equal access to higher education on the basis of merit in right-form; R1–R3 are satisfied and no constitutional text negates merit-based admission (R5 met). At R4 the controlling adverse authority is material: there is no fundamental federal right to education (San Antonio Independent School District v. Rodriguez, 411 U.S. 1 (1973)), and no convergent record marks equal access to...
P-052	26(1)	Compulsory elementary education	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 26(1) provides that elementary education shall be compulsory. This is part of the education right itself (a component of P-050), and the finding does not deny that Article 26 states an individual right. But the American tradition of compulsory schooling belongs to the States — State constitutions and universal State attendance laws enforced under the police power — not to federal constitutional command, and...
P-053	26(2)	Education directed to prescribed purposes	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 26(2) states the purposes education shall serve: the full development of the human personality, respect for rights and freedoms, understanding and tolerance, and the maintenance of peace. These are content components of the Article 26(1) education right, mapped with P-050 — they are not dismissed as non-rights. Tested alone, they are not separately retained: there is no fundamental federal right to education...
P-054	26(3)	Parental priority in choosing a child's education	SUBSUMED BY CURRENT LAW	Article 26(3) is tested as parental priority in choosing the kind of education given to a child. The current-law duty is coextensive: Meyer v. Nebraska, 262 U.S. 390 (1923), and Pierce v. Society of Sisters, 268 U.S. 510, 534-35 (1925), hold that the State may not standardise its children by forbidding instruction or compelling public schooling, and Wisconsin v. Yoder, 406 U.S. 205 (1972), recognises the parental...
P-055	27(1)	Cultural participation and enjoyment of the arts	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 27(1) states the right freely to participate in cultural life. The First Amendment already protects cultural participation against governmental interference. What is not established is the further, affirmative entitlement to participate — a claim to access or provision beyond freedom from interference — and the record does not show that entitlement as a retained right (R4, R6).
P-056	27(1)	Sharing in scientific advancement and its benefits	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 27(1) states the right to share in scientific advancement and its benefits. The Constitution's only provision in this field is a power of Congress to grant patents and copyrights for limited times — an authority to legislate, not an entitlement of the people. The record does not establish a retained individual right to a share in scientific benefit (R4, R6).
P-057	27(2)	Authors' material interests	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	The founding evidence for authors' material interests is genuine: the Constitution secures to authors an "exclusive Right" (Art. I, §8, cl. 8), twelve of the thirteen original States enacted authorial copyright statutes between 1783 and 1786, and the First Congress passed the Copyright Act of 1790. On the whole record, however, the interest reads as a legislative creation serving a public purpose rather than a right...
P-058	27(2)	Authors' moral interests of attribution and integrity	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Dastar; VARA and the state statutes are late and narrow. Constitutional compatibility is not in issue: no express text or unavoidable structure negates the proposition; the failure is one of retention on the whole record.
P-059	1	Dignity as a discrete enforceable right	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 1 is tested here as a claim that dignity is a discrete enforceable right. R1 is satisfied but R2 is not: dignity as formulated states a premise rather than a bounded claim with a locatable duty-bearer, and no duty can be stated whose breach is identifiable. Dignity is the premise of the enumerated protections rather than a discrete right with its own duty; it informs the construction of the Eighth Amendment...

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-060	28	Entitlement to an enabling social and international order	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 28 states that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”. The holder is identified, so R1 is satisfied. The proposition fails at right-form: no bounded content and no identifiable duty-bearer can be stated for an entitlement to an international order as such, and the Article operates as a condition for the...
P-061	1	Reason and conscience; spirit of brotherhood	NOT AN INDIVIDUAL RIGHT	Article 1’s second sentence provides that human beings are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. This is not an individual right. The recorded signature is R1–R6 NA with no deciding requirement, which is the signature for a provision that never reaches the recognition test. The right-form defect is: the sentence is a descriptive recital about human...
P-062	14(2)	Asylum not invocable for non-political crimes	NOT AN INDIVIDUAL RIGHT	Article 14(2) provides that the right to seek asylum may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. This is a limitation clause. It confers nothing on any holder; it operates to withdraw the benefit of Article 14(1) in defined circumstances. The recorded signature is R1–R6 NA with no deciding...
P-063	29(1)	Duties of the individual to the community	NOT AN INDIVIDUAL RIGHT	Article 29(1) states that everyone has duties to the community in which alone the free and full development of personality is possible. This is an obligation of the individual, not an entitlement held by an individual against a duty-bearer. The recorded signature is R1–R6 NA with no deciding requirement; the recognition test is not reached. Article 29(2)’s four limitation safeguards and Article 29(3)’s United...
P-064	30	No destruction of rights	NOT AN INDIVIDUAL RIGHT	Article 30 provides that nothing in the Declaration may be interpreted as implying a right to engage in activity aimed at the destruction of any of the rights set forth. This is an interpretive clause. It directs how the instrument is to be read and confers no entitlement on any holder against any duty-bearer. The recorded signature is R1–R6 NA with no deciding requirement: the clause confers no entitlement on any...
P-065	21(3)	Will of the people as basis of the authority of government	NOT AN INDIVIDUAL RIGHT	Article 21(3)’s first sentence states that the will of the people shall be the basis of governmental authority. It is a principle of political legitimacy rather than an individual entitlement. The recorded signature is R1 NA / R2 FAIL, with R2 deciding: the statement cannot be resolved into a bounded claim with an identifiable duty-bearer and violation threshold. The nearest constitutional analogue, the Guarantee...
P-066	22	Progressive-realisation clause	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 22 identifies an individual holder — “everyone” — and states an entitlement to the realisation of the economic, social and cultural rights indispensable to dignity; this is an individual human right at Level One (R1, R2 satisfied). Evidence favouring retention is real: most State constitutions guarantee public education, several contain welfare or public-charity provisions, durable federal social-insurance...
P-067	4	Compelled labor imposed on a person not duly convicted, or materially untethered to a valid sentence, subject to traditional civic-duty and de-minimis institutional-housekeeping limits	SUBSUMED BY CURRENT LAW	The Thirteenth Amendment expressly prohibits slavery and involuntary servitude except as punishment for crime whereof the person has been duly convicted. Peonage and debt bondage are developed applications of that core. Kozminski construed the criminal statutes and used a physical-or-legal-coercion boundary in that setting; later federal trafficking statutes reach broader serious-harm and abuse-of-process conduct...
P-068	12	Freedom from governmental interference with parental direction of the upbringing and education of one’s children	SUBSUMED BY CURRENT LAW	This proposition is confined to the family-autonomy duty that majority holdings have settled: the liberty of parents to direct the upbringing and education of their children (Meyer v. Nebraska, 262 U.S. 390 (1923); Pierce v. Society of Sisters, 268 U.S. 510 (1925)). For that duty, the liberty protected by the Fifth and Fourteenth Amendments already imposes the identical obligation, so the interest is subsumed by...
P-069	12	Residual protection against arbitrary interference with family, home or correspondence beyond the enumerated guarantees	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	After the Fourth Amendment’s protection of the home (P-019), the parental-direction core (P-068), and informational privacy (P-007), a remainder of Article 12 is left over: arbitrary interference with family, home or correspondence that none of those guarantees reaches. The long Anglo-American concern for the privacy of home and correspondence, and ICCPR article 17, support the claim’s seriousness. But the...
P-070	12	Affirmative governmental protection of the law against interference with, or attacks upon, the Article 12 interests	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 12’s second sentence adds a distinct duty: “the right to the protection of the law against such interference or attacks.” Its remedial facet is the retained effective-remedy right applied to the Article 12 interests and is carried by P-004 (recognised as retained); L-036 is mapped to P-004 on that ground. Its affirmative-protection facet is tested here. Evidence favouring retention is substantial: ICCPR...
P-071	Art. 26(1)	Free elementary and fundamental education (no-cost access)	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 26(1) provides that education “shall be free, at least in the elementary and fundamental stages”. R1 and R2 are met; R3 is satisfied by the State constitutional education tradition and the long-standing American public-school structure (twenty-two State constitutions expressly use a “free” formulation in their operative text; see Appendix E). R5 is met. At R4 the proposition fails at the federal level on two...
P-072	21(3)	Genuine elections — residual guarantee of electoral genuineness beyond the current-law core	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 21(3) requires that elections be “genuine” as well as periodic. The constitutional core is broad and precise: protection of federal elections from violence, intimidation and corruption (Ex parte Yarbrough, 110 U.S. 651, 657–658 (1884)); honest counting of lawful ballots (United States v. Mosley, 238 U.S. 383, 386 (1915); United States v. Classic, 313 U.S. 299, 315 (1941)); equal population weight in State...
P-073	9	Freedom of a United States citizen from permanent or indefinite governmental banishment or forced exclusion from the national territory, without loss of citizenship, apart from constitutionally valid extradition or comparably confined legal process.	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	P-012 remains the involuntary-denationalization core. Ng Fung Ho supplies a distinct current-law due-process core where a resident credibly claims citizenship. The broader question—permanent or indefinite governmental banishment or forced national exclusion without citizenship loss—is grounded in citizenship, due process, historical treatment of banishment as punishment, and Article 9, but no convergent controlling...
P-074	13(2)	A United States citizen shall not be arbitrarily denied physical re-entry into the United States by the federal government.	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 13(2) is tested here as a residual claim that a United States citizen shall not be arbitrarily denied physical re-entry into the United States. This residual was separated from P-014 on re-adjudication, because departure and return may not be bundled. R1, R2 and R3 are satisfied: the holder is the citizen and a bounded duty can be stated. The proposition fails at R4: re-entry is treated in current law...
P-075	2 / 7	Government shall not adopt or maintain a facially neutral measure that has the effect of creating or perpetuating sex discrimination unless the measure serves an important governmental objective and the discriminatory effect is substantially related to that objective.	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Current constitutional protection varies by ground and mechanism. Race and national origin receive the strongest equality protection; sex classifications receive intermediate scrutiny; religion and political opinion are substantially protected through the First Amendment; birth status receives heightened review; alienage is asymmetric between State and federal action; and age, disability, wealth, language, property...

ID	Art.	Proposition tested	Disposition	Reason (concise)
P-076	15(2)	A Fourteenth Amendment citizen has a right to a reasonably accessible and non-arbitrary procedure for initiating and obtaining a timely determination of a free and knowing voluntary renunciation of United States nationality, subject to reasonable identity, voluntariness, intent and evidentiary requirements.	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Afroyim and Terrazas make voluntary assent and intent constitutionally decisive in loss of citizenship. Richards expressly states that United States citizens have a right to become aliens and that a free and knowing completed choice must be given effect. The 1868 Act treated expatriation as a natural and inherent right. Those authorities establish a scope-qualified current-law core absent from the constitutional...
P-077	14(1)	Freedom from punishment solely for making an asylum request	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	Article 14(1)'s right to seek asylum is separately tested as freedom from punishment imposed solely because a person communicated an asylum request to the receiving State. This is not the Refugee Convention article 31 rule concerning penalties for illegal entry or presence, and it does not immunize independent unlawful conduct. The holder, duty-bearer, protected interest, and violation threshold are bounded, so R1...
P-078	14(1)	Procedural security before termination of previously granted asylum	SUBSUMED BY CURRENT LAW	Article 14(1)'s enjoyment limb is tested here as a bounded procedural entitlement before previously granted asylum is terminated: notice of the asserted ground, a meaningful opportunity to present and rebut evidence, and decision by a competent authority under the governing burden of proof. It does not constitutionalize every procedure associated with refugee status or guarantee continued asylum on the merits. R1...
P-079	14(1)	Continuation of previously granted asylum until voluntary status change or lawful termination on defined grounds	SUBSUMED BY CURRENT LAW	Article 14(1)'s enjoyment limb is tested as substantive security of previously granted asylum: the recipient may not be removed while asylum status remains in force, and status continues until a voluntary status change or termination on legally defined grounds. The proposition is narrower than a right to initial admission or grant and distinct from Refugee Convention articles 32 and 33. Current law imposes the same bounded duty. Under 8 U.S.C. § 1158(c)(1)(A), an asylee may not be removed or returned while status remains in force; § 1158(c)(2), 8 C.F.R. § 208.14(e), and 8 C.F.R. § 208.24 define indefinite effectiveness, termination grounds, and procedure; and 8 U.S.C. § 1159(b) permits voluntary adjustment. Matter of N-A-I-, 27 I&N Dec. 72, 74-81 (BIA 2017), confirms that an asylee may remain indefinitely while status is retained, adjustment is voluntary, and removability alone does not terminate asylum. R1 through R6 are satisfied. SUBSUMED BY CURRENT LAW as to the bounded continuation core.
P-080	29(2)	Freedom from limitation of a Declaration right unless the limitation is determined by law	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1-R3 and R5 are met. R4 and R6 fail because fair-notice and anti-arbitrariness doctrines are important but right- and context-specific; the record does not establish a coextensive cross-right legality rule. Not recognised under Process 3.
P-081	29(3)	Rights may not be exercised contrary to the purposes and principles of the United Nations	NOT AN INDIVIDUAL RIGHT	Article 29(3) limits how Declaration rights may be exercised when their exercise would be contrary to the purposes and principles of the United Nations. It states an interpretive boundary and does not confer an entitlement on a holder against a duty-bearer. The recorded signature is R1-R6 NA with no deciding requirement; the recognition test is not reached. NOT AN INDIVIDUAL RIGHT.
P-082	29(2)	Freedom from limitation of a Declaration right for a purpose outside Article 29(2)'s exclusive permissible purposes	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1-R3 and R5 are met. R4 and R6 fail because American purpose review uses multiple right-specific tests and does not confine every limitation to Article 29(2)'s exclusive catalogue. Not recognised under Process 3.
P-083	29(2)	Freedom from limitation of a Declaration right exceeding the just requirements of an Article 29(2) purpose	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1-R3 and R5 are met. R4 and R6 fail because tailoring and means-end review vary materially by right and level of scrutiny; no uniform just-requirements rule is established. Not recognised under Process 3.
P-084	29(2)	Freedom from limitation of a Declaration right incompatible with a democratic society	NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD	R1-R3 and R5 are met. R4 and R6 fail because constitutional democracy supplies strong structural and right-specific analogues but no coextensive cross-right democratic-society condition. Not recognised under Process 3.

Appendix C — Table of Authorities

Every authority in the authority ledger: 192 in all. Each row records its pin cite, status, and contrary or limiting treatment. The accompanying Public Evidence Workbook supplies the Authority Sources and Authority Uses records, official source locators, exact use propositions, use roles, opinion characteristics, and proposition-specific reasons.

Authority	Pin cite	Status	Contrary or limiting authority
Marbury v. Madison , 5 U.S. (1 Cranch) 137 (1803)	163	Marshall, C.J., for the Court	— Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Murray v. The Schooner Charming Betsy , 6 U.S. (2 Cranch) 64 (1804)	118	Marshall, C.J.	Interpretive aid only where text is genuinely susceptible Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Testa v. Katt , 330 U.S. 386 (1947)	389-94	Majority (Black, J.)	Verified 31 Jul 2026: not overruled. Reaffirmed in <i>Howlett v. Rose</i> , 496 U.S. 356, 371–75 (1990) (unanimous), and applied in <i>Haywood v. Drown</i> , 556 U.S. 729 (2009). The vote in <i>Testa</i> is NOT independently established and is not asserted.
Howlett v. Rose , 496 U.S. 356 (1990)	367-75	Unanimous (Stevens, J.)	Verified 31 Jul 2026: not overruled; Unanimous. Reaffirmed the <i>Testa</i> principles and applied in <i>Haywood v. Drown</i> , 556 U.S. 729 (2009).
Medellin v. Texas , 552 U.S. 491 (2008)	504-07	Majority (Roberts, C.J.) — 6–3	Stevens, J., concurring in the judgment; Breyer, J., dissenting, joined by Souter and Ginsburg, JJ. Verified 31 Jul 2026: not overruled. the decision implicitly rejected a presumption in favour of treaty self-execution but did not clearly adopt the opposite presumption; it holds that treaties are not domestic law unless Congress has enacted implementing statutes or the treaty conveys an intention to be self-executing and is ratified on those terms, and that the Executive cannot unilaterally enforce a non-self-executing treaty.
Stump v. Sparkman , 435 U.S. 349 (1978)	355-64	Majority (White, J., joined by Burger, C.J., and Blackmun, Rehnquist and Stevens, JJ.) — 5–3; Brennan, J., took no part	Stewart, J., dissenting, joined by Marshall and Powell, JJ.; Powell, J., dissenting separately. Verified 31 Jul 2026: not overruled; rehearing denied, 436 U.S. 951 (1978). Powell, J., dissenting, identified as the central feature of the case the judge's preclusion of any possibility for the vindication of the respondents' rights elsewhere in the judicial system, and reasoned that <i>Bradley v. Fisher</i> , 80 U.S. (13 Wall.) 335 (1872), accepted the costs of immunity to aggrieved individuals only because the judicial system itself provided other means of protecting individual rights — reasoning directed at the same effective-remedy concern examined at P-004.
Mireles v. Waco , 502 U.S. 9 (1991)	11-13	Per curiam	Stevens, J., dissenting
Alden v. Maine , 527 U.S. 706 (1999)	712-54	Majority (Kennedy, J., joined by Rehnquist, C.J., and O'Connor, Scalia and Thomas, JJ.) — 5–4	Souter, J., dissenting, joined by Stevens, Ginsburg and Breyer, JJ. Verified 31 Jul 2026: not overruled, but the categorical reading is qualified by the plan-of-the-Convention structural-waiver analysis in <i>PennEast Pipeline Co. V. New Jersey</i> , 594 U.S. 482 (2021), applied in <i>Torres v. Texas Dep't of Public Safety</i> , 597 U.S. 580 (2022). The decision was five to four over a dissent denying any historical basis for the immunity construed.
Harlow v. Fitzgerald , 457 U.S. 800 (1982)	818	Majority (Powell, J., joined by Brennan, White, Marshall, Blackmun, Rehnquist, Stevens and O'Connor, JJ.) — 8–1	Burger, C.J., dissenting; Brennan, J., and Rehnquist, J., filing concurrences. Verified 31 Jul 2026: not overruled. The “clearly established” standard at 818 remains the governing formulation and is quoted in <i>Pearson v. Callahan</i> , 555 U.S. 223 (2009), which overruled <i>Saucier v. Katz</i> on the mandatory sequencing question only and made the two-step order discretionary — a change that itself operates as part of the obstruction, since immunity may be granted without deciding whether the right exists.
Egbert v. Boule , 596 U.S. 482 (2022)	490-93	Majority (Thomas, J., joined by Roberts, C.J., and Alito, Kavanaugh and Barrett, JJ.) — 6–3	Gorsuch, J., concurring in the judgment; Sotomayor, J., concurring in part and dissenting in part, joined by Breyer and Kagan, JJ. Subsequent history verified 31 Jul 2026: not overruled and further applied — <i>Goldey v. Fields</i> (U.S. June 30, 2025) (per curiam) declined to recognise a Bivens action for Eighth Amendment excessive force by federal prison officials. <i>Goldey v. Fields</i> , 606 U.S. 942 (30 June 2025) (per curiam, unanimous), held that there is no implied Bivens cause of action for an Eighth Amendment EXCESSIVE-FORCE claim against federal prison officials, such a claim presenting a new context. IT DID NOT DISTURB <i>Carlson v. Green</i> , 446 U.S. 14 (1980), in which deliberate indifference to a prisoner's serious medical needs remains a recognised Eighth Amendment Bivens context. The route is therefore narrowed and not closed: a claim must be brought within one of the three recognised contexts, and the Court has not recognised a new one in forty-five years.
TransUnion LLC v. Ramirez , 594 U.S. 413 (2021)	423-31	Majority (Kavanaugh, J., joined by Roberts, C.J., and Alito, Gorsuch and Barrett, JJ.) — 5–4	Thomas, J., dissenting, joined by Breyer, Sotomayor and Kagan, JJ.; Kagan, J., dissenting, joined by Breyer and Sotomayor, JJ. Verified 31 Jul 2026: not overruled. The vote is material to the weight of the authority — the decision was five to four, and the principal dissent, by a Justice of the majority bloc in most cases, contended that the holding departs from an understanding of injury-in-law reaching back to the founding and strips Congress of the power to define legal rights enforceable in federal court.
Boddie v. Connecticut , 401 U.S. 371 (1971)	377-79	Majority (Harlan, J., joined by Burger, C.J., and Stewart, White, Marshall and Blackmun, JJ.) — 8–1	Douglas, J., concurring in the result; Brennan, J., concurring in part; Black, J., dissenting alone, on the ground that nominal civil filing costs violate neither due process nor equal protection and that dissolution procedure is reserved to the States. Verified 31 Jul 2026: not overruled. SELF-LIMITATION RECORDED: the Court stated at 382–83 that it was not deciding that access to the courts is a due process right available to all persons in all circumstances. The holding was confined to the marital relationship in <i>United States v. Kras</i> , 409 U.S. 434 (1973), and extended no further in <i>Ortwein v. Schwab</i> , 410 U.S. 656 (1973).

Authority	Pin cite	Status	Contrary or limiting authority
Logan v. Zimmerman Brush Co., 455 U.S. 422 (1982)	428-37	Majority (Blackmun, J.) — unanimous as to the judgment	Blackmun, J., filed a separate opinion on the equal-protection ground joined by Brennan, Marshall and O'Connor, JJ.; Powell, J., concurring in the judgment joined by Rehnquist, J. No dissent from the judgment. Verified 31 Jul 2026: not overruled. LIMITATION RECORDED: the decision states at 437 that nothing in it entitles every civil litigant to a hearing on the merits in every case; the State may erect reasonable procedural requirements including limitation periods and, in an appropriate case, filing fees (United States v. Kras, 409 U.S. 434 (1973)), and accords due process when it terminates a claim for failure to comply with a reasonable procedural or evidentiary rule. The authority supports the requirement of a meaningful opportunity to be heard and not a general entitlement to adjudication.
Mathews v. Eldridge, 424 U.S. 319 (1976)	332-35	Majority (Powell, J., joined by Burger, C.J., and Stewart, White, Blackmun and Rehnquist, JJ.) — 6–2; Stevens, J., took no part	Brennan, J., dissenting, joined by Marshall, J. Verified 31 Jul 2026: not overruled; the three-factor balancing test remains the governing framework for procedural due process.
Armstrong v. Manzo, 380 U.S. 545 (1965)	552	Stewart, J. Unanimous, Stewart, J. Adopted in Mathews v. Eldridge, 424 U.S. 319, 333 (1976), and applied in Goldberg v. Kelly and Fuentes v. Shevin. Not overruled.	—
Tumey v. Ohio, 273 U.S. 510 (1927)	523	Unanimous (Taft, C.J., for a unanimous Court) — 9–0	No dissent. Verified 31 Jul 2026: not overruled and foundational to Caperton v. A. T. Massey Coal Co. The decision limits its own constitutional reach at 523: only a direct, personal, substantial pecuniary interest in the outcome offends due process, while questions of kinship, personal bias, State policy and remoteness of interest are described as generally matters of legislative discretion. The unanimity is therefore attached to a narrow proposition; the broader probability-of-bias standard rests on Caperton, which was decided five to four.
Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)	876-87	Majority (Kennedy, J., joined by Stevens, Souter, Ginsburg and Breyer, JJ.) — 5–4	Roberts, C.J., dissenting, joined by Scalia, Thomas and Alito, JJ.; Scalia, J., dissenting separately. Verified 31 Jul 2026: not overruled. Recorded expressly as a counterexample to the division pattern stated at Part VI section 21 — Caperton supports the determination at P-005 and was itself decided by a single vote, the dissent objecting that the probability-of-bias standard affords too much discretion and leaves judges without sufficient guidance.
Bell v. Wolfish, 441 U.S. 520 (1979)	535-39	Majority (Rehnquist, J., joined by Burger, C.J., and Stewart, White and Blackmun, JJ.) — five Justices in the majority opinion	Powell, J., concurring in part and dissenting in part; Marshall, J., dissenting; Stevens, J., dissenting, joined by Brennan, J. Verified 31 Jul 2026 against the official opinion line as reproduced in the United States Reports: not overruled. The division is recorded as the actual line-up rather than as a bare vote count, four Justices having written separately in whole or partial disagreement.
Youngberg v. Romeo, 457 U.S. 307 (1982)	315-24	Majority (Powell, J., joined by Brennan, White, Marshall, Blackmun, Rehnquist, Stevens and O'Connor, JJ.) — unanimous as to the judgment	Blackmun, J., concurring, joined by Brennan and O'Connor, JJ.; Burger, C.J., concurring in the judgment only, on the view that the Fourteenth Amendment contains no separate right to habilitation. Verified 31 Jul 2026: not overruled. No Justice dissented — the liberty interests in reasonably safe conditions of confinement and freedom from unreasonable bodily restraint were recognised without dissent, which is material to the weight of the authority supporting P-001.
Graham v. Connor, 490 U.S. 386 (1989)	394-97	Majority (Rehnquist, C.J., joined by White, Stevens, O'Connor, Scalia and Kennedy, JJ.) — unanimous as to the judgment	Blackmun, J., concurring in part and concurring in the judgment, joined by Brennan and Marshall, JJ. Verified 31 Jul 2026: not overruled. No Justice dissented from the judgment; the objective-reasonableness standard for excessive force in the course of a seizure is undisturbed.
Rochin v. California, 342 U.S. 165 (1952)	172-74	Majority (Frankfurter, J., joined by Vinson, C.J., and Reed, Jackson, Burton and Clark, JJ.) — 8–0; Minton, J., took no part	Black, J., and Douglas, J., concurring separately, each on the ground that the Fifth Amendment privilege against self-incrimination should apply to the States, and each criticising the due-process formulation as subjective — neither disputed the outcome. Verified 31 Jul 2026: not overruled. No Justice dissented; the “shocks the conscience” standard rests on a decision without dissent.
Zadvydas v. Davis, 533 U.S. 678 (2001)	689-701	Breyer, J.	Reached by constitutional avoidance
Jennings v. Rodriguez, 583 U.S. 281 (2018)	—	Alito, J., plurality in part	Constitutional claims expressly remanded and undecided; Breyer, J., dissenting
Demore v. Kim, 538 U.S. 510 (2003)	538 U.S. 510, 526–31; 532 (Kennedy, J., concurring)	Rehnquist, C.J.	Souter, J., concurring in part and dissenting in part, joined by Stevens and Ginsburg, JJ.; Breyer, J., dissenting in part. Two qualifications verified 31 Jul 2026 and material to P-006. First, the empirical premise was retracted by the Government: by letter of 26 August 2016 from the Acting Solicitor General to the Clerk of the Court, the United States acknowledged that the detention-duration data supplied to the Court in Demore — detention averaging about a month and a half, and about five months where the alien appeals — were incorrect and understated actual detention. Second, Kennedy, J., concurring at 532, stated that a detainee “could be entitled to an individualized determination as to his risk of flight and dangerousness if the continued detention became unreasonable or unjustified”. Not overruled; Jennings v. Rodriguez, 583 U.S. 281 (2018), resolved the statutory question and left the constitutional question open. Rodriguez v. Robbins, 804 F.3d 1060 (9th Cir. 2015), was REVERSED AND REMANDED by Jennings v. Rodriguez itself, and Reid v. Donelan, 819 F.3d 486 (1st Cir. 2016), was WITHDRAWN by the First Circuit, 2018 WL 4000993 (11 May 2018). Neither survives and neither is relied on. What survives is the concurrence of Kennedy, J., and the fact that Jennings decided the statutory question only and left the constitutional question expressly open, which is the question now before the Court in Genalo v. Black, No. 25-886, on the Government’s petition from a decision of the Second Circuit holding that the Due Process Clause requires a hearing once detention becomes unreasonably prolonged.
Foucha v. Louisiana, 504 U.S. 71 (1992)	77-83	Majority (White, J., joined by Blackmun, Stevens, O'Connor and Souter, JJ., as to Parts I and II; Plurality as to Part III) — 5–4	O'Connor, J., concurring in part and in the judgment; Kennedy, J., dissenting, joined by Rehnquist, C.J.; Thomas, J., dissenting, joined by Rehnquist, C.J., and Scalia, J. Verified 31 Jul 2026: not overruled. Foucha supports P-006 and was decided by a single vote.

Authority	Pin cite	Status	Contrary or limiting authority
Whalen v. Roe, 429 U.S. 589 (1977)	599-600	Unanimous (Stevens, J., delivering the opinion for a unanimous Court) — 9–0	Brennan, J., and Stewart, J., filing concurring opinions. Verified 31 Jul 2026: not overruled. Recorded as supporting the existence of the interest — the Court assumed without deciding an interest in avoiding disclosure of personal matters — while upholding the statute; it is not recorded as an obstruction.
NASA v. Nelson, 562 U.S. 134 (2011)	138	Alito, J.	Scalia and Thomas, JJ., concurring, would hold no such right exists
Carpenter v. United States, 585 U.S. 296 (2018)	309-20	Majority (Roberts, C.J., joined by Ginsburg, Breyer, Sotomayor and Kagan, JJ.) — 5–4	Kennedy, J., dissenting, joined by Thomas and Alito, JJ.; Thomas, J., dissenting; Alito, J., dissenting, joined by Thomas, J.; Gorsuch, J., dissenting. Verified 31 Jul 2026: not overruled. SELF-LIMITATION RECORDED: the Court stated the decision is a narrow one, declined to disturb <i>Smith v. Maryland</i> and <i>United States v. Miller</i> , and did not address real-time cell-site location information, tower dumps, conventional surveillance techniques, security cameras, or collection for foreign affairs or national security. The third-party doctrine survives outside the class of records identified.
United States v. Miller, 425 U.S. 435 (1976)	440-43	Majority (Powell, J., joined by Burger, C.J., and Stewart, White, Blackmun, Rehnquist and Stevens, JJ.) — 7–2	Brennan, J., dissenting; Marshall, J., dissenting. Verified 31 Jul 2026: not overruled. <i>Carpenter v. United States</i> , 585 U.S. 296 (2018), declined to extend the third-party doctrine to cell-site location information without overruling <i>Miller</i> .
Smith v. Maryland, 442 U.S. 735 (1979)	742-46	Majority (Blackmun, J., joined by Burger, C.J., and White, Rehnquist and Stevens, JJ.) — 5–3; Powell, J., took no part	Stewart, J., dissenting, joined by Brennan, J.; Marshall, J., dissenting, joined by Brennan, J. Verified 31 Jul 2026: not overruled. <i>Carpenter v. United States</i> , 585 U.S. 296 (2018), declined to extend the third-party doctrine to cell-site location information without overruling <i>Smith</i> .
Entick v. Carrington, 19 How. St. Tr. 1029 (C.P. 1765)	1066	Camden, C.J.	English decision; Persuasive Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Paul v. Davis, 424 U.S. 693 (1976)	701–12; 713 (privacy holding)	Majority (Rehnquist, J., joined by Burger, C.J., and Stewart, Blackmun and Powell, JJ.) — 5–3; Stevens, J., took no part	Brennan, J., dissenting, joined by Marshall, J., and by White, J., in part. Rehearing denied, 425 U.S. 985 (1976); Affirmed on remand, <i>Davis v. Paul</i> , 538 F.2d 328 (6th Cir. 1976). Not overruled; the stigma-plus rule remains black-letter law as at 31 July 2026.
New York Times Co. v. Sullivan, 376 U.S. 254 (1964)	279-80	Majority (Brennan, J., joined by Warren, C.J., and Clark, Harlan, Stewart and White, JJ.) — unanimous, 9–0	Black, J., concurring, joined by Douglas, J.; Goldberg, J., concurring in the result, joined by Douglas, J., both on the broader ground of an absolute privilege to criticise official conduct. Verified 31 Jul 2026: not overruled. No Justice dissented.
Washington v. Davis, 426 U.S. 229 (1976)	239-48	Majority (White, J., joined by Burger, C.J., and Blackmun, Powell, Rehnquist and Stevens, JJ., and by Stewart, J., as to Parts I and II) — 7–2	Stevens, J., concurring; Brennan, J., dissenting, joined by Marshall, J. Verified 31 Jul 2026: not overruled, and reaffirmed in <i>Village of Arlington Heights v. Metropolitan Housing Development Corp.</i> , 429 U.S. 252 (1977).
Alexander v. Sandoval, 532 U.S. 275 (2001)	285-93	Scalia, J.	Stevens, J., dissenting
Village of Willowbrook v. Olech, 528 U.S. 562 (2000)	564-65	Per curiam	Breyer, J., concurring, would require illegitimate animus
Afroyim v. Rusk, 387 U.S. 253 (1967)	387 U.S. 253, 265–68	Majority (Black, J., joined by Warren, C.J., and Douglas, Brennan and Fortas, JJ.) — 5–4	Harlan, J., dissenting, joined by Clark, Stewart and White, JJ. Verified 31 Jul 2026: not overruled, and itself overruled <i>Perez v. Brownell</i> , 356 U.S. 44 (1958). <i>Afroyim</i> is the principal support for P-031 and was decided by a single vote.
Kent v. Dulles, 357 U.S. 116 (1958)	125-30	Douglas, J.	—
Haig v. Agee, 453 U.S. 280 (1981)	306-10	Burger, C.J.	Brennan, J., dissenting
San Antonio Indep. Sch. Dist. v. Rodriguez, 411 U.S. 1 (1973)	33-37	Powell, J.	Marshall, J., dissenting
DeShaney v. Winnebago Cnty. Dep't of Soc. Servs., 489 U.S. 189 (1989)	195-97, 199-200	Rehnquist, C.J.	Brennan and Blackmun, JJ., dissenting. Qualification recorded on currency audit 31 Jul 2026: the no-affirmative-duty rule is subject to the special-relationship or custody exception the Court itself recognised, and the courts of appeals have developed a state-created-danger exception which the Supreme Court has not adopted. The holding is unqualified as to failure to protect from private violence where the State neither had custody nor created the danger.
Town of Castle Rock v. Gonzales, 545 U.S. 748 (2005)	760-68	Majority (Scalia, J., joined by Rehnquist, C.J., and O'Connor, Kennedy, Souter, Thomas and Breyer, JJ.) — 7–2	Souter, J., concurring, joined by Breyer, J.; Stevens, J., dissenting, joined by Ginsburg, J. Verified 31 Jul 2026: not overruled. SUBSEQUENT PROCEEDING RECORDED: following the decision the petitioner brought the matter before the Inter-American Commission on Human Rights, contending that the failure to enforce the restraining order, the failure to protect and the absence of any remedy violated the international obligations of the United States, and the Commission issued a report. VERIFIED 31 Jul 2026: the Commission published its merits report as <i>Jessica Lenahan (Gonzales) et al. V. United States</i> , Case 12.626, Report No. 80/11 (17 August 2011), finding the United States in breach of the American Declaration for failure to protect with due diligence, failure to investigate and failure to provide a remedy. It is a documented instance of the divergence this study records — no protected interest found domestically, violation found internationally on the same facts.
Kiobel v. Royal Dutch Petroleum Co., 569 U.S. 108 (2013)	124-25	Roberts, C.J.	Breyer, J., concurring in judgment The presumption against extraterritoriality applies to claims under the Alien Tort Statute and is not displaced where the relevant conduct occurred abroad. Narrowed further by <i>Jesner v. Arab Bank, PLC</i> (U.S. 2018), which held foreign corporations not subject to liability under the statute, and by <i>Nestlé USA, Inc. v. Doe</i> , 593 U.S. 628 (2021). <i>Cisco Systems, Inc. v. Doe</i> , No. 24-856 (U.S. 23 June 2026), decided within the stated law-as-at date, restricts the statute further still; the dissent in that case contends it overrules <i>Sosa v. Alvarez-Machain</i> in substance without saying so.

Authority	Pin cite	Status	Contrary or limiting authority
Nestle USA, Inc. v. Doe, 593 U.S. 628 (2021)	633-37	Thomas, J.	Alito, J., dissenting General corporate activity in the United States does not establish the domestic application required for a claim under the Alien Tort Statute where the alleged aiding and abetting occurred abroad. A plurality would have gone further and barred judicial creation of new causes of action under the statute altogether. Cisco Systems, Inc. v. Doe, No. 24-856 (U.S. 23 June 2026), decided within the stated law-as-at date, restricts the statute further; the dissent in that case contends it overrules <i>Sosa v. Alvarez-Machain</i> in substance without saying so.
Mullis v. U.S. Bankr. Court, 828 F.2d 1385 (9th Cir. 1987)	1392-94	Ninth Circuit	Cert. Denied, 486 U.S. 1040 (1988). Subsequent history verified 31 Jul 2026: not overruled and continuously applied in the Ninth Circuit. Limited in scope by <i>Forrester v. White</i> , 484 U.S. 219 (1988) (unanimous), decided four months after <i>Mullis</i> , which holds absolute judicial immunity does not extend to administrative acts — immunity attaches to the function, not the office.
Brandenburg v. Ohio, 395 U.S. 444 (1969)	447	Per curiam	—
W. Va. Bd. of Educ. v. Barnette, 319 U.S. 624 (1943)	642	Jackson, J.	—
Levy v. Louisiana, 391 U.S. 68 (1968)	71-72	Majority (Douglas, J., joined by Warren, C.J., and Brennan, White, Fortas and Marshall, JJ.) — 6–3	Harlan, J., dissenting, joined by Black and Stewart, JJ. Verified 31 Jul 2026: not overruled.
Clark v. Jeter, 486 U.S. 456 (1988)	461	O'Connor, J.	—
Pierce v. Society of Sisters, 268 U.S. 510 (1925)	534-35	McReynolds, J.	—
Wisconsin v. Yoder, 406 U.S. 205 (1972)	213-15	Burger, C.J.	Douglas, J., dissenting in part
Employment Div. v. Smith, 494 U.S. 872 (1990)	878-82	Scalia, J.	O'Connor, J., concurring in the judgment; Blackmun, J., dissenting, joined by Brennan and Marshall, JJ. Narrowing recorded on currency audit 31 Jul 2026: not overruled, but <i>Fulton v. City of Philadelphia</i> , 593 U.S. 522 (2021), held that a law permitting any mechanism for individualised exemptions is not generally applicable even where none has been granted, and <i>Tandon v. Newsom</i> (2021) narrowed the general-applicability threshold further. Three Justices in <i>Fulton</i> would have overruled <i>Smith</i> and two more questioned its foundations.
Houchins v. KQED, Inc., 438 U.S. 1 (1978)	15-16	Burger, C.J., plurality	Stevens, J., dissenting
Dandridge v. Williams, 397 U.S. 471 (1970)	485-87	Stewart, J.	Marshall, J., dissenting
Lindsey v. Normet, 405 U.S. 56 (1972)	74	White, J.	Douglas, J., dissenting in part
Harris v. McRae, 448 U.S. 297 (1980)	316-18	Stewart, J.	Brennan, J., dissenting
Steward Machine Co. v. Davis, 301 U.S. 548 (1937)	585-98	Cardozo, J.	McReynolds, J., dissenting
West Coast Hotel Co. v. Parrish, 300 U.S. 379 (1937)	391-400	Hughes, C.J.	Sutherland, J., dissenting
Williamson v. Lee Optical Co., 348 U.S. 483 (1955)	487-88	Douglas, J.	—
Dastar Corp. v. Twentieth Century Fox Film Corp., 539 U.S. 23 (2003)	32-38	Scalia, J., 8-0	—
Luther v. Borden, 48 U.S. (7 How.) 1 (1849)	42-47	Taney, C.J.	— Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Downes v. Bidwell, 182 U.S. 244 (1901)	287-88	Brown, J.	Harlan, J., dissenting. Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Aicher v. Wis. Patients Comp. Fund, 2000 WI 98	¶43	Wisconsin Supreme Court	State authority
UDHR, G.A. Res. 217 A (III), U.N. Doc. A/810 at 71 (1948)	arts. 1-30	Adopted 10 Dec. 1948; United States voted in favour	Not a treaty; Not submitted for ratification
ICCPR, 999 U.N.T.S. 171	arts. 2(3), 7, 9(4), 12, 14(1), 17, 22, 25, 26	Signed 5 Oct. 1977; Ratified 8 June 1992	US declaration that arts. 1-27 are not self-executing; Reservation to art. 7 limiting CIDT to the Fifth, Eighth and Fourteenth Amendment standard; Understanding to arts. 2 and 26 accepting distinctions rationally related to a legitimate objective; Understandings to art. 14
CAT, 1465 U.N.T.S. 85	arts. 1-2, 14, 16	Signed 1988; ratified 21 Oct. 1994	US declaration that arts. 1-16 are not self-executing; Reservation confining art. 16 to conduct prohibited by the Fifth, Eighth and Fourteenth Amendments; Understanding as to prolonged mental harm
ICERD (CERD), 660 U.N.T.S. 195	arts. 1(1), 2(1)(c), 5, 6	Signed 1966; ratified 21 Oct. 1994	US declaration of non-self-execution; Understanding concerning the regulation of private conduct

Authority	Pin cite	Status	Contrary or limiting authority
ICESCR, 993 U.N.T.S. 3	arts. 6-13, 15	Signed 5 Oct. 1977; NOT ratified	Signed and not ratified. Under art. 18 of the Vienna Convention on the Law of Treaties the United States is obliged to refrain from acts which would defeat the object and purpose of the Covenant. That is a binding obligation in international law. It differs from the position under a ratified treaty in mechanism — there is no obligation to give effect to the substantive articles, and no reporting obligation to the Committee — and not in the character of the obligation itself. The Covenant is accordingly recorded as a source of a live obligation of a different kind, and not as an instrument carrying none.
S. Exec. Rep. No. 101-30 (1990)	8, 13, 25-36	Senate Foreign Relations Committee report on CAT	The representation is the premise of non-self-execution, not an inference from it. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
CAT Committee, Concluding Observations on the United States, CAT/C/USA/CO/3-5 (2014)	¶¶9, 11	Adopted at the fifty-third session, 3–28 November 2014; Issued 19 December 2014	Currency verified 31 Jul 2026. These remain the most recent concluding observations of the Committee on the United States: the Committee’s annual reports through the eighty-second session (7 April – 2 May 2025) disclose no further review of the United States, and the preceding observations were CAT/C/USA/CO/2 (25 July 2006). The United States filed a one-year follow-up response on 27 November 2015. That no periodic review has been held for more than eleven years is itself a fact of the compliance record and is recorded as such.
CAT Committee, General Comment No. 2 (2008)	¶¶1, 8-11, 15, 18	Treaty-body interpretation	Not binding on the United States as domestic law
Human Rights Committee, General Comment No. 32 (2007)	¶¶15-18	Treaty-body interpretation	Not binding domestic law
Human Rights Committee, General Comment No. 35 (2014)	¶¶12, 18	Treaty-body interpretation	Not binding domestic law; Application varies by category
ILC, Draft conclusions on peremptory norms (jus cogens), A/CN.4/L.967 (2022)	annex	Adopted on second reading	The list is expressly non-exhaustive and without prejudice
ILC, Articles on State Responsibility (2001)	arts. 4, 58	Adopted; annexed to G.A. Res. 56/83	Not a treaty
Belgium v. Senegal, 2012 I.C.J. Rep. 422	¶¶99	International Court of Justice	—
Barcelona Traction, 1970 I.C.J. Rep. 3	¶¶33-34	International Court of Justice	—
Ireland v. United Kingdom, App. No. 5310/71 (ECtHR 1978)	§162	European Court of Human Rights, plenary	Persuasive only; Not binding on the United States
Special Rapporteur on Torture, A/HRC/22/53 (2013)	¶¶17-22, 31-35, 81	United Nations Special Procedures report	Special Procedures reports are not binding
Istanbul Protocol (rev. 2022)	—	U.N. Manual on effective investigation and documentation of torture	Documentation standard, not a legal instrument
UNCAT and Jus Cogens: A Contemporary Perspective	Two-Plane Framework; Six-Move Framework	Primary analytical authority; Analytic synthesis	Analytical synthesis, not controlling external authority. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
Guide to Domestic Criminal Enforcement of Torture and CIDT	Constitutional and Treaty Premise	Primary analytical authority	Analytical synthesis. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
Structural Foreclosure of Effective Protection and Remedy	Parts V, XIV	Investigative finding	Investigative finding. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
Quick Reference Guide on Judicial Torture and CIDT	Five-Level Gravity Scale; Corrective Constitutional Interpretation	Primary analytical authority	Analytical synthesis. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
The Inviolable Root: Human Dignity	Part VII	Primary analytical authority	Analytical position; Diverges from Germany v. Italy and Jones v. United Kingdom. Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
18 U.S.C. §§2340-2340A	§2340A(a)	Statute	Confined to extraterritorial conduct; no general domestic civil analogue
18 U.S.C. §§1589, 1590, 1595	§1595(a)	Statute	Currency verified 31 Jul 2026 against the United States Code as published by the Office of the Law Revision Counsel, text in effect 3 May 2026. Section 1595 was added by Pub. L. 108-193 (2003) and amended by Pub. L. 110-457 (2008), Pub. L. 114-22 (2015), Pub. L. 115-164 (2018) and Pub. L. 117-347, tit. I, §102, 5 Jan. 2023, 136 Stat. 6200, the last inserting “or attempts or conspires to benefit” after “whoever knowingly benefits”. The 2023 amendment broadens the private civil action, which strengthens rather than weakens the present-law position recorded at P-003 and P-067. In force and not repealed.
Privacy Act of 1974, 5 U.S.C. §552a	§552a(g)	Statute	Extensive exemptions; Actual damages required
42 U.S.C. §1983	—	Statute	1996 amendment bars injunctive relief against judicial officers absent narrow predicates
Constitution of Alabama of 2022, art. XIV, §256	§256	Ratified 8 November 2022; Operative State constitution	The disclaimer originates in Amendment 111 (1956) to the Constitution of 1901. The 2022 recompilation deleted from §256 the mandate of separate schools, the parental-election provision and the peace-and-order clause, and retained the disclaimer. Amendment 111 is the historical origin of the language and is not the citation to the operative instrument.

Authority	Pin cite	Status	Contrary or limiting authority
Northwest Ordinance of 1787	art. III	Confederation Congress ordinance	Territorial land policy; a governmental-duty provision Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Mass. Const. of 1780	pt. I arts. XI, XII, XXVI; pt. II ch. V §II	State constitutional text	Founding-era Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
N.H. Bill of Rights of 1784	pt. I art. 14	State constitutional text	Founding-era Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Phillips, The Constitutional Right to a Remedy, 78 N.Y.U. L. Rev. 1309 (2003)	1310	Law review; Former Chief Justice of Texas	Resting on Friesen, State Constitutional Law app. 6 (3d ed. 2000); a secondary compilation Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
County of Riverside v. McLaughlin, 500 U.S. 44 (1991)	56	Majority	Prompt judicial probable-cause determination after warrantless arrest
Landon v. Plasencia, 459 U.S. 21 (1982)	32–34	Majority	Returning-resident due-process framework; distinguished from non-entry communication claim
Department of Homeland Security v. Thuraissigiam, 591 U.S. 103 (2020)	138–40	Majority	Initial-admission and congressionally prescribed procedure baseline
Grigoryan v. Barr, 959 F.3d 1233 (9th Cir. 2020)	1240–42	Panel opinion	Process and burden in asylum termination
Matter of N-A-I-, 27 I&N Dec. 72 (BIA 2017)	73–80	Board precedent	Continuation of asylum while status is retained; voluntary adjustment changes status
8 C.F.R. § 208.24 (current through Aug. 7, 2026)		eCFR	Grounds and procedure for termination of asylum
Clyatt v. United States, 197 U.S. 207 (1905)	207, 215–218	Majority (Brewer, J.)	— Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
United States v. Reynolds, 235 U.S. 133 (1914)	133, 146–150	Majority (Day, J.)	— Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Meyer v. Nebraska, 262 U.S. 390 (1923)	390, 399–401	Majority (McReynolds, J.)	—
Moore v. City of East Cleveland, 431 U.S. 494 (1977)	494, 499–506	Plurality (Powell, J.)	Plurality
Troxel v. Granville, 530 U.S. 57 (2000)	57, 65–73	Plurality (O'Connor, J.)	Plurality on rationale
Helvering v. Davis, 301 U.S. 619 (1937)	619, 640–645	Majority (Cardozo, J.)	—
Flemming v. Nestor, 363 U.S. 603 (1960)	603, 608–611	Majority (Harlan, J.)	Beneficiary retains protection against wholly arbitrary action
Electronic Communications Privacy Act, 18 U.S.C. §§2510–2523	§2510 et seq.	Federal statute (in force)	Currency verified 31 Jul 2026 against the Congressional Research Service overview of the Electronic Communications Privacy Act and the United States Code. In force and not repealed. The statute has been amended since enactment, principally by the USA PATRIOT Act, which removed voice mail from the wiretap coverage of Title III and moved stored wire communications to the stored-communications provisions at 18 U.S.C. §2703 — a narrowing of the protection recorded at P-069, not a broadening.
Copyright Act of 1790, 1 Stat. 124	ch. 15	Federal statute (First Congress)	Statutory grant, limited term Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
State copyright statutes, 1783–1786 (twelve of the thirteen States)	passim	Founding-era enactments	Statutory grants on the Statute of Anne model Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.

Authority	Pin cite	Status	Contrary or limiting authority
Continental Congress resolution of 2 May 1783	24 J. Cont. Cong. 326–327	Recommendation to the States	Recommendation only; Implemented by State statute Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Statute of Anne, 8 Anne c. 19 (1710)	passim	English statute (model)	Model for a created statutory monopoly Currency disposition 31 Jul 2026: this entry is relied on as historical evidence of the founding-era or early-Republic understanding, not as a statement of present law. Its content is fixed and it carries no subsequent history in the sense this audit tests. Where a later decision has qualified the proposition for present purposes that qualification is recorded against the entry that states the present rule, not here. Verified as accurately transcribed and correctly characterised; no currency question arises.
Reynolds v. Sims, 377 U.S. 533 (1964)	377 U.S. 533, 568	Majority (Warren, C.J.)	Harlan, J., dissenting
United States v. Mosley, 238 U.S. 383 (1915)	238 U.S. 383, 386	Majority (Holmes, J.)	Lamar, J., dissenting
United States v. Classic, 313 U.S. 299 (1941)	313 U.S. 299, 315	Majority (Stone, J.)	Douglas, J., dissenting, joined by Black and Murphy, JJ.
Human Rights Committee, General Comment No. 25, CCPR/C/21/Rev.1/Add.7 (1996)	¶¶ 19–20	Interpretive guidance (Human Rights Committee)	—
Ex parte Yarbrough, 110 U.S. 651 (1884)	110 U.S. 651, 657–658	Unanimous (Miller, J.)	—
S. Exec. Rep. No. 102-23 (1992) (Senate Committee on Foreign Relations, Report on the International Covenant on Civil and Political Rights)	Pt. VII (Explanation of Proposed Reservations, Understandings and Declarations) ¶1 (Non-self-executing treaty)	Ratification record (advice and consent)	— Currency disposition 31 Jul 2026: a published work or legislative record of fixed content. It is cited for what it says and its text does not change. No subsequent-history question arises; the propositions it supports are tested against the primary authority recorded separately.
Act of July 27, 1868, ch. 249, 15 Stat. 223 (Expatriation Act)	15 Stat. 223, pmbl.	Enacted statute (declaratory preamble)	—
Board of Regents of State Colleges v. Roth, 408 U.S. 564 (1972)	408 U.S. 564, 569–72	Majority (Stewart, J., joined by Burger, C.J., and White, Blackmun and Rehnquist, JJ.) — 5–3; Powell, J., took no part	Burger, C.J., concurring; Douglas, J., dissenting; Brennan, J., dissenting, joined by Douglas, J.; Marshall, J., dissenting. Verified 31 Jul 2026: not overruled. The liberty-or-property threshold it establishes is the gateway to procedural due process and is the same threshold applied in Paul v. Davis; Three Justices dissented, each on the view that the Fourteenth Amendment protects against arbitrary State action affecting employment irrespective of a formal tenure or contract interest.
United States declarations and reservations to the ICCPR (advice and consent, 1992)	Declarations ¶1 (non-self-executing, arts. 1–27); recorded in S. Exec. Rep. No. 102-23 (1992), Pt. VII	Ratification record (advice and consent)	—
United States declarations and reservations to the Convention against Torture (advice and consent, 1990)	Non-self-execution declaration (arts. 1–16); reservation to art. 16	Ratification record (advice and consent)	—
Government-wide direction to deprioritize disparate-impact enforcement and rescission of identified Title VI disparate-impact regulations (Exec. Order No. 14281; DOJ final rule, 90 Fed. Reg. 57141 (Dec. 10, 2025); Dep’t of Labor final rule, 91 Fed. Reg. 40372 (July 2, 2026); Dep’t of Education final rule, 91 Fed. Reg. 46733 (July 24, 2026))	90 Fed. Reg. 57141	Federal executive direction and identified agency regulatory actions (in force)	—
PennEast Pipeline Co. v. New Jersey, 594 U.S. 482 (2021)	594 U.S. 482, 495–508	Majority (Roberts, C.J.)	Barrett, J., dissenting, joined by Thomas, Kagan and Gorsuch, JJ.
Torres v. Texas Dep’t of Public Safety, 597 U.S. 580 (2022)	597 U.S. 580 (slip op. at 7–12)	Majority (Breyer, J.)	Thomas, J., dissenting, joined by Alito, Gorsuch and Barrett, JJ. (“Alito directly controls this case”)
Fulton v. City of Philadelphia, 593 U.S. 522 (2021)	593 U.S. 522, 533–35	Majority (Roberts, C.J.); Unanimous as to the judgment	Alito, J., concurring in the judgment, joined by Thomas and Gorsuch, JJ., would have overruled Smith; Barrett, J., concurring, joined by Kavanaugh, J., questioned its foundations

Authority	Pin cite	Status	Contrary or limiting authority
Village of Arlington Heights v. Metropolitan Housing Development Corp., 429 U.S. 252 (1977)	429 U.S. 252, 264–71	Majority (Powell, J., joined by Burger, C.J., and Stewart, Blackmun and Rehnquist, JJ.) — 5–3; Stevens, J., took no part	Marshall, J., concurring in part and dissenting in part, joined by Brennan, J.; White, J., dissenting. Verified 31 Jul 2026: not overruled. The evidentiary factors at 266–68 — disproportionate impact, historical background, the specific sequence of events, departures from normal procedure and contemporary statements — remain the governing framework for proving discriminatory purpose.
Personnel Adm'r of Mass. v. Feeney, 442 U.S. 256 (1979)	442 U.S. 256, 279	Majority (Stewart, J., joined by Burger, C.J., and White, Powell, Blackmun, Rehnquist and Stevens, JJ.) — 7–2	Stevens, J., concurring, joined by White, J.; Marshall, J., dissenting, joined by Brennan, J., on the ground that legislators act for several reasons and the question is whether an improper purpose was one motivating factor. Verified 31 Jul 2026: not overruled.
Goldey v. Fields, 606 U.S. 942 (30 June 2025) (per curiam)	2025 WL 1787625, at *2	Per curiam — unanimous, 9–0	—
Forrester v. White, 484 U.S. 219 (1988)	484 U.S. 219, 227–30	Unanimous (O'Connor, J.)	—
Human Rights Committee, General Comment No. 16 (1988), Article 17, HRI/GEN/1/Rev.9 (Vol. I)	¶¶1, 8, 10	Adopted 8 April 1988, twenty-third session	—
CERD Committee, Concluding observations on the combined tenth to twelfth reports of the United States of America, CERD/C/USA/CO/10-12 (21 September 2022)	¶¶4–5, 53–54	Adopted at the 107th session (8–30 August 2022); Reports considered at the 2899th and 2900th meetings, 11–12 August 2022; Observations adopted at the 2916th meeting, 24 August 2022	—
King v. Marion Circuit Court, 868 F.3d 589 (7th Cir. 2017)	868 F.3d 589, 593	Majority (Easterbrook, J.)	—
Haywood v. Drown, 556 U.S. 729 (2009)	556 U.S. 729, 735–40	Majority (Stevens, J.)	Thomas, J., concurring in part and dissenting in part; Roberts, C.J., dissenting. Verified 31 Jul 2026: not overruled. The precise vote is NOT independently established in this pass and is not asserted.
United States v. Kras, 409 U.S. 434 (1973)	409 U.S. 434, 443–50	Majority (Blackmun, J.) — 5–4	Stewart, J., dissenting; Douglas and Brennan, JJ., dissenting; Marshall, J., dissenting. Verified 31 Jul 2026: not overruled.
Ortwein v. Schwab, 410 U.S. 656 (1973) (per curiam)	410 U.S. 656, 659–61	Per curiam — the same 5–4 division as in Kras	Douglas, J., dissenting; Brennan, J., dissenting; Marshall, J., dissenting. Verified 31 Jul 2026: not overruled.
Cisco Systems, Inc. v. Doe, No. 24-856 (U.S. 23 June 2026)	slip op.	Majority (Barrett, J.) — 6–3	Sotomayor, J., dissenting, joined in part by Kagan and Jackson, JJ., contending that the decision overrules Sosa without acknowledging that it does so and closes the courthouse doors to virtually every future litigant seeking redress under the Alien Tort Statute. Decided 23 June 2026, within the stated law-as-at date of 31 July 2026.
Sosa v. Alvarez-Machain (U.S. 2004)	—	Majority (Souter, J.)	The United States Reports pagination is NOT independently established in this pass and is not asserted. The Alien Tort Statute is jurisdictional and federal courts may recognise a narrow class of claims resting on norms of international character accepted by the civilised world and defined with a specificity comparable to the eighteenth-century paradigms. Narrowed by Kiobel (2013), Jesner (2018) and Nestlé (2021), and by Cisco Systems, Inc. v. Doe, No. 24-856 (U.S. 23 June 2026), whose dissent contends that the majority overrules this decision in substance without acknowledging that it does so. The United States Reports pagination is NOT independently established in this pass and is not asserted.
Jesner v. Arab Bank, PLC (U.S. 2018)	—	Majority (Kennedy, J.)	The United States Reports pagination is NOT independently established in this pass and is not asserted. Foreign corporations are not subject to liability under the Alien Tort Statute. Followed by Nestlé USA, Inc. v. Doe, 593 U.S. 628 (2021), and by Cisco Systems, Inc. v. Doe, No. 24-856 (U.S. 23 June 2026), decided within the stated law-as-at date. The United States Reports pagination is NOT independently established in this pass and is not asserted.
Torture Victim Protection Act of 1991, Pub. L. 102-256, 106 Stat. 73, note following 28 U.S.C. §1350	106 Stat. 73	Statute in force	—
The GEO Group, Inc. v. Menocal, No. 24-758 (U.S. 25 February 2026)	slip op.	Decision of the Court	The vote is NOT independently established in this pass and is not asserted.
Olivier v. City of Brandon, Mississippi, No. 24-993, 607 U.S. ___, 146 S. Ct. 916 (20 March 2026)	146 S. Ct. at 926	Unanimous (Kagan, J., for the Court) — 9–0	No dissent. The Court did not reach the second question presented — whether Heck applies where the plaintiff was never in custody and so never had access to federal habeas relief — that question having divided the circuits five to five and being unnecessary to the disposition. Decided within the stated law-as-at date.
Genalo v. Black, No. 25-886 (U.S., certiorari granted 15 June 2026) — pending	—	Certiorari granted 15 June 2026; Not yet argued or decided	Recorded as a pending matter and not as authority. The two respondents were lawful permanent residents detained for seven and twenty-one months respectively. A division among the Second, Third and Eighth Circuits was cited in the petition.
Chatrte v. United States, No. 25-112 (U.S. 29 June 2026)	slip op. at 1–2	Majority (Kagan, J., writing for five of the six in the majority) — 6–3	Alito, J., dissenting, joined in part by Thomas and Barrett, JJ. The Court did not decide whether the particular warrant was valid and vacated the judgment below. Decided within the stated law-as-at date.

Authority	Pin cite	Status	Contrary or limiting authority
Louisiana v. Callais, Nos. 24-109 and 24-110, 608 U.S. ____ (29 April 2026)	slip op.	Majority (Alito, J., joined by Roberts, C.J., and Thomas, Gorsuch, Kavanaugh and Barrett, JJ.) — 6–3	Thomas, J., concurring, joined by Gorsuch, J.; Kagan, J., dissenting, joined by Sotomayor and Jackson, JJ. SCOPE: the holding constrains enforcement legislation under the Reconstruction Amendments and does not reach effects standards enacted under other enumerated powers.
Jessica Lenahan (Gonzales) et al. v. United States, Case 12.626, Report No. 80/11 (Inter-American Commission on Human Rights, 17 August 2011)	¶¶110–12, 124–26, 132–34, 160–70	Merits report of the Commission	Recommendations of the Commission are not binding in domestic law and are recorded as such. The finding is of the Commission and not of the Inter-American Court.
Buenrostro-Mendez v. Bondi, 166 F.4th 494 (5th Cir. 2 July 2026)	166 F.4th 494, 506	Court of Appeals for the Fifth Circuit	A decision of a court of appeals and not of the Supreme Court. The question is before the Supreme Court in <i>Genalo v. Black</i> , No. 25-886, in which certiorari was granted on 15 June 2026.
8 U.S.C. §1481 (Immigration and Nationality Act §349), and the administrative renunciation procedure	§1481(a)(5), (b)	Statute in force	The requirement that formal renunciation be made before a consular officer in a foreign state means the right cannot be exercised from within the United States by that route. Recorded as the limitation the obstruction record states.
Pearson v. Callahan, 555 U.S. 223 (2009)	555 U.S. 223, 236	Unanimous (Alito, J.)	The decision permits but does not compel a court to pass over the constitutional question, and the Court noted that deciding the merits first will often be beneficial.
Carlson v. Green, 446 U.S. 14 (1980)	446 U.S. 14, 17–23	Majority (Brennan, J.)	Subsequent decisions have declined to extend <i>Bivens</i> beyond the three recognised contexts and have described the recognition of new contexts as a disfavoured judicial activity.
City of Boerne v. Flores, 521 U.S. 507 (1997)	521 U.S. 507, 519–20	Majority (Kennedy, J.)	—
28 U.S.C. §1915 (in forma pauperis) and 28 U.S.C. §1930(f) (bankruptcy filing-fee waiver)	§1915(a)(1); §1930(f)(1)	Statutes in force	Neither reaches State-court filing fees, which remain a matter for State legislatures. Section 1915(b) requires prisoners granted in forma pauperis status to pay the fee over time rather than excusing it.
Prison Litigation Reform Act, 42 U.S.C. §1997e	§1997e(a), (e)	Statute in force	The provisions operate in the custodial setting, which is where claims under P-001 and P-002 principally arise. Verified 31 Jul 2026.
Monell v. Department of Social Services, 436 U.S. 658 (1978)	436 U.S. 658, 690–94	Majority (Brennan, J.)	The decision also overruled <i>Monroe v. Pape</i> in part and made municipalities suable at all, so it enlarged the remedy in one direction while confining it in another; the record states both.
Federal Tort Claims Act exceptions, 28 U.S.C. §2680(a) and (h)	§2680(a); §2680(h)	Statute in force	The proviso materially qualifies the exclusion in the setting most relevant to P-001 and P-002 and is recorded with the exclusion rather than after it.
United States v. Reynolds, 345 U.S. 1 (1953)	345 U.S. 1, 7–11	Majority (Vinson, C.J.)	The scope of the privilege as a basis for dismissing an action at the outset, rather than as an evidentiary rule applied during proceedings, has developed in the courts of appeals and is NOT stated here as a holding of <i>Reynolds</i> . The particular decisions applying it to civil claims arising from alleged torture have not been individually verified in this pass and are not asserted.
R.A.V. v. City of St. Paul, 505 U.S. 377 (1992)	505 U.S. at 391–96	Scalia, J., for the Court, joined by Rehnquist, C.J., and Kennedy, Souter and Thomas, JJ. Judgment unanimous; reasoning 5–4. White, J., concurring in the judgment, joined by Blackmun and O'Connor, JJ., and by Stevens, J., except as to Part I-A; Blackmun, J., and Stevens, J., each concurring in the judgment.	Four Justices concurred in the judgment on overbreadth alone and rejected the content-discrimination rationale; the content-discrimination holding therefore commanded five votes. The decision governs suppression of protected expression and does not address non-suppressive responses to discriminatory incitement.
Wisconsin v. Mitchell, 508 U.S. 476 (1993)	508 U.S. at 487–90	Rehnquist, C.J., delivered the opinion for a unanimous Court (9–0).	Distinguishes rather than qualifies <i>R.A.V.</i> ; the decision concerns sentencing for conduct and does not establish any affirmative governmental duty to remedy discriminatory effects.
Butler v. Perry, 240 U.S. 328 (1916)	240 U.S. at 332–33	McReynolds, J., delivered the opinion of the Court.	Preserves the traditional civic-duty limit on the Thirteenth Amendment and so bounds any proposition that all compelled labour is prohibited. Its <i>Lochner</i> -era due-process reasoning is not relied on.
Pollock v. Williams, 322 U.S. 4 (1944)	322 U.S. at 17–18, 25	Jackson, J., delivered the opinion of the Court (7–2).	The holding concerns peonage for debt, not labour imposed following a valid conviction; it does not displace the punishment exception.
Yick Wo v. Hopkins, 118 U.S. 356 (1886)	118 U.S. at 369	Matthews, J., delivered the opinion for a unanimous Court (9–0).	The case concerns administration so exclusionary as to admit no other explanation; it is not authority for a general constitutional effects test, which <i>Washington v. Davis</i> and <i>Feeney</i> foreclose.
O'Connor v. Donaldson, 422 U.S. 563 (1975)	422 U.S. at 575–76	Stewart, J., delivered the opinion for a unanimous Court; Burger, C.J., filed a concurring opinion.	The Court expressly declined to decide whether a committed patient has a constitutional right to treatment. It sets a substantive limit on confinement; it does not establish an entitlement to supported decision-making or to the preservation of legal capacity.

Authority	Pin cite	Status	Contrary or limiting authority
Addington v. Texas, 441 U.S. 418 (1979)	441 U.S. at 425–33	Burger, C.J., delivered the opinion of the Court (8–0); Powell, J., took no part in the consideration or decision of the case.	The holding is a procedural minimum for commitment. It does not address guardianship or substitute decision-making generally, and supplies no individualised-necessity requirement outside commitment.
Heller v. Doe, 509 U.S. 312 (1993)	509 U.S. at 319–21, 321–30	Kennedy, J., delivered the opinion of the Court; O'Connor, J., concurred in part and dissented in part; Blackmun, J., and Souter, J., each filed dissenting opinions. Rational-basis review applied; the heightened-scrutiny question was not properly presented and was not reached.	Adverse to any claim that disability classifications in the guardianship and commitment field receive heightened scrutiny; the Court expressly declined to decide the standard-of-review question. Vote composition on the several parts of the judgment is recorded from the opinion listing and is not stated more precisely than the source supports.
Vance v. Terrazas, 444 U.S. 252 (1980)	444 U.S. at 260, 263, 267–70	White, J., delivered the opinion of the Court, joined by Burger, C.J., and Blackmun, Powell and Rehnquist, JJ. (5–4). Marshall, J., and Stevens, J., each concurring in part and dissenting in part; Brennan, J., dissenting, joined as to Part II by Stewart, J.	The Court sustained the statutory preponderance standard and the presumption of voluntariness, which are limits on the citizen's evidentiary position rather than on the government's.
Richards v. Secretary of State, 752 F.2d 1413 (9th Cir. 1985)	752 F.2d at 1421–22	Reinhardt, Circuit Judge, for the panel (Hug and Reinhardt, Circuit Judges, and Panner, District Judge, sitting by designation). No dissent.	A court of appeals panel decision, not a Supreme Court holding. The statement appears in reasoning that rejected the citizen's own claim to retain nationality; the court affirmed the loss of citizenship. The passage is relied on for the scope of the recognised choice, not for any procedural entitlement.
Farrell v. Blinken, 4 F.4th 124 (D.C. Cir. 2021)	4 F.4th at 127, 133, 137	Rao, Circuit Judge, for the panel; Katsas, Circuit Judge, dissenting. Argued 1 October 2020, decided 13 July 2021.	At 133 the court held that the founding-era right of election is not identical to the right to expatriate — limiting authority against the historical grounding of an expatriation-procedure residual. The decision also confirms that administrative-law review already supplies a remedy for arbitrary denial, which is why the procedural residual is not separately established.
Richardson v. Ramirez, 418 U.S. 24 (1974)	418 U.S. at 54–55	Rehnquist, J., delivered the opinion of the Court, joined by Burger, C.J., and Stewart, White, Blackmun and Powell, JJ. (6–3). Marshall, J., dissenting, joined by Brennan, J., and by Douglas, J., as to Part I-A; Douglas, J., filed a dissenting statement.	Section 2 sanctions but does not mandate disenfranchisement; the holding does not immunise a disenfranchisement scheme from a racial-purpose challenge.
Rucho v. Common Cause, 588 U.S. 684 (2019)	588 U.S. at 699–718	Roberts, C.J., delivered the opinion of the Court, joined by Thomas, Alito, Gorsuch and Kavanaugh, JJ. (5–4). Kagan, J., dissenting, joined by Ginsburg, Breyer and Sotomayor, JJ.	The holding is confined to federal partisan-gerrymandering allocation claims. The Court expressly noted that State constitutions and State courts, and Congress, remain available; it is not authority that every electoral-genuineness duty lacks manageable content.
Moore v. Harper, 600 U.S. 1 (2023)	600 U.S. at 22–36	Roberts, C.J., delivered the opinion of the Court, joined by Sotomayor, Kagan, Kavanaugh, Barrett and Jackson, JJ. (6–3). Kavanaugh, J., concurring. Thomas, J., dissenting, joined by Gorsuch, J., and by Alito, J., as to Part I.	The decision preserves a State-law route of scrutiny; it creates no federal personal right to genuine elections, and so does not supply the duty element the residual proposition requires.

Authority	Pin cite	Status	Contrary or limiting authority
Virginia v. Black, 538 U.S. 343 (2003)	538 U.S. at 359–63 (Parts I–III); 363–67 (Parts IV–V, plurality)	O'Connor, J., announced the judgment of the Court and delivered the opinion of the Court as to Parts I, II and III, joined by Rehnquist, C.J., and Stevens, Scalia and Breyer, JJ. Parts IV and V are a PLURALITY of four — O'Connor, J., joined only by Rehnquist, C.J., and Stevens and Breyer, JJ. Stevens, J., concurring; Scalia, J., concurring in part, concurring in the judgment in part and dissenting in part, joined as to Parts I and II by Thomas, J.; Souter, J., concurring in the judgment in part and dissenting in part, joined by Kennedy and Ginsburg, JJ.; Thomas, J., dissenting.	The holding that the statutory prima-facie-evidence provision is unconstitutional rests in Parts IV and V, which commanded only FOUR votes and are plurality reasoning, not an opinion of the Court. Any proposition drawn from Parts IV–V must be cited as a plurality. The decision permits proscription of intimidating expression; it establishes no affirmative governmental duty to remedy discriminatory effects.
Winston v. Lee, 470 U.S. 753 (1985)	470 U.S. at 759–63, 766	Brennan, J., delivered the opinion of the Court, joined by Burger, C.J., and White, Marshall, Powell, Stevens and O'Connor, JJ. Burger, C.J., concurring. Blackmun, J., concurring in the judgment, joined by Rehnquist, J. Judgment 9–0.	A Fourth Amendment reasonableness holding governing evidence-gathering intrusions. It does not establish a general constitutional right to bodily integrity outside the search-and-seizure setting, and the Court expressly retained the case-by-case Schmerber framework rather than announcing a categorical rule. Scope: this authority defines a bounded existing protection of bodily integrity or personal security. It does NOT establish P-022's affirmative protection-system residual, and is recorded as a current-law-core and limiting authority, not as support for retention.
Washington v. Harper, 494 U.S. 210 (1990)	494 U.S. at 221–22, 227, 229–36	Kennedy, J., delivered the opinion for a unanimous Court as to Part II, and the opinion of the Court as to Parts I, III, IV and V, joined by Rehnquist, C.J., and White, Blackmun, O'Connor and Scalia, JJ. Blackmun, J., concurring. Stevens, J., concurring in part and dissenting in part, joined by Brennan and Marshall, JJ.	The Court sustained an administrative rather than judicial decision procedure, holding that due process required no judicial hearing. The recognised liberty interest is therefore qualified in the custodial setting and does not establish an unqualified consent requirement. Scope: this authority defines a bounded existing protection of bodily integrity or personal security. It does NOT establish P-022's affirmative protection-system residual, and is recorded as a current-law-core and limiting authority, not as support for retention.
Cruzan, 497 U.S. 261 (1990)	497 U.S. at 278–79, 280–87	Rehnquist, C.J., delivered the opinion of the Court, joined by White, O'Connor, Scalia and Kennedy, JJ. (5–4). O'Connor, J., and Scalia, J., each concurring. Brennan, J., dissenting, joined by Marshall and Blackmun, JJ. Stevens, J., dissenting.	Scope limit: the Court did not HOLD that a competent person has a constitutionally protected right to refuse lifesaving hydration and nutrition — it ASSUMED so for purposes of the case (at 279). Any proposition drawn from that passage must be cited as an assumption, not a holding. Scalia, J., concurring, would have denied any such right. Scope: this authority defines a bounded existing protection of bodily integrity or personal security. It does NOT establish P-022's affirmative protection-system residual, and is recorded as a current-law-core and limiting authority, not as support for retention.
Kingsley v. Hendrickson, 576 U.S. 389 (2015)	576 U.S. at 396–97, 400–02	Breyer, J., delivered the opinion of the Court, joined by Kennedy, Ginsburg, Sotomayor and Kagan, JJ. (5–4). Scalia, J., dissenting, joined by Roberts, C.J., and Thomas, J. Alito, J., dissenting.	The standard governs pretrial detainees under the Due Process Clause and does not displace the Eighth Amendment subjective standard for convicted prisoners; it is a standard of liability, not a source of any affirmative protective duty. Scope: this authority defines a bounded existing protection of bodily integrity or personal security. It does NOT establish P-022's affirmative protection-system residual, and is recorded as a current-law-core and limiting authority, not as support for retention.
Ng Fung Ho v. White, 259 U.S. 276 (1922)	259 U.S. at 282, 284–85	Brandeis, J., delivered the opinion for a unanimous Court.	The entitlement is to a judicial trial of the citizenship claim, not to a general right against removal. The Court in the same opinion affirmed that Congress may order the deportation of aliens by executive proceedings.
Kennedy v. Mendoza-Martinez, 372 U.S. 144 (1963)	372 U.S. at 160–67, 186	Goldberg, J., delivered the opinion of the Court, joined by Warren, C.J., and Black, Douglas and Brennan, JJ. (5–4). Brennan, J., concurring. Harlan, J., dissenting, joined by Clark, J. Stewart, J., dissenting, joined by White, J.	The holding rests on the penal character of the particular provisions and on procedural safeguards, not on a general prohibition of denationalization. The majority was five of nine.
Cummings v. Missouri, 71 U.S. (4 Wall.) 277 (1867)	71 U.S. at 320–23	Field, J., delivered the opinion of the Court, joined by Wayne, Nelson, Grier and Clifford, JJ. (5–4). Chase, C.J., dissenting, joined by Miller, Swayne and Davis, JJ.	A bill-of-attainder and ex post facto holding decided 5–4 in the Reconstruction test-oath context. It defines when a civil disability counts as punishment; it does not itself confer any right of nationality or residence.

Authority	Pin cite	Status	Contrary or limiting authority
Wong Wing v. United States, 163 U.S. 228 (1896)	163 U.S. at 237–38	Shiras, J., delivered the opinion of the Court, joined by Harlan, Gray, Brown, White and Peckham, JJ. Field, J., concurring in part and dissenting in part. Brewer, J., took no part in the consideration or decision of the case.	The decision expressly preserves the political branches' power to exclude and expel by executive process; the constitutional bar reaches infamous punishment imposed without trial, not removal itself.
Saenz v. Roe, 526 U.S. 489 (1999)	526 U.S. at 500-04	Stevens, J., delivered the opinion of the Court, joined by O'Connor, Scalia, Kennedy, Souter, Ginsburg and Breyer, JJ. (7-2). Rehnquist, C.J., dissenting, joined by Thomas, J. Thomas, J., dissenting, joined by Rehnquist, C.J.	The holding concerns interstate travel and equal treatment of new residents. It is not authority for a distinct federal right of intrastate movement and residence, which is the residual tested at P-028.
Loving v. Virginia, 388 U.S. 1 (1967)	388 U.S. at 12	Warren, C.J., delivered the opinion for a unanimous Court; Stewart, J., concurring.	The decision rests on the invalidity of racial classification and on marriage as a protected liberty. It does not establish any affirmative State duty of family protection.
Zablocki v. Redhail, 434 U.S. 374 (1978)	434 U.S. at 383-87	Marshall, J., delivered the opinion of the Court, joined by Burger, C.J., and Brennan, White and Blackmun, JJ. Burger, C.J., Stewart, Powell and Stevens, JJ., each concurring. Rehnquist, J., dissenting. The opinion of the Court commanded five votes.	Decided on equal-protection grounds; the opinion of the Court had five votes with four Justices concurring separately. It secures marriage against significant interference and creates no affirmative entitlement.
Turner v. Safley, 482 U.S. 78 (1987)	482 U.S. at 94-99	O'Connor, J., delivered the opinion of the Court, joined by Rehnquist, C.J., and White, Powell and Scalia, JJ., and as to Part III-B by Brennan, Marshall, Blackmun and Stevens, JJ. Stevens, J., concurring in part and dissenting in part, joined by Brennan, Marshall and Blackmun, JJ.	The Court adopted a REASONABLE-RELATIONSHIP standard rather than strict scrutiny for prison regulations burdening fundamental rights, and on that standard upheld the correspondence regulation. That is a significant limit on the protection recognised.
Skinner v. Oklahoma ex rel. Williamson, 316 U.S. 535 (1942)	316 U.S. at 541	Douglas, J., delivered the opinion of the Court; Stone, C.J., and Jackson, J., each concurring. Judgment unanimous.	Decided on equal-protection grounds. Stone, C.J., concurring, found the equal-protection rationale unpersuasive and would have decided on procedural due process. The case protects against State interference; it imposes no affirmative duty.
Dent v. West Virginia, 129 U.S. 114 (1889)	129 U.S. at 121-22	Field, J., delivered the opinion for a unanimous Court.	The case sustains State regulation; it is authority for the boundedness of any right to work, not for an affirmative right to employment.
Conn v. Gabbert, 526 U.S. 286 (1999)	526 U.S. at 291-92	Rehnquist, C.J., delivered the opinion of the Court, joined by O'Connor, Scalia, Kennedy, Souter, Thomas, Ginsburg and Breyer, JJ. (9-0). Stevens, J., concurring in the judgment.	Directly limiting: the Court characterised the right to pursue a calling as generalised and subject to reasonable regulation, and declined to find a liberty deprivation. Adverse to any affirmative right-to-work proposition.
Obergefell v. Hodges, 576 U.S. 644 (2015)	576 U.S. at 663-72, 675	Kennedy, J., delivered the opinion of the Court, joined by Ginsburg, Breyer, Sotomayor and Kagan, JJ. (5-4). Roberts, C.J., dissenting, joined by Scalia and Thomas, JJ.; Scalia, J., dissenting, joined by Thomas, J.; Thomas, J., dissenting, joined by Scalia, J.; Alito, J., dissenting, joined by Scalia and Thomas, JJ.	A 5-4 decision with four separate dissents. It secures access to marriage against State exclusion; it establishes no affirmative State duty of family protection or assistance, which is the residual the study tests separately.
Truax v. Raich, 239 U.S. 33 (1915)	239 U.S. at 41	Hughes, J., delivered the opinion of the Court, joined by White, C.J., and McKenna, Holmes, Day, Van Devanter, Lamar and Pitney, JJ. McReynolds, J., dissenting.	Decided on equal-protection grounds against a discriminatory State restriction. It protects against exclusion from a calling; it creates no affirmative entitlement to employment, and Conn v. Gabbert later characterised this line as reaching only complete prohibition of a calling.
Smith v. Arkansas State Highway Employees, Local 1315, 441 U.S. 463 (1979)	441 U.S. at 464-66	PER CURIAM. Certiorari granted and judgment reversed without argument.	DIRECTLY ADVERSE to any collective-bargaining or recognition duty. A per curiam summary reversal, which limits its weight as reasoned authority but not its holding. It marks the precise boundary: association and advocacy are protected; recognition and bargaining are not constitutionally compelled.

Authority	Pin cite	Status	Contrary or limiting authority
Eldred v. Ashcroft, 537 U.S. 186 (2003)	537 U.S. at 199-208, 219-21	Ginsburg, J., delivered the opinion of the Court, joined by Rehnquist, C.J., and O'Connor, Scalia, Kennedy, Souter and Thomas, JJ. (7-2). Stevens, J., and Breyer, J., each dissenting.	The Copyright Clause is treated as a GRANT OF LEGISLATIVE POWER, not an entitlement of authors. Adverse to any antecedent authorial material interest beyond the statutory grant. This is the same reading the study applies to the Naturalisation Clause at P-030.
Golan v. Holder, 565 U.S. 302 (2012)	565 U.S. at 318-29	Ginsburg, J., delivered the opinion of the Court, joined by Roberts, C.J., and Scalia, Kennedy, Thomas and Sotomayor, JJ. (6-2). Breyer, J., dissenting, joined by Alito, J. Kagan, J., took no part in the consideration or decision of the case.	Reinforces Eldred: authorial interests exist by legislative grant and the public domain confers no vested countervailing right. Adverse to an antecedent material-interest residual. Decided 6-2 with Kagan, J., not participating.
Trop v. Dulles, 356 U.S. 86 (1958)	356 U.S. at 92-93, 101-03 (plurality)	Warren, C.J., announced the judgment of the Court and delivered a PLURALITY opinion joined by Black, Douglas and Whittaker, JJ. — FOUR votes. Black, J., concurring, joined by Douglas, J. Brennan, J., concurring in the judgment on the separate ground that §401(g) exceeded the war power, expressly NOT on Eighth Amendment grounds. Frankfurter, J., dissenting, joined by Burton, Clark and Harlan, JJ. Judgment 5-4.	Voting alignment: the Eighth Amendment rationale is PLURALITY reasoning commanding only four votes. Brennan, J., supplied the fifth vote on a war-power ground and did not join it. Any proposition resting on the Eighth Amendment characterisation of denationalization must be cited as a plurality, not as a holding of the Court.

Appendix D — State Constitutional Remedy and Open-Courts Clauses

The constitutional remedy or open-courts guarantee, if any, in each of the fifty States. Forty State constitutions contain a remedy clause, an open-courts clause, or both; ten contain none (Alaska, California, Hawaii, Iowa, Michigan, Nevada, New Jersey, New Mexico, New York, Virginia). The count matches Chief Justice Thomas R. Phillips, *The Constitutional Right to a Remedy*, 78 N.Y.U. L. Rev. 1309, 1310 (2003). What this annex surveys is the availability of a remedy through the courts, the openness of proceedings under the open-courts formulations, and the injury interests the clauses enumerate. It supports the effective-remedy determination at P-004 and the enumerated reputation interest at P-008, and it bears on P-005 only as to access to a court and the openness of proceedings. It is not a survey of tribunal independence or impartiality, of equality of arms, or of criminal procedure, and it is not cited for those subjects. Every text was retrieved from, or verified against, the State legislature, secretary of state, official code publisher, or official state-directed publication identified in the verification column. For Arkansas, the Secretary of State's official research page links to the Arkansas Constitution of 1874 through Lexis, and article II, section 13 was cross-checked against concordant Justia and FindLaw transcriptions. Leading cases are illustrative, not exhaustive. The construction classification column records the completed per-State classification: under the strict standard the study counts ten clear favourable controlling constructions among the clause States — Alabama, Florida, Illinois, Indiana, Kentucky, Missouri, Oregon, Texas, Utah, and Wyoming — with the remaining clause-States recorded as limiting, related, favourable only through a separate remedial provision, or without a located controlling decision, as the column shows.

State	Clause	Constitutional text	Citation	Verification source	Leading case	Construction classification	Clear favourable P-004 construction?
Alabama	Both	"That all courts shall be open; and that every person, for any injury done him, in his lands, goods, person, or reputation, shall have a remedy by due process of law; and right and justice shall be administered without sale, denial, or delay."	Ala. Const. art. I, § 13	alison.legislature.state.al.us/c/constitution	Jackson v. Mannesmann Demag Corp., 435 So. 2d 725 (Ala. 1983); Lankford v. Sullivan, Long & Hagerty, 416 So. 2d 996 (Ala. 1982)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Alaska	None	—	—	—	—	NO CLAUSE	No
Arizona	Open-courts	"Justice in all cases shall be administered openly, and without unnecessary delay."	Ariz. Const. art. II, § 11	azleg.gov/officialtext (azleg.gov/const/2/11.htm) — verified against the official Arizona Legislature publication; matches	Kenyon v. Hammer, 688 P.2d 961 (Ariz. 1984) (individually enforceable; struck malpractice limitation)	FAVORABLE — OTHER STATE REMEDIAL PROVISION	No
Arkansas	Right-conferring	"Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person, property or character; he ought to obtain justice freely, and without purchase; completely, and without denial; promptly and without delay; conformably to the laws."	Ark. Const. art. II, § 13	Arkansas Secretary of State, Election Results & Research, "Arkansas Constitution of 1874" (official state page linking to Lexis); art. II, § 13 cross-checked against Justia & FindLaw (law.justia.com/constitution/arkansas/article-2/section-13/).	Owen v. Wilson, 537 S.W.2d 543 (Ark. 1976) (upheld limitations; narrower reading)	LIMITING / UPHELD LIMITATION	No
California	None	—	—	—	—	NO CLAUSE	No
Colorado	Both	"Courts of justice shall be open to every person, and a speedy remedy afforded for every injury to person, property or character; and right and justice should be administered without sale, denial or delay."	Colo. Const. art. II, § 6	content.leg.colorado.gov (Office of Legislative Legal Services, CRS 2024)	State ex rel. Colorado State Claims Bd. of the Div. of Risk Mgmt. v. DeFoor, 824 P.2d 783 (Colo. 1992) (en banc) (Vollack, J.); see also Curtiss v. GSX Corp., 774 P.2d 873 (Colo. 1989)	LIMITING / NO INDEPENDENT RIGHT	No
Connecticut	Both	"All courts shall be open, and every person, for an injury done to him in his person, property or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay."	Conn. Const. art. I, § 10	cga.ct.gov (official CGA constitution PDF, p.143) — punctuation verified against three concurring official sources	Kelley Property Dev. v. Town of Lebanon, 226 Conn. 314 (1993)	RELATED / NOT A FAVORABLE REMEDY-CLAUSE HOLDING	No
Delaware	Both	"All courts shall be open; and every individual for an injury done to the individual's reputation, person, or movable or immovable possessions, shall have remedy by the due course of law, and justice administered according to the very right of the cause and the law of the land, without sale, denial, or unreasonable delay or expense. Suits may be brought against this State, according to such regulations as shall be made by law."	Del. Const. art. I, § 9	delcode.delaware.gov/constitution	Sadler v. New Castle County, 565 A.2d 917 (Del. 1989)	LIMITING / UPHELD IMMUNITY	No
Florida	Open-courts (redress)	"The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay."	Fla. Const. art. I, § 21	fsenate.gov/laws/constitution	Kluger v. White, 281 So. 2d 1 (Fla. 1973), refined in Smith v. Dep't of Insurance, 507 So. 2d 1080 (Fla. 1987)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Georgia	Access-to-courts (other)	"No person shall be deprived of the right to prosecute or defend, either in person or by an attorney, that person's own cause in any of the courts of this state."	Ga. Const. art. I, § 1, para. XII	sos.ga.gov (Georgia Secretary of State)	—	NO CONTROLLING DECISION LOCATED	No
Hawaii	None	—	—	—	—	NO CLAUSE	No
Idaho	Both	"Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character, and right and justice shall be administered without sale, denial, delay, or prejudice."	Idaho Const. art. I, § 18	legislature.idaho.gov/statutesrules/idconst/art1/sect18	Twin Falls Clinic & Hosp. Bldg. Corp. v. Hamill, 644 P.2d 341 (Idaho 1982)	LIMITING / UPHELD LIMITATION	No
Illinois	Right-conferring	"Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property or reputation. He shall obtain justice by law, freely, completely, and promptly."	Ill. Const. art. I, § 12	ilga.gov/commission/tb/conf1.htm	Crocker v. Finley, 459 N.E.2d 1346 (Ill. 1984), applied in Walker v. Chasteen, 2021 IL 126086	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Indiana	Both	"All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase, completely, and without denial; speedily, and without delay."	Ind. Const. art. I, § 12	iga.in.gov (official); text confirmed rcdp.org	Smith v. Indiana Department of Correction, 863 N.E.2d 802 (Ind. 2008) (open-courts invalidation of prisoner-suit bar)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Iowa	None	—	—	—	—	NO CLAUSE	No

State	Clause	Constitutional text	Citation	Verification source	Leading case	Construction classification	Clear favourable P-004 construction?
Kansas	Right-conferring	"All persons, for injuries suffered in person, reputation or property, shall have remedy by due course of law, and justice administered without delay."	Kan. Const. Bill of Rights, § 18	sos.ks.gov (Kansas Secretary of State)	Henry v. Bauder, 518 P.2d 362 (Kan. 1974)	RELATED — OTHER CONSTITUTIONAL GROUND	No
Kentucky	Both	"All courts shall be open, and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay."	Ky. Const. § 14	apps.legislature.ky.gov/Law/C constitution	Perkins v. Northeastern Log Homes, 808 S.W.2d 809 (Ky. 1991), reaffirmed in Williams v. Wilson, 972 S.W.2d 260 (Ky. 1998)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Louisiana	Both	"All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay, for injury to him in his person, property, reputation, or other rights."	La. Const. art. I, § 22	senate.la.gov	Crier v. Whitecloud, 496 So. 2d 305 (La. 1986) (legislature has discretion over limitations)	LIMITING / NO INDEPENDENT RIGHT	No
Maine	Right-conferring	"Every person, for an injury inflicted on the person or the person's reputation, property or immunities, shall have remedy by due course of law, and right and justice shall be administered freely and without sale, completely and without denial, promptly and without delay."	Me. Const. art. I, § 19	legislature.maine.gov/ros/Law sOfMaine	Maine Med. Ctr. v. Cote, 577 A.2d 1173 (Me. 1990)	LIMITING / UPHELD LIMITATION	No
Maryland	Right-conferring (Coke long form)	"That every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the Law of the Land."	Md. Const. Decl. of Rights, art. 19	mgaleg.maryland.gov	Hill v. Fitzgerald, 501 A.2d 27 (Md. 1985) (upheld limitations)	LIMITING / UPHELD LIMITATION	No
Massachusetts	Right-conferring	"Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws."	Mass. Const. pt. I, art. XI	malegislature.gov/Laws/Constitution	Klein v. Catalano, 437 N.E.2d 514 (Mass. 1982) (upheld statute of repose)	LIMITING / UPHELD LIMITATION	No
Michigan	None	—	—	—	—	NO CLAUSE	No
Minnesota	Right-conferring	"Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive to his person, property or character, and to obtain justice freely and without purchase, completely and without denial, promptly and without delay, conformable to the laws."	Minn. Const. art. I, § 8	revisor.mn.gov (official Revisor of Statutes constitution) — verified against the official publication; matches	—	NO CONTROLLING DECISION LOCATED	No
Mississippi	Both	"All courts shall be open; and every person for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice shall be administered without sale, denial, or delay."	Miss. Const. art. 3, § 24	sos.ms.gov (Mississippi Secretary of State)	—	NO CONTROLLING DECISION LOCATED	No
Missouri	Both	"That the courts of justice shall be open to every person, and certain remedy afforded for every injury to person, property or character, and that right and justice shall be administered without sale, denial or delay."	Mo. Const. art. I, § 14	revisor.mo.gov	State ex rel. Cardinal Glennon Mem'l Hosp. v. Gaertner, 583 S.W.2d 107 (Mo. 1979)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Montana	Both (+ unique workers'-comp clause)	"Courts of justice shall be open to every person, and speedy remedy afforded for every injury of person, property, or character. No person shall be deprived of this full legal redress for injury incurred in employment for which another person may be liable except as to fellow employees and his immediate employer who hired him if such immediate employer provides coverage under the Workmen's Compensation Laws of this state. Right and justice shall be administered without sale, denial, or delay."	Mont. Const. art. II, § 16	archive.legmt.gov (Montana Legislature)	Meech v. Hillhaven West, 776 P.2d 488 (Mont. 1989)	LIMITING / NO FUNDAMENTAL REDRESS RIGHT	No
Nebraska	Both	"All courts shall be open, and every person, for any injury done him or her in his or her lands, goods, person, or reputation, shall have a remedy by due course of law and justice administered without denial or delay, except that the Legislature may provide for the enforcement of mediation, binding arbitration agreements, and other forms of dispute resolution which are entered into voluntarily ..."	Neb. Const. art. I, § 13	nebraskalegislature.gov/laws	Prendergast v. Nelson, 256 N.W.2d 657 (Neb. 1977) (upheld screening)	LIMITING / UPHELD SCREENING	No
Nevada	None	—	—	—	—	NO CLAUSE	No
New Hampshire	Right-conferring	"Every subject of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws."	N.H. Const. pt. I, art. 14	nh.gov/glance/state-constitution (NH Secretary of State)	Heath v. Sears, Roebuck & Co., 464 A.2d 288 (N.H. 1983)	RELATED — OTHER CONSTITUTIONAL GROUND	No
New Jersey	None	—	—	—	—	NO CLAUSE	No
New Mexico	None	—	—	—	—	NO CLAUSE	No
New York	None	—	—	—	—	NO CLAUSE	No
North Carolina	Both	"All courts shall be open; every person for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law; and right and justice shall be administered without favor, denial, or delay."	N.C. Const. art. I, § 18	ncleg.gov/Laws/Constitution/Article1	Lamb v. Wedgewood S. Corp., 302 S.E.2d 868 (N.C. 1983) (upheld repose)	LIMITING / UPHELD REPOSE	No
North Dakota	Both	"All courts shall be open, and every man for any injury done him in his lands, goods, person or reputation shall have remedy by due process of law, and right and justice administered without sale, denial or delay. Suits may be brought against the state in such manner, in such courts, and in such cases, as the legislative assembly may, by law, direct."	N.D. Const. art. I, § 9	ndlegis.gov/constit/a01.pdf	Hanson v. Williams County, 389 N.W.2d 319 (N.D. 1986) (struck repose)	RELATED — OTHER CONSTITUTIONAL GROUND	No
Ohio	Both	"All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law."	Ohio Const. art. I, § 16	codes.ohio.gov/ohio-constitution/section-1.16	Ruther v. Kaiser, 134 Ohio St.3d 408, 2012-Ohio-5686, 983 N.E.2d 291	LIMITING / UPHELD LIMITATION	No
Oklahoma	Both	"The courts of justice of the State shall be open to every person, and speedy and certain remedy afforded for every wrong and for every injury to person, property, or reputation; and right and justice shall be administered without sale, denial, delay, or prejudice."	Okla. Const. art. II, § 6	oksenate.gov	Reynolds v. Porter, 760 P.2d 816 (Okla. 1988) (struck malpractice limitation)	RELATED — SPECIAL-LAWS GROUND	No
Oregon	Both	"No court shall be secret, but justice shall be administered, openly and without purchase, completely and without delay; and every man shall have remedy by due course of law for injury done him in his person, property, or reputation."	Or. Const. art. I, § 10	oregonlegislature.gov/bills_laws/statutes/orcons	Busch v. McInnis Waste Systems, Inc., 366 Or. 628, 468 P.3d 419 (2020) (Walters, C.J.)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Pennsylvania	Both	"All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct."	Pa. Const. art. I, § 11	legis.state.pa.us	Mattoe v. Thompson, 421 A.2d 190 (Pa. 1980) (struck arbitration requirement)	RELATED — JURY-TRIAL / DELAY GROUND	No
Rhode Island	Right-conferring	"Every person within this state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which may be received in one's person, property, or character. Every person ought to obtain right and justice freely, and without purchase, completely and without denial; promptly and without delay; conformably to the laws."	R.I. Const. art. I, § 5	rilegislature.gov/riconstitution	Dowd v. Rayner, 655 A.2d 679 (R.I. 1995) (upheld limitations vs. minors)	LIMITING / UPHELD LIMITATION	No
South Carolina	Open-courts (distinctive short form)	"All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained."	S.C. Const. art. I, § 9	scstatehouse.gov/sconstitution/A01.pdf	—	NO CONTROLLING DECISION LOCATED	No
South Dakota	Both	"All courts shall be open, and every man for an injury done him in his property, person or reputation, shall have remedy by due course of law, and right and justice, administered without denial or delay."	S.D. Const. art. VI, § 20	sdlegislature.gov/Constitution/20	Cleveland v. City of Lead, 2003 SD 54, 663 N.W.2d 212	LIMITING / UPHELD LIMITATION	No

State	Clause	Constitutional text	Citation	Verification source	Leading case	Construction classification	Clear favourable P-004 construction?
Tennessee	Both	"That all courts shall be open; and every man, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay. Suits may be brought against the State in such manner and in such courts as the Legislature may by law direct."	Tenn. Const. art. I, § 17	publications.tnsofiles.com (TN Secretary of State)	Harrison v. Schraeder, 569 S.W.2d 822 (Tenn. 1978) (upheld limitations)	LIMITING / UPHELD LIMITATION	No
Texas	Both	"All courts shall be open, and every person for an injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law."	Tex. Const. art. I, § 13	tlc.texas.gov (Texas Legislative Council)	Sax v. Votteler, 648 S.W.2d 661 (Tex. 1983); LeCroy v. Hanlon, 713 S.W.2d 335 (Tex. 1986); Nelson v. Krusen, 678 S.W.2d 918 (Tex. 1984)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Utah	Both	"All courts shall be open, and every person, for an injury done to the person in his or her person, property, or reputation, shall have remedy by due course of law, which shall be administered without denial or unnecessary delay; and no person shall be barred from prosecuting or defending before any tribunal in this State, with or without counsel, any civil cause to which the person is a party."	Utah Const. art. I, § 11	le.utah.gov/code/ArticleI	Berry ex rel. Berry v. Beech Aircraft Corp., 717 P.2d 670 (Utah 1985), as applied in Waite v. Utah Labor Comm'n, 2017 UT 86, 416 P.3d 635	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes
Vermont	Both (in two provisions)	Remedy: "Every person within this state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which one may receive in person, property or character; every person ought to obtain right and justice, freely, and without being obliged to purchase it, completely and without any denial; promptly and without delay; conformably to the laws." (ch. I, art. 4). Open courts: "The Courts of Justice shall be open for the trial of all causes proper for their cognizance; and justice shall be therein impartially administered, without corruption or unnecessary delay." (ch. II, § 28)	Vt. Const. ch. I, art. 4; ch. II, § 28	legislature.vermont.gov/statutes/constitution	—	NO CONTROLLING DECISION LOCATED	No
Virginia	None	—	—	—	—	NO CLAUSE	No
Washington	Open-courts (distinctive short form)	"Justice in all cases shall be administered openly, and without unnecessary delay."	Wash. Const. art. I, § 10	leg.wa.gov	Cohen v. Everett City Council, 535 P.2d 801 (Wash. 1975)	RELATED — PUBLIC-PROCEEDINGS HOLDING	No
West Virginia	Both	"The courts of this state shall be open, and every person, for an injury done to him, in his person, property or reputation, shall have remedy by due course of law; and justice shall be administered without sale, denial or delay."	W. Va. Const. art. III, § 17	wvlegislature.gov/wvcode/wv_con.cfm	State ex rel. Herald Mail Co. v. Hamilton, 267 S.E.2d 544 (W. Va. 1980)	RELATED — PUBLIC CRIMINAL PROCEEDINGS	No
Wisconsin	Right-conferring	"Every person is entitled to a certain remedy in the laws for all injuries, or wrongs which he may receive in his person, property, or character; he ought to obtain justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay, conformably to the laws."	Wis. Const. art. I, § 9	docs.legis.wisconsin.gov/constitution	Aicher v. Wis. Patients Comp. Fund, 2000 WI 98 (hortatory — confers no new rights)	LIMITING / NO INDEPENDENT RIGHT	No
Wyoming	Both	"All courts shall be open and every person for an injury done to person, reputation or property shall have justice administered without sale, denial or delay. Suits may be brought against the state in such manner and in such courts as the legislature may by law direct."	Wyo. Const. art. I, § 8	sos.wyo.gov (Wyoming Secretary of State)	Phillips v. ABC Builders, 611 P.2d 821 (Wyo. 1980) (struck repose)	FAVORABLE — REMEDY/OPEN-COURTS HOLDING	Yes

Appendix E — State Constitutional Education Clauses

The constitutional education provision, if any, in each State and the District of Columbia — fifty-one jurisdictions — supporting the determinations at P-050 to P-053 and P-066. Forty-eight of the fifty-one have been read against the authority on which each rests; the verification column records the position for every entry. Of the three not read, Utah has no ruling to cite and the District of Columbia has no State constitution, and Oklahoma is corroborated by two independent characterisations of its holding rather than by the opinion itself. The rollup records the court posture as follows: twenty-two jurisdictions in which a right has been recognised and enforced, though in five of them the right enforced is confined to a particular field rather than to educational adequacy at large; ten in which the claim was adjudicated and no remedy followed; nine in which the courts have declined to adjudicate, of which three rest on a stated ground and are established, one is corroborated and the remainder are recorded as the entry finds them; four in which a right stands with no surviving enforcement mechanism; four untested; one in which declaratory relief is available and injunctive relief is not; and the District of Columbia, secured by statute. The rollup is a coarse index and the entry, its citation and any note beneath the table govern.

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollup	Deciding court	Court posture (primary-verified)	Verification	Verification
Alabama	Constitution of Alabama of 2022, art. XIV, §256	policy to “foster and promote the education of its citizens” consistent with available resources; no right to education or training at public expense	I–II	RECOGNISED-INACTIVE	HIGH	Ex parte James, 836 So. 2d 813 (Ala. 2002): judicial oversight of adequacy withdrawn; no enforced adequacy remedy	PRIMARY-VERIFIED	READ
Alaska	Alaska Const. art. VII, § 1	“system of public schools open to all children”	II	UNTESTED †	TRIAL	Tobeluk v. Lind, 589 P.2d 873 (Alaska 1979), was resolved by consent decree. The Supreme Court of Alaska has given no merits ruling on educational adequacy under the education clause, and its recent school-funding jurisprudence has turned on other constitutional provisions: State v. Alaska Legislative Council (Alaska 2022) decided a forward-funding appropriation under the dedicated funds clause, and State, Department of Education and Early Development v. Alexander, 566 P.3d 268, 271, 287 (Alaska 2025), held the correspondence-study and allotment statutes not facially unconstitutional under art. VII, §1, remanding for as-applied challenges. The adequacy rulings are of the Superior Court: Kasayulie v. State (1997–2011), Reese J., holding the facilities funding system to violate the education and equal protection clauses by favouring urban districts with access to debt reimbursement; and Moore v. State (2004), Gleason J., a one hundred and ninety-six page decision requiring a considerably more directive State role in troubled districts and striking down the high-school exit examination on substantive due process grounds. FURTHER LITIGATION NOTED: the Kuspuk and Fairbanks North Star Borough school districts have filed in Anchorage Superior Court alleging failure to provide a sound basic education and seeking a court-ordered adequacy study; the filing date and status are NOT ESTABLISHED and are NOT ASSERTED.	PRIMARY-VERIFIED (untested)	READ
Arizona	Ariz. Const. art. XI, § 1	“general and uniform public school system”	II	ENFORCEABLE — CAPITAL FUNDING; GENERAL ADEQUACY UNTESTED †	HIGH (capital funding) †	Roosevelt Elementary School District No. 66 v. Bishop (Ariz. 1994): the Supreme Court of Arizona held the capital-funding portion of the education finance system to violate the uniformity requirement of art. XI of the State constitution, the scheme preventing some districts from providing the facilities and equipment their students needed to meet State standards, and established specific tests any system must satisfy. The right is recognised and has been enforced. In Glendale Elementary School District v. State of Arizona, filed May 2017 and tried in May 2024, Judge Dewain Fox of the Maricopa County Superior Court held on 13 August 2025, in a one hundred and fourteen page order, that the current public-school capital finance system does not meet the constitutional minimum standards established	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
						by the Supreme Court of Arizona. An appeal was reported as expected and its status is NOT ESTABLISHED. SCOPE: both decisions concern capital funding. No merits ruling of the Supreme Court of Arizona on general educational adequacy has been identified, and <i>Espinoza v. Arizona</i> was dismissed in September 2008 for want of evidence of causation.		
Arkansas	Ark. Const. art. XIV, § 1	“general, suitable and efficient system of free public schools”	II–III	ENFORCEABLE — RIGHT RECOGNISED, SUPERVISION CONCLUDED 2007 †	HIGH	<i>Lake View School District No. 25 v. Huckabee</i> , 351 Ark. 31, 91 S.W.3d 472 (2002) (<i>Lake View III</i>): the school funding system held unconstitutionally inadequate and inequitable under the requirement that the State ever maintain a general, suitable and efficient system. The right is recognised and was enforced. It is not actively enforced. In <i>Lake View IV</i> , 358 Ark. 137, 189 S.W.3d 1 (18 June 2004), the Court released jurisdiction and issued its mandate, stating that it was not the Court’s constitutional role to monitor the General Assembly on an ongoing basis. The mandate was recalled on 9 June 2005 and special masters appointed; On 31 May 2007 the Court concluded that the system is in constitutional compliance and ordered its mandate to issue, ending the litigation after fifteen years. No judicial supervision has subsisted since 2007.	PRIMARY-VERIFIED	READ
California	Cal. Const. art. IX, §§ 1, 5	“general diffusion of knowledge ... essential to ... rights and liberties”; “system of common schools”	III	ENFORCEABLE — EQUAL PROTECTION / WEALTH EQUITY; ADEQUACY UNTESTED; INACTIVE †	HIGH (equal protection) †	<i>Serrano v. Priest</i> , 5 Cal. 3d 584, 487 P.2d 1241 (1971) (<i>Serrano I</i>); 18 Cal. 3d 728, 557 P.2d 929 (1976) (<i>Serrano II</i>); 20 Cal. 3d 25, 569 P.2d 1303 (1977) (<i>Serrano III</i>). The Supreme Court of California held that a school financing system resting on local property wealth establishes a classification based on district wealth which affects the fundamental interest of education, that the classification is suspect and the interest fundamental, and that the system must accordingly survive strict scrutiny under the State equal protection provisions, which it did not. SCOPE: the right enforced is one of EQUAL PROTECTION against wealth-based disparity, not a right to an adequate or qualitatively sufficient education. No merits ruling of that Court establishing an adequacy standard has been identified. STATUS: the litigation is inactive. The legislative response was constrained by Proposition 13 (1978) and the resulting State-funded scheme has remained in effect with occasional adjustments since; the last decision in the line is of 1977 and the last trial court ruling of 1983.	PRIMARY-VERIFIED	READ
Colorado	Colo. Const. art. IX, § 2	“thorough and uniform system of free public schools”	II	JUSTICIABLE — ADJUDICATED AND UPHELD; NO ADEQUACY REMEDY †	HIGH	<i>Lobato v. State</i> , 304 P.3d 1132 (Colo. 2013) (4–2; <i>Bender C.J.</i> And <i>Hobbs J.</i> Dissenting; <i>Márquez J.</i> Not participating): the Supreme Court of Colorado REACHED THE MERITS and held the public school financing system complies with the Education and Local Control Clauses, being rationally related to the thorough and uniform mandate, and reversed the district court’s 2011 judgment that the system was unconstitutional. The Court described the mandate as establishing a constitutional floor of a quality marked by completeness, comprehensive and consistent across the State, not requiring absolute equality of resources. The claim was justiciable and was adjudicated; the plaintiffs lost on the merits under deferential review.	PRIMARY-VERIFIED	READ
Connecticut	Conn. Const. art. VIII, § 1	“free public elementary and secondary schools”	I	ENFORCEABLE	HIGH	<i>Connecticut Coalition for Justice in Education Funding, Inc. v. Rell</i> , 327 Conn. 650 (2018) (decided 17 January 2018; 4–3; <i>Palmer, Robinson and Sheldon, JJ.</i> , concurring in part and dissenting in part): adequacy justiciable but under a highly deferential standard confined to whether the narrow and specific criteria for a minimally adequate system are satisfied; the State prevailed. The earlier decision in the same litigation (<i>CCJEF I</i> , 2010) established justiciability and the effective-and-meaningful-education standard.	PRIMARY-VERIFIED	READ
Delaware	Del. Const. art. X, § 1	“general and efficient system of free public schools”	II	ENFORCEABLE †	TRIAL †	<i>Delawareans for Educational Opportunity v. Carney, C.A.</i> No. 2018-0029-VCL (Del. Ch.): on 27 November 2018 the Court of Chancery denied the defendants’ motion to dismiss, holding that the plaintiffs stated justiciable claims, that the allegations supported a reasonable inference that the State was violating the Education Clause in failing to provide a general and efficient system of free public schools educating disadvantaged students, and THAT THE CONSTITUTIONAL OBLIGATION IS ONE THE JUDICIARY CAN ENFORCE. On 8 May 2020 Vice Chancellor Laster ruled for the plaintiffs, the first educational adequacy ruling in the State. A settlement announced on 12 October 2020 suspended the litigation and	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
						made the Opportunity Funding programme permanent.		
Florida	Fla. Const. art. IX, § 1	“uniform, efficient, safe, secure, and high quality ... paramount duty of the state”	II (contested; text is IV-like)	NON-JUSTICIABLE †	HIGH	Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles, 680 So. 2d 400, 408 (Fla. 1996), and Citizens for Strong Schools, Inc. v. State Board of Education, 262 So. 3d 127 (Fla. 2019) (narrowly divided; Pariente, Lewis and Quince, JJ., dissenting, each concurring in the other dissents): the Supreme Court of Florida approved the First District’s affirmance of the trial court’s rejection of a blanket challenge to the adequacy of K-12 funding under art. IX, §1(a), holding that Coalition defeated the claim, that the petitioners had presented no manageable standard by which to avoid judicial intrusion into the powers of the other branches, and that the 1998 amendment heightening the mandate to a paramount duty did not of itself supply an appropriate standard for determining adequacy. QUALIFICATION RECORDED: the Court expressly recognised the possibility that some future case might present a justiciable claim under art. IX, §1, finding only that these petitioners had not framed one. The non-justiciability is of the claim as presented and is not stated as absolute.	PRIMARY-VERIFIED	READ
Georgia	Ga. Const. art. VIII, § I	“primary obligation of the State ... adequate public education”	IV	JUSTICIABLE — ADJUDICATED ON A MINIMUM STANDARD; NO ADEQUACY REMEDY †	HIGH	McDaniel v. Thomas, 248 Ga. 632, 633, 643–44, 285 S.E.2d 156, 157, 165 (1981): the Supreme Court of Georgia reversed the Superior Court of Polk County, which had held the school finance system to violate the equal protection provisions of the State constitution, and rejected the plaintiffs’ adequate-education claim on cross-appeal. The Court HELD THE ADEQUACY QUESTION JUSTICIABLE. It confined its inquiry to whether the system met the lower standard of providing a minimum or basic education, holding that because of the inherent difficulty of establishing a judicially manageable standard for adequacy the legislative branch must give content to the term. That is an adjudication under a deferential standard, not a refusal to adjudicate; the entry recorded it as non-justiciable in substance, which the decision does not support. The Court is cited by other State supreme courts as among those which expressly addressed and rejected political-question objections to jurisdiction.	PRIMARY-VERIFIED	READ
Hawaii	Haw. Const. art. X, § 1	“statewide system of public schools free from sectarian control”	II	UNTESTED †	HIGH (narrow duty) †	No state-supreme-court adequacy merits ruling — UNTESTED	PRIMARY-VERIFIED (untested)	READ
Idaho	Idaho Const. art. IX, § 1	“general, uniform and thorough system of public, free common schools”	II	ENFORCEABLE — FACILITIES AND SAFE ENVIRONMENT †	HIGH (facilities) †	Idaho Schools for Equal Educational Opportunity v. Idaho State Board of Education, 128 Idaho 276, 912 P.2d 644 (1996) (ISEEO II), and Idaho Schools for Equal Educational Opportunity v. State, 132 Idaho 559, 976 P.2d 913 (1999) (ISEEO III): art. IX, §1 imposes on the legislature at a minimum a duty to provide a means for districts to offer a thorough education, and a safe environment conducive to learning is inherently part of a thorough system of public free common schools. In the fifth iteration in 2005 the Supreme Court of Idaho held that the legislature had not met that duty with regard to school FACILITIES. SCOPE: the right enforced concerns facilities and the safety of the learning environment. No merits ruling holding the funding of school OPERATIONS constitutionally inadequate has been identified, and the pagination of the 2005 decision is NOT ESTABLISHED and is NOT ASSERTED.	PRIMARY-VERIFIED	READ
Illinois	Ill. Const. art. X, § 1	“efficient system of high quality public educational institutions”	III	NON-JUSTICIABLE	HIGH	Committee for Educational Rights v. Edgar, 174 Ill. 2d 1, 220 Ill. Dec. 166, 672 N.E.2d 1178 (1996): the Supreme Court of Illinois affirmed the dismissal of a challenge to the school funding system, holding that questions relating to the quality of a public school education are for the legislature and not the courts, and that education is not a fundamental right in Illinois. Reaffirmed in Lewis v. Spagnolo, 710 N.E.2d 798 (Ill. 1999), on a challenge to the adequacy of education in East St. Louis School District 189. The non-justiciability is stated in terms and is not confined to the framing of a particular claim.	PRIMARY-VERIFIED	READ
Indiana	Ind. Const. art. VIII, § 1	“general and uniform system of Common Schools ... equally open to	II	ADJUDICATED — NO QUALITY RIGHT UNDER THE EDUCATION CLAUSE †	HIGH	Bonner ex rel. Bonner v. Daniels, 907 N.E.2d 516 (Ind. 2009): on transfer, which vacated the contrary decision of the Court of Appeals at 885 N.E.2d 673 (Ind. Ct. App. 2008), the Supreme Court of Indiana affirmed dismissal under Trial Rule 12(B)(6) for failure to state a claim, holding that the Education Clause, art. 8, §1, expresses a duty to	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
		all”				encourage improvement and a duty to provide a general and uniform system of open common schools without tuition, and conveys no judicially enforceable right to any particular standard of educational QUALITY. This is a merits construction of the clause and not an abstention. A separate opinion urged that adequacy, like the level of taxation, is a matter the Constitution reserves to the legislative branch, and concurred in dismissal on that ground; THE MAJORITY DID NOT ADOPT THAT REASONING. The Court decided what the clause means rather than declining to decide.		
Iowa	Iowa Const. art. IX (2d), § 3	“education of all the youths ... through a system of common schools”	I–II	ADJUDICATED — NO CLAIM STATED; JUDICIAL POWER EXPRESSLY PRESERVED †	HIGH	King v. State, 818 N.W.2d 1, 16 (Iowa 2012): students and parents petitioned contending that Iowa’s educational system was inadequate and urging the courts to impose additional public school standards. The district court dismissed, holding that the constitutional claims presented a non-justiciable political question and that Iowa Code §256.37 affords no private right of action. THE SUPREME COURT OF IOWA AFFIRMED ON A PARTLY DIFFERENT BASIS, holding that the challenges were properly directed to the plaintiffs’ elected representatives rather than to the courts, but ALSO that the plaintiffs DID NOT STATE CLAIMS for relief under the Iowa Constitution or under §256.37 — a holding on the pleadings and not solely on justiciability. King is subsequently cited in the Supreme Court of Iowa for the proposition, at 16, that State courts still maintain the power to interpret the Iowa constitution, and a district court has relied on it in rejecting a political-question objection. The decision is not a blanket holding of non-justiciability and the entry recorded it as one.	PRIMARY-VERIFIED	READ
Kansas	Kan. Const. art. VI, § 1	“intellectual, educational ... improvement ... maintain public schools”	II	ENFORCEABLE — ENFORCED TO COMPLIANCE; JURISDICTION RELEASED 2024	HIGH	Gannon v. State: seven decisions of the Supreme Court of Kansas between 2014 and 2019, following the earlier Montoy litigation. Art. 6, §6(b) requires two components of any school finance formula, EQUITY and ADEQUACY. The equity test is that districts must have reasonably equal access to substantially similar educational opportunity through similar tax effort; the adequacy standard is taken from Rose v. Council for Better Education, Inc., 790 S.W.2d 186 (Ky. 1989), and rejects any litmus test resting on specific funding levels. In Gannon VI, 308 Kan. 372, 420 P.3d 477 (2018), the Court identified inflation-related deficiencies in the safe harbour plan; In Gannon VII, 309 Kan. 1185, 443 P.3d 294 (14 June 2019), it held that 2019 House Substitute for Senate Bill 16 substantially complied and RETAINED JURISDICTION to ensure implementation of the phased increases to base aid through school year 2022–2023. On 6 FEBRUARY 2024, the phase-in having been completed and the Attorney General having applied in October 2023, the Court issued a two-page order directing its mandate to issue and RELEASING JURISDICTION. The right stands and was enforced to compliance; no supervision subsists.	PRIMARY-VERIFIED	READ
Kentucky	Ky. Const. § 183	“efficient system of common schools throughout the State”	II	ENFORCEABLE	HIGH	Rose v. Council for Better Education, Inc., 790 S.W.2d 186 (Ky. 1989): the Supreme Court of Kentucky declared the entire system of primary and secondary public education unconstitutional under the common schools clause and defined an adequate education by seven capacities students must be enabled to acquire. The General Assembly responded with the Kentucky Education Reform Act of 1990. The decision is the origin of the adequacy line nationally and its seven-capacity standard is applied by other State courts, including the Supreme Court of Kansas in the Gannon litigation. THE LINE IS LIVE: in Commonwealth of Kentucky v. Council for Better Education, Inc., the Supreme Court of Kentucky affirmed the Franklin Circuit Court in holding House Bill 9, authorising State funding of charter schools, inconsistent with the constitutional requirement of an efficient system of common schools, and upheld the prohibition on public funding of charter schools absent voter approval under §184. Further litigation by the Kentucky Student Voice Team is pending in the Franklin Circuit Court; Its status is NOT ASSERTED.	PRIMARY-VERIFIED	READ
Louisiana	La. Const. art. VIII, § 1	“provide for the education ... establish and maintain a public educational	I	NON-JUSTICIABLE — INTERMEDIATE COURT, WRIT DENIED †	INTERMEDIATE †	Charlet v. Legislature of the State of Louisiana, 713 So. 2d 1199 (La. App. 1 Cir. 1998): in a consolidated action alleging that the State was not providing the minimum foundation of education required by the State constitution, the Court of Appeal, First Circuit, granted the defendants summary judgment, emphasising the constitution’s use of the word	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
		system”				minimum in concluding that the State was meeting its obligations; the Supreme Court of Louisiana DENIED the writ, which is not a ruling on the merits. Reinforced in Jones v. State Board of Elementary and Secondary Education, 927 So. 2d 426 (La. App. 1 Cir. 2005), also of the Court of Appeal.		
Maine	Me. Const. art. VIII, pt. 1, § 1	“support and maintenance of public schools”	I–II	UNTESTED (equity claim rejected; adequacy not reached) †	HIGH (equity only) †	School Administrative District No. 1 v. Commissioner, 659 A.2d 854 (Me. 1995): a challenge to State funding cuts brought on equal-protection grounds under the State constitution was rejected. CHARACTERISATION the decision did not reject an adequacy right. The Court observed that the plaintiffs had neither alleged nor presented evidence that the funding disparities resulted in their students receiving an inadequate education, which commentators read as indicating that the Court might be more receptive to an adequacy claim than to the equity claim before it. Adequacy is accordingly untested at the Supreme Judicial Court rather than rejected.	PRIMARY-VERIFIED	READ
Maryland	Md. Const. art. VIII, § 1	“thorough and efficient System of Free Public Schools”	II	ENFORCED BY CONSENT DECREE 1996–2024; LITIGATION DISMISSED NOV. 2024 †	HIGH (1983, upholding); enforcement at first instance by consent decree †	Hornbeck v. Somerset County Board of Education, 295 Md. 597, 654, 458 A.2d 758, 788 (1983): the Court of Appeals of Maryland held that neither art. VIII nor art. III, §52 establishes a fundamental right for equal protection purposes, applied the rational basis test, found the objective of preserving local control legitimate and the financing system reasonably related to it, and UPHeld the system. The enforceable classification does not rest on that decision. It rests on Bradford v. Maryland State Board of Education, filed in December 1994 in the Circuit Court for Baltimore City, in which the court found a constitutional violation of the thorough and efficient requirement in 1996, made a final declaration in 2000, and proceeded by consent decree; the Thornton formula of 2002 followed, and Baltimore City schools received over two billion dollars in increased State funding. In 2004 the Circuit Court declared the violation still continuing and that constitutional adequacy would not be achieved until at least a further two hundred and twenty-five million dollars was received; That order was reviewed in Maryland State Board of Education v. Bradford, 875 A.2d 703 (Md. 2005). The plaintiffs renewed the action in 2019. ON 12 NOVEMBER 2024 THE APPELLATE COURT OF MARYLAND DISMISSED THE LAWSUIT by two votes to one, concluding that the consent decree had been satisfied and should end, and vacating the lower court ruling which had applied the wrong legal standard. No supervision subsists.	PRIMARY-VERIFIED	READ
Massachusetts	Mass. Const. pt. 2, ch. 5, § 2	“cherish the interests of literature and the sciences ... public schools”	III	ENFORCEABLE †	HIGH	McDuffy v. Secretary of the Executive Office of Education, 415 Mass. 545, 615 N.E.2d 516 (1993): the Commonwealth has a constitutional duty to educate all its children, and was not meeting it. Hancock v. Commissioner of Education (Mass. 2005), Marshall C.J. For a plurality: the constitution is not violated where the political departments have established the resources to support public education in a way that minimises rather than accentuates differences between communities based on property valuations and other criteria extrinsic to the educational mission; the court declined further intervention and the litigation ended. The duty stands and the courts remain open, but on a demanding test: a viable education clause claim requires the plaintiff to show both a deprivation of an adequate education and that the Commonwealth’s plans and policies did not provide a reasonable assurance of an opportunity to obtain one.	PRIMARY-VERIFIED	READ
Michigan	Mich. Const. art. VIII, §§ 1–2	“system of free public elementary and secondary schools”	II	NON-JUSTICIABLE	HIGH	Milliken v. Green, 389 Mich. 1 (1972), and on rehearing Milliken v. Green, 390 Mich. 389 (1973): the operative holding is the second, which vacated the first and dismissed, leaving no State constitutional adequacy or equity right. Reinforced in E. Jackson Pub. Schs. V. State. The federal decision in Gary B. Is separate and was vacated on rehearing en banc.	PRIMARY-VERIFIED	READ
Minnesota	Minn. Const. art. XIII, § 1	“general and uniform system ... thorough and efficient”	II	JUSTICIABLE — FUNDAMENTAL RIGHT RECOGNISED; SYSTEM UPHeld †	HIGH	Skeen v. State, 505 N.W.2d 299, 302, 311–15 (Minn. 1993): the Supreme Court of Minnesota construed the general and uniform system requirement of art. XIII, §1, holding that it does not mean identical or nearly identical, and that there is a FUNDAMENTAL RIGHT to a general and uniform system of education which provides an adequate education to all students in Minnesota, with a corresponding duty on the Legislature to provide such a system. The system was upheld because the evidence did not establish that the basic system	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
						was inadequate, or that the general and uniform requirement implied full equalisation of local referendum levies, the inequities not rising to the level of a constitutional violation. In <i>Cruz-Guzman v. State</i> (Minn. 2018) the Supreme Court of Minnesota held that separation-of-powers principles DO NOT PREVENT the judiciary from ruling on whether the Legislature has violated its duty under the Education Clause or the Equal Protection or Due Process Clauses, reversing the Court of Appeals, which had concluded that the claims presented non-justiciable political questions. Justiciability in Minnesota is therefore affirmatively established by the court of last resort.		
Mississippi	Miss. Const. art. VIII, § 201	“free public schools ... upon such conditions ... as the Legislature may prescribe”	I	NON-JUSTICIABLE — BASIS QUESTIONED, SEE NOTE †	HIGH (statutory holding) †	<i>Clarksdale Municipal School District v. Mississippi</i> (Miss. 2017) (unanimous): twenty-one school districts sought judicial enforcement of the Mississippi Adequate Education Program for fiscal years 2010 to 2015, contending that Miss. Code §37-151-6 required the Legislature to fund it fully. The Court held the section was not a binding mandate and the claim was dismissed. THAT IS A STATUTORY HOLDING. Whether the Supreme Court of Mississippi has adjudicated a claim under the education provision of the State constitution itself is NOT ESTABLISHED in this pass and is NOT ASSERTED. The constitutional provision was amended in 1960 to make the maintenance of public schools permissive, which bears on any such claim.	PRIMARY-VERIFIED	READ
Missouri	Mo. Const. art. IX, § 1(a)	“general diffusion of knowledge ... free public schools”	II–III	JUSTICIABLE — ADJUDICATED ON THE MERITS; NO RELIEF †	HIGH	<i>Committee for Educational Equality v. State</i> , 294 S.W.3d 477 (Mo. Banc 2009) (No. SC 89010, 1 September 2009, Russell, J.): school districts and their advocacy groups challenged the funding formula under art. IX, §1(a), which provides that a general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the general assembly shall establish and maintain free public schools. The Circuit Court of Cole County, Callahan, J., found against the districts, denying some claims on their merits and dismissing others, AND EXPRESSLY DECLINED THE DEFENDANTS’ INVITATION TO AVOID DECIDING THE ISSUES, stating that judicial review of legislative enactments is central to the system of checks and balances. The Supreme Court of Missouri, exercising exclusive jurisdiction under art. V, §3, agreed with the trial court that the plaintiffs had not shown an entitlement to relief and AFFIRMED. It held that the districts had standing to challenge the formula and the assessments but lacked standing to assert that the alleged inadequacy violated their equal protection rights, and construed the general diffusion requirement as bearing on the opportunity of education rather than on how education is achieved or funded. The earlier decision at 878 S.W.2d 446 (Mo. Banc 1994) and <i>Committee for Educational Equality v. State</i> (Mo. 1998), on whether federal receipts are State revenue for the twenty-five per cent requirement of art. IX, §3(b), form part of the same litigation. The entry recorded the position as largely non-justiciable; the claims were heard and decided and the trial court refused to abstain when invited to.	PRIMARY-VERIFIED	READ
Montana	Mont. Const. art. X, § 1	“develop the full educational potential of each person ... quality”	III–IV	ENFORCEABLE — LEGISLATURE ORDERED TO DEFINE AND FUND QUALITY	HIGH	<i>Helena Elementary School District No. 1 v. State</i> (1989), 236 Mont. 44, 52, 55, 769 P.2d 684, 690: spending disparities among districts constitute a denial of equality of educational opportunity guaranteed by art. X, §1(1). <i>Columbia Falls Elementary School District No. 6 v. State</i> , 2005 MT 69, 326 Mont. 304, 109 P.3d 257 (22 March 2005): affirming the District Court, the Supreme Court of Montana held that the funding system is not correlated with any understanding of what constitutes a QUALITY education under art. X, §1(3); That without an assessment of what quality means the Legislature has no reference point from which to relate funding to educational needs; and that the system is not based on educationally relevant factors. IT ORDERED THE LEGISLATURE to fashion policies and legislation defining quality, assessing educational needs, and constructing a funding system rationally related to educationally relevant factors. The Court stated that as the final guardian and protector of the right to education it is incumbent upon it to assure that the system the Legislature enacts enforces, protects and fulfils the right.	PRIMARY-VERIFIED	READ
Nebraska	Neb. Const. art. VII, § 1	“free instruction ... in the	I–II	NON-JUSTICIABLE	HIGH	<i>Nebraska Coalition for Educational Equity and Adequacy v. Heineman</i> , 273 Neb. 531, 731 N.W.2d 164, 180, 183 (2007):	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
		common schools”				the Supreme Court of Nebraska affirmed the district court and held that a constitutional challenge to the adequacy of the education funding system presents a NON-JUSTICIABLE POLITICAL QUESTION, satisfying four of the criteria in <i>Baker v. Carr</i> , 369 U.S. 186 (1962). The Court read the paucity of standards in the education clause as reflecting the framers’ intention, and reasoned that to decide an abstract question of adequate funding the courts would necessarily have to evaluate the Legislature’s value judgments as to spending priorities. This was the first use of the political question doctrine by that Court. The Coalition had expressly asked it to follow decisions of other State courts holding the issue justiciable and it declined.		
Nevada	Nev. Const. art. XI, § 2	“uniform system of common schools”	II	NON-JUSTICIABLE	NONE	<i>Shea v. State</i> (Nev.): the Supreme Court of Nevada affirmed dismissal of a complaint by nine parents alleging that the State system of public education failed to meet the standards required by Nev. Const. Art. 11, §§1, 2 and 6, holding that the claims presented non-justiciable political questions not appropriate for adjudication.	PRIMARY-VERIFIED	READ
New Hampshire	N.H. Const. pt. 2, art. 83	“cherish ... public schools ... diffusion of ... knowledge”	III	ENFORCEABLE — UNDER APPEAL SEEKING OVERRULING †	HIGH	<i>Claremont School District v. Governor</i> , 138 N.H. 183 (1993) (<i>Claremont I</i>), and <i>Claremont II</i> (1997): Part II, art. 83 imposes on the State a constitutional duty to provide and to fund an adequate education. The right has stood for more than thirty years. In <i>Rand v. State</i> the Superior Court, Ruoff J., held after an October 2024 trial that the State had failed to fund an adequate education and special education costs, and on 26 January 2026 reaffirmed that ruling and denied the State’s motion for reconsideration. ON 24 FEBRUARY 2026 THE STATE FILED A NOTICE OF APPEAL TO THE SUPREME COURT OF NEW HAMPSHIRE ASKING IT TO OVERRULE CLAREMONT I AND ITS PROGENY AND CLAREMONT II, to hold that Part II, art. 83 mandates no qualitative standard of education and imposes no financial obligation on the State, and to hold that the funding of an adequate education is a political question and not a judicial one. The appeal was pending at the stated law-as-at date and its outcome is NOT ASSERTED.	PRIMARY-VERIFIED	READ
New Jersey	N.J. Const. art. VIII, § IV	“thorough and efficient system of free public schools”	II	ENFORCEABLE	HIGH	<i>Abbott v. Burke</i> , 119 N.J. 287 (1990) (<i>Abbott II</i>): the funding disparity between rich and poor districts held to violate the constitutional guarantee of a thorough and efficient system. The entry rested on the 1990 decision alone and omitted the two decisions that define the present position. In <i>Abbott v. Burke</i> , 199 N.J. 140 (2009) (<i>Abbott XX</i>), the Court held the School Funding Reform Act of 2008 facially constitutional, its constitutionality resting on the State’s continuing commitment to fund at the levels the Act requires and to review its adequacy at intervals. In <i>Abbott v. Burke</i> (M-1293-09, 24 May 2011) (<i>Abbott XXI</i>), on the plaintiffs’ motion in aid of litigants’ rights, the Court found the State’s failure to fund the Act had caused instructionally consequential and significant harm amounting to a real, substantial and consequential blow to the right, and ordered the formula fully funded for the thirty-one high-need districts. The State moved for relief from both judgments in September 2016.	PRIMARY-VERIFIED	READ
New Mexico	N.M. Const. art. XII, § 1	“uniform system of free public schools sufficient for the education of ... all children”	II–III	ENFORCEABLE — SUPERVISION STATUS NOT ESTABLISHED †	TRIAL †	<i>Martinez v. State</i> , consolidated with <i>Yazzie v. State</i> , No. D-101-CV-2014-00793 (N.M. 1st Jud. Dist. Ct., July 2018): after trial the court held the State was violating the education clause of the State constitution as to at-risk students and retained jurisdiction. CURRENCY FLAGGED 31 Jul 2026: in March 2020 the State moved to end the court’s continuing jurisdiction, contending substantial compliance, and the plaintiffs opposed the motion in May 2020. The outcome of that motion, and whether court supervision continues, are NOT ESTABLISHED in this pass and are NOT ASSERTED.	PRIMARY-VERIFIED	READ
New York	N.Y. Const. art. XI, § 1	“system of free common schools, wherein all the children ... may be educated”	I–II	ENFORCEABLE — SOUND BASIC EDUCATION; LAST SECURED BY SETTLEMENT 2021 †	HIGH	<i>Campaign for Fiscal Equity, Inc. v. State</i> , 86 N.Y.2d 307, 655 N.E.2d 661, 631 N.Y.S.2d 565 (1995) (CFE I): the Court of Appeals held the Education Article, art. XI, §1, justiciable and guaranteeing every child a sound basic education. CFE II, 100 N.Y.2d 893 (2003): the State was failing to provide that opportunity to New York City children. CFE III, 8 N.Y.3d 14 (20 November 2006): the right reaffirmed and a minimum funding figure established, the Court stating that it had neither the authority nor the ability nor the will to micromanage education financing, while it remained the province of the Judicial branch to define and safeguard rights	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
						provided by the State constitution and to order redress for their violation. The Legislature responded with the Foundation Aid Formula in 2007, committing five and a half billion dollars over four years; the State reneged after two years. <i>Maisto v. State</i> , filed 2008, sought to apply CFE to high-poverty small city districts. <i>New Yorkers for Students' Educational Rights v. State</i> , filed 2014, was SETTLED IN OCTOBER 2021, the State undertaking to fund the Foundation Aid formula fully over two years. The right is recognised and has been enforced; the most recent securing of it was by settlement rather than by judgment, and no judicial supervision subsists.		
North Carolina	N.C. Const. art. IX, §§ 1–2	“general and uniform system of free public schools”	II	RECOGNISED-INACTIVE	HIGH	<i>Leandro v. State</i> , 346 N.C. 336 (1997), recognised a right to a “sound basic education”, and that recognition is undisturbed. In <i>Hoke County Bd. Of Educ. V. State</i> , decided 2 April 2026 (4–3, Newby, C.J.), the Supreme Court of North Carolina vacated the 2022 order directing transfer of remedial funds, held that the trial court had lost subject-matter jurisdiction when the action expanded beyond the original low-wealth districts without proper amendment or referral to a three-judge panel, nullified all findings after 2017, and dismissed the entire action with prejudice. The majority proceeded on jurisdictional and separation-of-powers grounds rather than revisiting the right, stating that the judicial branch is not the venue for educational policy reform. The right therefore stands recognised while no judicial enforcement mechanism survives; the action cannot be refilled.	PRIMARY-VERIFIED	READ
North Dakota	N.D. Const. art. VIII, §§ 1–2	“uniform system of free public schools”	II	VIOLATION FOUND BY A MAJORITY — NO REMEDY: SUPERMAJORITY RULE †	HIGH †	<i>Bismarck Public School District No. 1 v. State</i> , 511 N.W.2d 247, 250, 256, 265 (N.D. 1994): THREE OF THE FIVE JUSTICES of the Supreme Court of North Dakota found that the school funding formula violated the State constitution by funding districts unequally. THE FORMULA WAS NOT STRUCK DOWN. Section 4 of article VI of the North Dakota Constitution requires the concurrence of at least FOUR of the five justices to declare a legislative enactment unconstitutional, and only North Dakota and Nebraska impose such a judicial supermajority requirement. The majority held that art. VIII, §2 directs the legislature to create a system of education structurally uniform throughout the State and does not require uniformity in per-pupil funding; the dissent contended the district court had erred on standing and had applied Minnesota law. The district court below had held the uniformity provision to require uniformity in educational opportunity measured by per-pupil funding.	PRIMARY-VERIFIED	READ
Ohio	Ohio Const. art. VI, § 2	“thorough and efficient system of common schools”	II	RECOGNISED — SYSTEM HELD UNCONSTITUTIONAL; ALL RELIEF FORECLOSED 2003 †	HIGH	<i>DeRolph v. State</i> , 78 Ohio St.3d 193 (1997) (<i>DeRolph I</i>) (4–3): the school funding system held to violate art. VI, §2 of the Ohio Constitution, overreliance on local property taxes failing the requirement of a thorough and efficient system of common schools. <i>DeRolph II</i> (11 May 2000) and <i>DeRolph III</i> (2001) found successive revisions still wanting. <i>DeRolph IV</i> , 2002-Ohio-6750, 780 N.E.2d 529 (11 December 2002): the Court vacated <i>DeRolph III</i> , held <i>DeRolph I</i> and <i>II</i> to be the law of the case, declared that THE CURRENT SCHOOL FUNDING SYSTEM IS UNCONSTITUTIONAL — AND DECLINED TO RETAIN JURISDICTION. When the plaintiffs sought a compliance conference in the Court of Common Pleas for Perry County, the State applied for prohibition, and on 16 MAY 2003 the Supreme Court of Ohio granted a peremptory writ, holding that the common pleas court patently and unambiguously lacked jurisdiction over any post- <i>DeRolph IV</i> proceedings and stating that it was thereby ending any further <i>DeRolph</i> litigation. <i>Certiorari</i> was sought in the Supreme Court of the United States in August 2003.	PRIMARY-VERIFIED	READ
Oklahoma	Okla. Const. art. XIII, § 1	“uniform system of free public schools”	II	NON-JUSTICIABLE	HIGH	<i>Oklahoma Education Association v. State ex rel. Oklahoma Legislature</i> , 158 P.3d 1058, 1066 (Okla. 2007): recorded as holding an education adequacy challenge non-justiciable. The opinion has not been read. The classification rests on the decision being cited at that pincite alongside <i>Nebraska Coalition for Educational Equity and Adequacy v. Heineman</i> in surveys of non-justiciability holdings, and on the Supreme Court of Pennsylvania in <i>William Penn School District v. Pennsylvania Department of Education</i> having expressly declined to follow the analysis of both as non-justiciability decisions. That is convergent secondary evidence and not a	PRIMARY-VERIFIED	CORRO B.

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
						reading of the opinion.		
Oregon	Or. Const. art. VIII, §§ 3, 8	“uniform, and general system of Common schools”	II	DECLARATORY RELIEF ONLY — NO INJUNCTION; REMEDY IS A LEGISLATIVE REPORT †	HIGH †	Pendleton School District 16R v. State, 345 Or. 596, 200 P.3d 133 (2009): eighteen school districts and families sued in 2006 contending the Legislative Assembly had failed its duty to fund the public school system adequately. The Supreme Court of Oregon held that the instruction in art. VIII, §8 — that the Legislative Assembly appropriate in each biennium a sum sufficient to ensure that the State’s system of K-12 public education meets quality goals established by law — IS MANDATORY. It further held that the COURT MAY ISSUE A DECLARATORY RULING regarding the adequacy of education funding BUT MAY NOT ISSUE INJUNCTIVE RELIEF requiring additional funding. Under art. VIII, §8 the Legislative Assembly that appropriates less than the sufficient sum must publish a report explaining the shortfall, and that report is the consequence the constitution attaches. On art. VIII, §3, a uniform and general system of common schools means free public schools providing a minimum of basic education, requiring a minimum level of educational opportunities and not absolutely equal opportunity: Olsen v. State ex rel. Johnson, 276 Or. 9, 554 P.2d 139 (1976). The petitioners were the prevailing parties: Pendleton School District 16R v. State, 347 Or. 28, 35, 217 P.3d 175, adhered to as modified on reconsideration, 347 Or. 344, 220 P.3d 744 (2009).	PRIMARY-VERIFIED	READ
Pennsylvania	Pa. Const. art. III, § 14	“thorough and efficient system of public education”	II	ENFORCEABLE — INTERMEDIATE COURT, UNREVIEWED †	INTERMEDIATE †	William Penn SD v. Pa. Dep’t of Educ. (Commw. Ct. 2023): funding system held unconstitutional; Not appealed — now FINAL	PRIMARY-VERIFIED	READ
Rhode Island	R.I. Const. art. XII, § 1	“promote public schools ... secure ... advantages ... of education”	I–III	NON-JUSTICIABLE	HIGH	City of Pawtucket v. Sundlun, 662 A.2d 40, 61–62 (R.I. 1995): the Supreme Court of Rhode Island upheld the State funding system and held the education clause did not afford a judicially enforceable right, reversing a Superior Court judgment for the plaintiff municipalities. Woonsocket School Committee v. Chafee (R.I.): the same municipalities sued again; the Superior Court granted dismissal and the Supreme Court affirmed, holding that prior case law AND THE SEPARATION OF POWERS DOCTRINE warranted dismissal of the education clause claim, and that the complaint was insufficient to establish substantive due process claims. The non-justiciability is stated on a separation-of-powers ground and restated on the second occasion; it is not merely a failure of proof.	PRIMARY-VERIFIED	READ
South Carolina	S.C. Const. art. XI, § 3	“system of free public schools open to all”	I	RECOGNISED-INACTIVE	HIGH	Abbeville Cnty. Sch. Dist. V. State (Abbeville I), 335 S.C. 58, 515 S.E.2d 535 (1999), recognised a State constitutional right to a “minimally adequate education”, and that recognition stands. In Abbeville II, 410 S.C. 619, 767 S.E.2d 157 (2014), the Court found the State in violation and retained jurisdiction. In November 2017, by a 3–2 order (Kittredge, J., a dissenter in Abbeville II, joined by Few and James, JJ.; Beatty, C.J., dissenting), the Court vacated its Abbeville II order and terminated jurisdiction, holding that the earlier decision was wrongly decided as violative of separation of powers. The right therefore stands recognised while no judicial enforcement mechanism survives, and the vacating Court characterised judicial enforcement of the duty as a separation-of-powers violation.	PRIMARY-VERIFIED	READ
South Dakota	S.D. Const. art. VIII, § 1	“general and uniform system of public schools”	II	JUSTICIABLE — ADJUDICATED ON THE MERITS; CLAIM FAILED ON THE EVIDENCE †	HIGH	Davis v. State, 804 N.W.2d 618 (S.D. 2011): children attending public schools in several districts, with their parents, sought a declaration that the funding system was unconstitutional for failing to provide an adequate and quality education under S.D. Const. Art. VIII, §§1 and 15, which require the Legislature to establish and maintain a general and uniform system of public schools and to fund a thorough and efficient system of common schools. The circuit court entered judgment for the defendants after trial, holding that the resources, curriculum and facilities provided were constitutionally sufficient, and the Supreme Court of South Dakota AFFIRMED. The claim was heard and decided on the evidence.	PRIMARY-VERIFIED	READ
Tennessee	Tenn. Const. art. XI, § 12	“system of free public schools ... maintain and support”	II	ENFORCEABLE — THREE APPEALS; EQUALISATION	HIGH	Tennessee Small School Systems v. McWherter, 851 S.W.2d 139, 141, 145–46, 151, 155–56 (Tenn. 1993) (Small Schools I): the Tennessee Constitution guarantees to the school children of the State the right to a free public education and imposes on the General Assembly the obligation to maintain	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
				ORDERED 2002 †		and support a system of free public schools affording SUBSTANTIALLY EQUAL EDUCATIONAL OPPORTUNITIES to all students. After a six-week trial the Chancery Court had found impermissible disparities — decaying physical plants, inadequate heating, buckling floors, leaking roofs, inadequate science laboratories, outdated textbooks, and districts unable to offer advanced placement, a second foreign language or the State-mandated art and music classes — and the Supreme Court agreed, holding the funding scheme to violate the equal protection clauses. It rejected local control as a rational basis, adopting the reasoning of <i>Serrano v. Priest</i> that local control is a cruel illusion for poor districts, and held that a district cannot freely tax itself into an excellence its tax rolls cannot provide. THE REMEDY WAS DEFERRED to the General Assembly, which enacted the Education Improvement Act of 1992 creating the Basic Education Program: Small Schools II, 894 S.W.2d 734, 736–37 (Tenn. 1995). On the third appeal in 2002 the Court held that the State had not made sufficient progress and ordered more complete equalisation, including of teacher salaries.		
Texas	Tex. Const. art. VII, § 1	“general diffusion of knowledge ... efficient system of public free schools”	II–III	ENFORCEABLE — ENFORCED 1989–1995; SYSTEM UPHHELD UNANIMOUSLY 2016 †	HIGH	<i>Edgewood Independent School District v. Kirby</i> , 777 S.W.2d 391, 397 (Tex. 1989) (<i>Edgewood I</i>): the Supreme Court of Texas held the school financing system to violate art. VII, §1, requiring a direct and close correlation between a district’s tax effort and the educational resources available, and reinstated the district court’s injunction. <i>Edgewood II</i> , 804 S.W.2d 491 (Tex. 1991), and the advisory opinion of 25 February 1991; <i>Carrollton-Farmers Branch ISD v. Edgewood ISD</i> , 826 S.W.2d 488 (Tex. 1992) (<i>Edgewood III</i>); and <i>Edgewood ISD v. Meno</i> , 917 S.W.2d 717 (Tex. 1995) (<i>Edgewood IV</i>), upholding Senate Bill 7. <i>Neeley v. West Orange-Cove Consolidated ISD</i> , 176 S.W.3d 746 (Tex. 2005). In <i>Morath v. Texas Taxpayer and Student Fairness Coalition</i> , 490 S.W.3d 826 (Tex. 2016), the Court held UNANIMOUSLY that the existing system, while flawed, does provide an efficient free public school system and does not operate as an unconstitutional State property tax, and stated that the Legislature has broad discretion to design and implement a finance system which will be upheld so long as it is not arbitrary or unreasonable in meeting the constitutional requirement of a general diffusion of knowledge. The right is established and was enforced through four decisions between 1989 and 1995; the current system has been upheld and no supervision subsists.	PRIMARY-VERIFIED	READ
Utah	Utah Const. art. X, § 1	“public education system ... open to all children”	II	UNTESTED	NONE	No state-supreme-court adequacy merits ruling — UNTESTED [recorded, not individually read as untested]	PRIMARY-VERIFIED (untested)	NOT READ
Vermont	Vt. Const. ch. II, § 68	“competent number of schools ... maintained”	I–II	ENFORCEABLE — RIGHT MANDATED; REMEDY LEFT TO THE LEGISLATURE †	HIGH	<i>Brigham v. State</i> , 166 Vt. 246, 268, 692 A.2d 384, 393, 397 (Vt. 1997) (per curiam) (<i>Brigham I</i>): education in Vermont is A CONSTITUTIONALLY MANDATED RIGHT, and the funding system, with its substantial dependence on local property taxes and the resulting wide disparities in district revenues, deprives children of an equal educational opportunity in violation of the Education and Common Benefits Clauses, ch. I, art. 7 and ch. II, §68. THE COURT EXPRESSLY DECLINED THE REMEDY: it stated that its duty was solely to define the impact of the State Constitution on educational funding, not to fashion and impose a solution, and that the remedy at that juncture properly lay with the Legislature, which responded with the Equal Educational Opportunity Act of 1997 (Act 60). In <i>Brigham v. State</i> (2005) (<i>Brigham II</i>), on a challenge contending that Act 60 had not remedied the inequality, the Supreme Court held that the trial court had ABDICATED ITS DUTY to uphold the Vermont Constitution by refusing to entertain the plaintiffs’ claims, whether the funding system provides substantially equal educational opportunity being a constitutional issue properly before the court.	PRIMARY-VERIFIED	READ
Virginia	Va. Const. art. VIII, § 1	“system of free public elementary and secondary schools ... high quality”	II–III	JUSTICIABLE — ADJUDICATED AND UPHHELD †	HIGH	<i>Scott v. Commonwealth</i> , 443 S.E.2d 138, 141–42 (Va. 1994): the Supreme Court of Virginia held that the Constitution of Virginia WAS NOT VIOLATED by the school funding system. That is a decision on the merits upholding the system, and is cited as such by other State supreme courts surveying the field.	PRIMARY-VERIFIED	READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollout	Deciding court	Court posture (primary-verified)	Verification	Verification
Washington	Wash. Const. art. IX, § 1–2	“paramount duty ... ample provision ... general and uniform system”	IV	ENFORCEABLE — ENFORCED TO COMPLIANCE; SUPERVISION ENDED 2018	HIGH	McCleary v. State, 173 Wn.2d 477 (2012) (No. 84362-7): the Supreme Court of Washington held the State in violation of art. IX, having failed in its paramount duty to make ample provision for the education of all children through dependable and regular tax sources, and retained jurisdiction. The enforcement history is the most extensive in the field: the Court held the State in contempt in 2014, the first contempt order against the State in the history of Washington, and from August 2015 imposed sanctions of one hundred thousand dollars a day. The Legislature committed several billion dollars in additional State funding, including a 2017 property-tax plan replacing local levy funding of staff salaries and a further appropriation in 2018. On 7 JUNE 2018, in a short unanimous order, the Court declared the plan fully implemented, purged the contempt, lifted the sanctions and TERMINATED ITS OVERSIGHT. The right stands and was enforced to compliance; no supervision subsists.	PRIMARY-VERIFIED	READ
West Virginia	W. Va. Const. art. XII, § 1	“thorough and efficient system of free schools”	II	ENFORCEABLE — STANDARD SET 1979; ENFORCEMENT VACATED, NO SUPERVISION †	HIGH (standard); remedial decisions at first instance †	Pauley v. Kelly, 162 W. Va. 672, 255 S.E.2d 859, 877 (1979) (Harshbarger, J.): art. XII, §1 requires a thorough and efficient system of free schools, and the Supreme Court of Appeals of West Virginia identified EIGHT general elements of such a system, including knowledge of government sufficient to make informed choices as a citizen, self-knowledge and knowledge of the environment sufficient to choose life work, work-training and advanced academic training, and social ethics. The case was remanded for evidentiary development. After a non-jury trial of more than forty days beginning 10 August 1981, Judge Recht of the Circuit Court of Kanawha County issued the detailed remedial decision of 1982, a decision of first instance and not of the Supreme Court of Appeals. The Legislature largely did not implement it during the 1980s. In 1995 a class of Pauley plaintiffs moved to enforce the master plan; In the resulting Tomblin litigation the matter returned to Judge Recht, who VACATED a prior ruling that the school finance system remained unconstitutional, reasoning that the new performance-based accountability legislation should be given an opportunity to succeed. No judicial supervision subsists.	PRIMARY-VERIFIED	READ
Wisconsin	Wis. Const. art. X, § 3	“district schools ... as nearly uniform as practicable”	II	JUSTICIABLE — FUNDAMENTAL RIGHT RECOGNISED; SYSTEM UPHELD †	HIGH	Kukor v. Grover, 436 N.W.2d 568 (Wis. 1989), and Vincent v. Voight, 614 N.W.2d 388, 396 n.2 (Wis. 2000): the Supreme Court of Wisconsin held that a constitutional challenge to the school finance system PRESENTS A JUSTICIABLE ISSUE, citing Baker v. Carr, 369 U.S. 186 (1962), and recognised a fundamental right to an equal opportunity for a sound basic education under art. X, §3, which it carefully distinguished from the wealth-based arguments the petitioners advanced. The system was nonetheless upheld on the basis that the State provided for a basic level of education.	PRIMARY-VERIFIED	READ
Wyoming	Wyo. Const. art. VII, § 1	“complete and uniform system ... thorough and efficient ... adequate”	II–III	ENFORCEABLE — LIVE; UNCONSTITUTIONALITY FOUND 2025, ON APPEAL †	HIGH (1980–2008); 2025 ruling of first instance, on appeal †	Washakie County School District No. One v. Herschler (Wyo. 1980), and the Campbell County line: Campbell County School District v. State (Wyo. 1995) (Campbell I), in which the Supreme Court of Wyoming declared education a FUNDAMENTAL RIGHT under art. 7, §9, subjected interference with it to close examination and invalidated the funding formula; State v. Campbell County School District, 2001 WY 19 (23 February 2001) (Campbell II); Campbell III (2006); and Campbell IV (2008). The litigation is LIVE. The Wyoming Education Association and eight school districts sued in August 2022; the matter was tried in June 2024; and in FEBRUARY 2025 Judge Peter H. Froelicher of the District Court of Laramie County held that the State has unconstitutionally underfunded its public school system, the block grant model being no longer cost-based, with no provision for elementary mental-health counsellors, school resource officers, nutritional programmes or computers for every student, inflation unaccounted for in teacher and non-teacher salaries, and school facilities not adequately or evenly assessed. He ordered the State to modify both the funding model and the facilities financing system. THE STATE HAS APPEALED TO THE SUPREME COURT OF WYOMING and the appeal was pending at the stated law-as-at date. Its outcome is NOT ASSERTED.	PRIMARY-VERIFIED	READ
District of Columbia	No state constitution;	Public education established by	N/A (special)	STATUTORY †	NONE	No state constitution and no state-style education clause; Public education is established by federal and District	STATUTORY —	NOT READ

Jurisdiction	Constitutional citation	Characteristic operative language	Tier (I–IV)	Justiciability rollup	Deciding court	Court posture (primary-verified)	Verification	Verification
Columbia	D.C. Code §§ 38-201 et seq.; Home Rule Act	federal and District statute, not a constitutional education clause	I status)			statute. No State constitutional opinion exists to verify.	verified to the District's statutory scheme and standard compilation, not to a primary judicial source; the one jurisdiction of fifty-one so recorded	

Verification. The final column states whether the governing authority for each entry was read directly. Forty-eight entries were read against their cited authority. Entries marked NOT READ are not relied on in Part V or Part VI. New Hampshire and Wyoming record positions that may change on appeals pending at the stated law-as-at date; neither outcome is asserted. The rollup distinguishes decisions rejecting relief, confined-field rights, nonjusticiability rulings, inactive remedies, and untested provisions.

† Alaska. *Tobeluk v. Lind*, 589 P.2d 873 (Alaska 1979), was resolved by consent decree and the Supreme Court of Alaska has given no merits ruling on adequacy; Kasayulie and Moore are Superior Court proceedings.

† Arizona. The right enforced by the Supreme Court of Arizona concerns the uniformity of capital funding under art. XI and not general educational adequacy, which is untested at that court. The August 2025 ruling applying the Roosevelt tests is of the Superior Court and an appeal was expected; the entry records the ruling and not a settled position.

† Arkansas. The right is recognised by the Supreme Court of Arkansas and was enforced through masters and successive orders between 2002 and 2007. The Court concluded compliance in 2007 and no supervision subsists.

† California. The California right is an equal protection right against wealth-based funding disparity, won in the 1970s and inactive since. It is not an adequacy right and should not be counted with the jurisdictions whose courts have set a standard of educational sufficiency. The distinction matters to any reader treating the enforceable column as a count of adequacy rights.

† Colorado. The Court decided the education-clause claim on its merits rather than declining to decide it. What is absent is a remedy on these facts, not judicial cognisance of the claim. The distinction matters to any reader counting jurisdictions in which the courts will not adjudicate.

† Delaware. The authority is of the Court of Chancery and there is no decision of the Supreme Court of Delaware on the point. The record is nonetheless stronger than a settlement alone: the Court of Chancery held the obligation judicially enforceable in November 2018 and ruled for the plaintiffs on the merits in May 2020, the settlement following that ruling rather than replacing it.

† District of Columbia. Secured by statute rather than by constitutional adjudication.

† Florida. The Court declined to adjudicate a blanket adequacy challenge for want of a manageable standard while reserving the possibility of a justiciable claim on a different framing. The rollup records the position as non-justiciable, which is accurate as to the claim presented; the reservation is recorded so that the entry is not read as a categorical bar.

† Georgia. The Court accepted jurisdiction over the adequacy claim and decided it, applying a minimum-or-basic-education standard and leaving the content of adequacy to the legislature. What is absent is a remedy under that standard, not judicial cognisance.

† Hawaii. *Clarabal v. Department of Education*, No. SCAP-16-0000475 (Haw. 13 Aug. 2019) (Pollack, J., joined by McKenna and Wilson, JJ.; Recktenwald, C.J., concurring in the judgment; Nakayama, J., concurring and dissenting) is a decision of the State's highest court enforcing a constitutional education duty: art. X, §4 requires a Hawaiian education programme reasonably calculated to revive the Hawaiian language, reasonable access to immersion education is a necessary component of such a programme, and the State is constitutionally required to make all reasonable efforts to provide it. The duty enforced is specific to Hawaiian-language education. No decision of the Supreme Court of Hawai'i has tested a general adequacy or equity claim, and the rollup records that position.

† Idaho. The recognised and enforced right concerns school facilities and a safe learning environment under art. IX, §1, in the same way that the Arizona right concerns capital funding. General adequacy of educational operations is not shown to have been separately adjudicated.

† Indiana. The distinction is visible on the face of the decision. The majority construed the Education Clause and found no quality right within it; a separate opinion would have dismissed on the political-question ground and the majority declined to do so.

† Iowa. The Supreme Court of Iowa affirmed dismissal on the ground that no claim was stated as well as on the ground that the remedy lay with the Legislature, and its judgment has since been cited for the retained power of State courts to interpret the constitution. The position is narrower than a refusal to adjudicate.

† Louisiana. The Louisiana rollup rests on decisions of the Court of Appeal, First Circuit, and not on any merits ruling of the Supreme Court of Louisiana, which denied the writ in Charlet. A denial of writ is not an adjudication. The position is therefore settled in the intermediate court and unreviewed at the court of last resort, as in Pennsylvania, and is recorded on the same footing.

† Maine. The Supreme Judicial Court of Maine decided an equity claim and expressly noted the absence of any adequacy allegation. No adequacy merits ruling exists. The rollup records the position as untested on adequacy rather than as a rejection of it.

† Maryland. The decision of the court of last resort on the merits, Hornbeck, upheld the system and found no fundamental right. What produced thirty years of enforcement and over two billion dollars was a Circuit Court finding of violation in 1996 and the consent decree that followed. That decree was held satisfied and the action dismissed in November 2024, and the lower court ruling was vacated. The right to a thorough and efficient education stands; the machinery that gave it effect has ended.

† Massachusetts. The Supreme Judicial Court has distanced itself from review of adequacy claims over time without closing the door: Hancock is understood to require that the State act reasonably, and a claim surviving that test remains available. The entry records the duty as standing with no ongoing remedy, which is accurate, and now states the test a future claim must meet.

† Minnesota. The fundamental right to an adequate education system is established by the Supreme Court of Minnesota and the duty on the Legislature with it. The claim failed on the evidence rather than on any holding that the question could not be decided.

† Mississippi. The cited authority concerns whether Miss. Code §37-151-6 is a binding mandate; it does not construe the education provision of the State constitution. The Mississippi entry is therefore not relied on for a constitutional justiciability conclusion or for any determination in this study.

† Missouri. Missouri is among the clearest refutations of the non-justiciable classification. The State asked the trial court to decline the question and the trial court refused in terms; the Supreme Court of Missouri then took exclusive jurisdiction and decided the merits against the plaintiffs. What is absent is relief on that record, not judicial cognisance.

† New Hampshire. The classification records the law as it stands. The State has asked the court of last resort to overrule the decisions on which it rests, and a companion legislative effort would rewrite the adequacy statutes. If the appeal succeeds the classification changes from enforceable to something approaching non-justiciable, the State having expressly asked for a political-question holding.

† New Mexico. The authority is a judgment of the First Judicial District Court and there is no decision of the Supreme Court of New Mexico on the point. Whether the supervision on which the enforceable classification depends subsists is unresolved, the State having moved in 2020 to end it.

† New York. The right to a sound basic education is established by the Court of Appeals and has been twice vindicated, in 2003 and 2006. Enforcement since has run through legislative response, retrenchment and a settlement in 2021 rather than through continuing judicial supervision, which the Court expressly declined to undertake.

† North Dakota. North Dakota is the sharpest structural instance in this appendix. A majority of the court of last resort found a constitutional violation and no remedy followed, not because the court declined to act nor because the plaintiffs failed on the evidence, but because the State constitution requires a supermajority of the court before an enactment may be held unconstitutional. The right and the violation were both found by a majority of the judges; the constitutional architecture withheld the consequence.

† Ohio. Ohio is the sharpest instance in this appendix of a recognised right without a remedy. The Supreme Court of Ohio held the funding system unconstitutional and left that holding standing as the law of the case, then declined to retain jurisdiction and prohibited the trial court from so much as convening a compliance conference. The right is established by the highest court of the State; every judicial route to enforcing it was closed by that same court.

† Oregon. Oregon is a distinct category in this appendix. The funding duty is mandatory and judicially declarable, and the court is disabled from compelling compliance: it may declare the shortfall and may not order it remedied, the constitutional consequence being a report by the Legislative Assembly explaining why it appropriated less. The petitioners won and obtained a declaration; what they could not obtain was funding.

† Pennsylvania. *Danson v. Casey*, 484 Pa. 415, 399 A.2d 360 (1979) (Supreme Court of Pennsylvania) held the education clause non-justiciable. *William Penn Sch. Dist. V. Pa. Dep’t of Educ.* (Commonwealth Court, 2023) held the funding system unconstitutional and was not appealed. The rollout follows the later decision, which the court of last resort has not reviewed.

† South Dakota. The claim was tried and decided on its merits. A future claim on a different evidentiary record is not foreclosed by a holding that these plaintiffs did not establish inadequacy, which is a materially different position from a court declining to entertain the question.

† Tennessee. Three appeals to the court of last resort over nine years, in which the right was established, the remedy left to the Legislature, the legislative response reviewed, and further equalisation ordered when the response was found wanting. Tennessee is among the more sustained enforcement histories in this appendix.

† Texas. The Texas right is real and was vigorously enforced, the Court having twice found the system unconstitutional and once enjoined its funding. The standard applied since is highly deferential and the present system was upheld without dissent in 2016. An entry recording only the Edgewood victories would materially overstate the current position.

† Vermont. Vermont pairs a strong right with a deliberate judicial restraint as to remedy. The right is constitutionally mandated and the violation was found; the Court left the solution to the Legislature while holding in *Brigham II* that a court may not decline to entertain a later challenge to whether the legislative remedy suffices.

† Virginia. The Court reached and decided the constitutional question, holding the funding system consistent with the Constitution of Virginia. What is absent is a remedy on that record, not judicial cognisance of the claim.

† West Virginia. The eight-element standard is that of the Supreme Court of Appeals and stands. The remedial architecture, however, was built by the Circuit Court and was ultimately unwound by that same court when the finding of continuing unconstitutionality was vacated. The right is recognised; the enforcement is not current.

† Wisconsin. The right and its justiciability are both established by the Supreme Court of Wisconsin; what failed was the wealth-equalisation claim. The Court expressly separated the fundamental right to an equal opportunity for a sound basic education from an entitlement to equalised funding.

† Wyoming. The fundamental-right holding of the Supreme Court of Wyoming stands from *Campbell I* and was reaffirmed through *Campbell IV*. The current position is unsettled: a District Court has found the present funding system unconstitutional and the State’s appeal is pending before the court of last resort. Wyoming is the second jurisdiction in this appendix, with New Hampshire, whose position may change on a pending appeal.

Appendix F — Process 3 Adjudication Ledger

This appendix reports every proposition considered under Process 3. It states the result, legal status, dependency, nonduplicative unit value, and controlling basis. The disposition NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD denies only the additional LS2 classification; it does not erase LS1, LS3–LS7, state-law, or international protection. The accompanying Public Evidence Workbook supplies the full derivations, supporting authorities, and evidence.

Proposition-by-proposition dispositions

P-001 — Torture: no public official or person acting in an official capacity shall inflict conduct satisfying all five Article 1 elements —...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4, including G4: Official torture prohibition; negative duty; custody and remedy are separately reserved. Existing Process 1 derivation remains controlling. LS2/C1.

P-002 — CIDT: no public official shall subject a person to treatment or punishment which is cruel, inhuman or degrading without amounting...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4, including G4: Bounded official CIDT prohibition; enumerated applications are floors, not structural negations. Existing Process 1 derivation remains controlling. LS2/C1.

P-004 — Effective remedy: access to a competent domestic forum able to determine a claim of violation of a fundamental right and to afford...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4, including G4: Access to some competent forum; no entitlement to a chosen cause of action, defendant, or damages rule. Existing Process 1 derivation remains controlling. LS2/C1.

P-005 — Fair hearing before an independent and impartial tribunal in the determination of rights and obligations in a suit at law, as that...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4 for the bounded right to a fair hearing before a competent, independent, and impartial tribunal when rights and obligations are determined in a suit at law. The distinct public-hearing component is adjudicated at P-025; remedies and forum allocation remain separately reserved. Existing Process 1 derivation remains controlling. LS2/C1.

P-006 — Periodic independent review of the continuing necessity of prolonged non-punitive detention, where the justification for detention...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4, including G4: Bounded custody/release procedure; criminal justice remains allocated to the responsible sovereign. Existing Process 1 derivation remains controlling. LS2/C1.

P-007 — Governmental collection, retention or disclosure of personal information without adequate legal justification and safeguards

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4 for the bounded informational-privacy rule: government may not collect, retain, or disclose personal information without adequate legal justification and proportionate

safeguards. Lawful process, emergencies, and institutional controls remain available. Existing Process 1 derivation remains controlling. LS2/C1.

P-008 — Protection of the law against unlawful governmental attack on honour and reputation, meaning the knowing or reckless publication by...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C1 Dependency: none. Nonduplicative LS2 unit: 1.

Application of Process 3 confirms G1–G4 for the bounded protection against a governmental actor’s knowing or reckless publication of a materially false factual statement concerning an identified person that causes demonstrable reputational harm. Opinion, privileged proceedings, lawful criticism, and protected speech remain outside the rule. Existing Process 1 derivation remains controlling. LS2/C1.

P-009 — Governmental measures which have the effect of creating or perpetuating racial discrimination, irrespective of provable purpose,...

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1/LS5/LS6/LS8 Dependency: none. Nonduplicative LS2 unit: 0.

The Process 3 analysis concludes that the effects-only CERD formulation lacks a proposition-specific domestic anchor and imports an international standard that cannot independently satisfy G3/G4.

P-021 — Freedom from distinction based on the political or international status of a territory

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1/LS3 for the nonarbitrary application of existing rights; LS8 for an additional categorical retained right. No additional retained-right counting unit. Confidence C2 in the nonrecognition of the broad row. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED AS A SEPARATE RETAINED RIGHT. No presumption arises because G2 and G4 are not satisfied for the categorical row. Even if triggered for a narrow anti-evasion formulation, Vaello Madero and territorial allocation rebut any rule of identical treatment. Existing equality and substantive-right doctrines remain fully available. LS1/LS3 for the nonarbitrary application of existing rights; LS8 for an additional categorical retained right. No additional retained-right counting unit. Confidence C2 in the nonrecognition of the broad row.

P-022 — Assurance of a functioning system of protection against private violence

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for custody, direct government harm, and equality applications; LS5 for statutory protections; LS6 for international duties beyond domestic constitutional law; LS8 for the general LS2 claim. Zero additional unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a general additional retained constitutional right. The P3 presumption does not trigger because G2 is incomplete and G3/G4 fail. Contrary doctrine is affirmative, not mere silence caused by non-enumeration. Narrow current-law and statutory routes remain untouched. LS1 for custody, direct government harm, and equality applications; LS5 for statutory protections; LS6 for international duties beyond domestic constitutional law; LS8 for the general LS2 claim. Zero additional unit.

P-023 — Retention of legal capacity and individualized necessity, participation and review before substitute decision-making is imposed

Disposition: RECOGNISED AS RETAINED. Legal status: LS2 retained personal right; confidence C3 because the Supreme Court has not announced this exact guardianship formulation. One additional retained-right counting unit. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED IN NARROWED FORM as a retained personal right (LS2, C3): an adult retains legal agency unless government, through an individualized and fair proceeding, establishes a lawful basis and present necessity for displacement; any displacement must be decision-specific and no broader or longer than the justification supports. All four gates are satisfied. The presumption is triggered by the antecedent-agency baseline and convergent due-process structure. Rebuttal narrows the rule: no fixed burden of proof, mandatory supported-decision model, or categorical least-restrictive-means test is recognized here. LS2 retained personal right; confidence C3 because the Supreme Court has not announced this exact guardianship formulation. One additional retained-right counting unit.

P-025 — Presumptively public civil proceedings as a litigant right

Disposition: RECOGNISED AS RETAINED. Legal status: LS2, C3. One additional retained-right counting unit. Existing public-access doctrine remains LS1 and must not be recounted as the newly derived right. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED IN NARROWED FORM as LS2/C3: when a court finally adjudicates a person's civil rights or obligations in a proceeding historically open and functionally adjudicative, the litigant has a presumptive right to an open hearing; closure requires a particularized overriding interest and tailoring. This is distinct from, but overlaps, the public's First Amendment access interest. G1–G4 are satisfied, and founding/common-law history materially favors retention. Rebuttal limits the object to adjudicative hearings and preserves closure for particularized overriding interests. LS2, C3. One additional retained-right counting unit. Existing public-access doctrine remains LS1 and must not be recounted as the newly derived right.

P-028 — Residual freedom of intrastate movement and residence, and of international departure beyond the qualified current-law cores

Disposition: RECOGNISED AS RETAINED. Legal status: Limb A LS2/C3 and one additional retained-right counting unit. Limb B LS1/LS8 and zero additional unit. The two limbs are counted separately. Dependency: none. Nonduplicative LS2 unit: 1.

SPLIT. (A) Intrastate locomotion is RECOGNIZED as LS2/C3: a person lawfully present may move through and reside within a State, subject to generally applicable, place-based, custodial, public-safety, and land-use rules. (B) No additional right of international departure 'beyond' the qualified current-law core is recognized; that limb is LS1 for the existing liberty and LS8 for the claimed excess. The presumption triggers only for Limb A after narrowing. It is rebutted for reasonable place-, conduct-, custody-, and emergency-based restrictions. Limb B does not trigger because 'beyond the core' either duplicates LS1 or conflicts with permissible regulation. Limb A LS2/C3 and one additional retained-right counting unit. Limb B LS1/LS8 and zero additional unit. The two limbs are counted separately.

P-029 — Right to seek in other countries asylum from persecution

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for domestic speech/petition applications; LS5 for statutory asylum; LS6 for international obligations; LS8 for an additional retained constitutional right. No additional counting unit. C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as an additional retained United States constitutional right. A person within the Constitution's protective reach retains ordinary speech, petition, and due-process protections; asylum eligibility and procedure are principally statutory/treaty matters (LS1/LS5), while a claim against another country or by a person seeking initial U.S. entry is LS6/LS8 absent domestic authority. The presumption does not trigger because G3 and G4 fail for the residual. Existing First Amendment and statutory protections are classified separately and preserved. LS1 for domestic speech/petition applications; LS5 for statutory asylum; LS6 for international obligations; LS8 for an additional retained constitutional right. No additional counting

unit. C2. This disposition does not disturb the prior R5 determination. R5 asks whether an express constitutional provision negates the proposition; G3 asks whether affirmative, proposition-specific domestic constitutional grounding exists. A proposition may face no express negation and still lack the required affirmative anchor. R5 MET and the present G3 failure therefore coexist without contradiction.

P-030 — Right of a stateless person to acquire a nationality

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for Fourteenth Amendment birth citizenship; LS5 for statutory naturalization and any domestically operative treaty implementation; LS6 for the broader UDHR/international right; LS8 for an additional LS2 entitlement. Zero additional unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a retained United States constitutional right to conferral of nationality. No presumption arises because G3 and G4 fail. The failure rests on specific allocation and historical practice, not on non-enumeration alone. LS1 for Fourteenth Amendment birth citizenship; LS5 for statutory naturalization and any domestically operative treaty implementation; LS6 for the broader UDHR/international right; LS8 for an additional LS2 entitlement. Zero additional unit. Treaty-status verification: United Nations Treaty Collection, Chapter V, tables V-3 (1954 Convention) and V-4 (1961 Convention), retrieved 14 August 2026; the United States is absent from both participant lists.

P-033 — Exemption from neutral laws of general applicability

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for current Free Exercise doctrine; LS5 for RFRA/statutory accommodations; LS8 for the general retained exemption. No additional unit. C1/C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a general additional retained right. Current constitutional law protects against nonneutral or nongenerally applicable burdens and now includes specific parental-religious applications; RFRA and analogous statutes provide broader exemptions. A universal constitutional exemption from genuinely neutral and generally applicable law remains inconsistent with controlling doctrine. Even if G1–G3 are treated as met, G4 fails and Smith is a material-negation ground. No P3 presumption can displace a square controlling holding merely because international law points toward stronger accommodation. LS1 for current Free Exercise doctrine; LS5 for RFRA/statutory accommodations; LS8 for the general retained exemption. No additional unit. C1/C2.

P-034 — Right of access to government information

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for constitutionally open proceedings and equal access to opened channels; LS3 for structural openness; LS5 for FOIA and other statutes; LS8 for the general LS2 claim. Zero additional unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a general retained right to obtain government-controlled information. G2–G4 fail. The presumption cannot transform the First Amendment into a constitutional FOIA. Reframed criminal-proceeding and equal-access propositions are LS1, not additional rights under this row. LS1 for constitutionally open proceedings and equal access to opened channels; LS3 for structural openness; LS5 for FOIA and other statutes; LS8 for the general LS2 claim. Zero additional unit.

P-036 — Equal access to public service

Disposition: SUBSUMED BY CURRENT LAW. Legal status: LS1, already secured; no additional confidence tier and zero additional unit. LS5 separately covers statutory civil-service and antidiscrimination protections. Dependency: none. Nonduplicative LS2 unit: 0.

SUBSUMED BY CURRENT CONSTITUTIONAL LAW in narrowed form (LS1): a person has a right to be considered for public service without invidiously discriminatory or wholly irrelevant qualifications. There is no constitutional right to appointment, a particular position, or continued public employment absent an independent entitlement. All gates pass for equal consideration, but LS1 ends the additional-right inquiry. The broader appointment claim does not trigger because it is not the same proposition and lacks support. LS1, already secured; no additional confidence tier and zero additional unit. LS5 separately covers statutory civil-service and antidiscrimination protections. This classification increases the already-secured display, not the additional-right count.

P-037 — Secret ballot

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C3. One additional retained-right counting unit. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED in bounded developed-application form as LS2/C3: when government conducts a popular election, each elector has a presumptive right to cast an individual ballot privately, free from compelled disclosure at the moment of choice, subject to voluntary disclosure, necessary assistance, verifiable administration, recounts, and narrowly tailored anti-fraud measures. All gates pass. The presumption is triggered by the mature convergence of franchise, speech/association, anti-intimidation doctrine, and universal practice. Rebuttal narrows the right to privacy of electoral choice rather than secrecy from all lawful administration. LS2/C3. One additional retained-right counting unit.

P-039 — Social security

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-7 (legislative program/benefit), with LS-5 procedural protections once law creates an entitlement and LS-6 international status recorded separately. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-7 (legislative program/benefit), with LS-5 procedural protections once law creates an entitlement and LS-6 international status recorded separately. NOT LS-2. State constitutions or particular statutory entitlements may be separately recorded; they do not cure federal G3. G3: FAIL—The Spending Clause authorizes programs; statutory entitlements can constitute property for procedural due process, but neither supplies an antecedent federal right to social provision. G4: FAIL—The broad proposition requires affirmative provision and fiscal allocation. DeShaney rejects a general Due Process duty to provide aid outside special relationships.

P-040 — Work and free choice of employment

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Narrow negative core: LS-1. Positive employment guarantee: LS-7/LS-6. No additional LS-2 as the row is framed. Dependency: none. Nonduplicative LS2 unit: 0.

Narrow negative core: LS-1. Positive employment guarantee: LS-7/LS-6. No additional LS-2 as the row is framed. G3: PARTIAL PASS—Domestic doctrine and interstate privileges protect pursuit of common callings and some occupational liberty. They do not establish a right to be supplied a job or to compel a private employer. G4: PASS / FAIL—The negative core fits limits on government; the positive component fails allocation and private-duty constraints.

P-041 — Just and favourable conditions of work

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-5 where statutes confer particular rights; LS-7 for labor policy; LS-6 for international status. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-5 where statutes confer particular rights; LS-7 for labor policy; LS-6 for international status. NOT LS-2. G3: FAIL—the record supplies no proposition-specific constitutional anchor. Modern labor statutes regulate

conditions but cannot substitute for the DCA. G4: FAIL—The general claim imposes standards on private workplaces and demands legislative specification.

P-042 — Protection against unemployment

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-7/LS-5 where legislation creates benefits; LS-6 internationally. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-7/LS-5 where legislation creates benefits; LS-6 internationally. NOT LS-2. G3: FAIL—Unemployment insurance is a statutory program; no substantial founding or federal constitutional right-form was identified. G4: FAIL—A general entitlement entails affirmative fiscal and program design choices.

P-043 — Equal pay for equal work

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Government discrimination core: LS-1. Statutory private-employment right: LS-5. No additional LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

Government discrimination core: LS-1. Statutory private-employment right: LS-5. No additional LS-2. G3: PARTIAL PASS—Equal protection anchors nondiscriminatory government compensation. Federal statutes create broader sex- and trait-based private-employment duties. G4: PASS / FAIL—The government-equality core fits constitutional allocation; a general private-pay duty requires state action or statute.

P-044 — Remuneration ensuring an existence worthy of dignity

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-7/LS-5 under wage legislation; LS-6 internationally. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-7/LS-5 under wage legislation; LS-6 internationally. NOT LS-2. Keep minimum-wage protections in the present-law delivery column without treating statutory durability as constitutional retention. G3: FAIL—The Constitution permits wage regulation but does not itself supply a minimum remuneration entitlement; the record identifies no founding or common-law anchor. G4: FAIL—The claim directly sets private compensation and resource allocation.

P-045 — Worker association free of legally protected private retaliatory interference

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Government-interference core: LS-1. Private-retaliation protection: LS-5. No additional LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

Government-interference core: LS-1. Private-retaliation protection: LS-5. No additional LS-2. The decisive issue is the absent affirmative constitutional duty against private conduct. G3: PARTIAL PASS—Freedom of association restrains government interference. NLRA §7 supplies an express statutory private-workplace right, but the statute's 1935 regulatory scheme is not itself an antecedent constitutional anchor for an affirmative protective duty. G4: FAIL FOR BROAD FORM—State-action doctrine and DeShaney bar inference of a general constitutional duty to protect against private retaliation. Public-employer association is separately protected but does not compel bargaining.

P-046 — Rest, leisure, limitation of hours, paid holidays

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-5/LS-7 for particular labor protections; LS-6 internationally. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-5/LS-7 for particular labor protections; LS-6 internationally. NOT LS-2. If retained in the dataset, atomize into statutory delivery records. G3: FAIL—No federal constitutional, founding, or common-law guarantee of

hours or paid leave was identified. Statutory regulation does not supply the missing DCA. G4: FAIL—It imposes positive and private-employer obligations requiring detailed legislative calibration.

P-047 — Adequate standard of living and subsistence

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-7/LS-5 for created benefits; LS-6 internationally. Custodial current-law duties remain LS-1 in their limited scope. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-7/LS-5 for created benefits; LS-6 internationally. Custodial current-law duties remain LS-1 in their limited scope. NOT LS-2. G3: FAIL—The Preamble, Spending Clause, and statutory welfare practice support purposes and powers, not an antecedent federal entitlement. G4: FAIL—DeShaney rejects a general affirmative Due Process duty to protect or aid; custodial duties are narrow, existing-law exceptions and must not be generalized.

P-050 — Minimum education sufficient for civic participation

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C3. One additional retained-right counting unit. It is an analytical derivation, not a statement that the Supreme Court has already recognized the right. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED in a strictly bounded form as LS2/C3: when a State maintains compulsory public elementary and secondary education, each resident child has a right to a genuine minimum opportunity to acquire functional literacy and basic civic competence. The right does not guarantee equal funding, optimal outcomes, a particular curriculum, higher education, or federal administration. All gates pass only for the narrow minimum. The P3 presumption is triggered by state constitutional tradition plus citizenship structure and the unresolved reservation in *Rodriguez/Papasan*. Rebuttal excludes equal funding, optimality, outcomes, higher education, and federal program design. LS2/C3. One additional retained-right counting unit. It is an analytical derivation, not a statement that the Supreme Court has already recognized the right.

P-051 — Access to technical, professional and higher education on merit

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-1 for applicable constitutional nondiscrimination; LS-5 for statutes; LS-7 for programs. NOT additional LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-1 for applicable constitutional nondiscrimination; LS-5 for statutes; LS-7 for programs. NOT additional LS-2. G3: FAIL FOR BROAD ENTITLEMENT—No substantial domestic anchor establishes federal entitlement to technical, professional, or higher education. Equality rules govern governmental classifications and admissions systems without creating education itself. G4: FAIL—The broad form assigns public resources and admission design; *Rodriguez* is adverse to a general federal education right.

P-052 — Compulsory elementary education

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Primary LS-3 (implementation principle) or state-law duty; not independently LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

Primary LS-3 (implementation principle) or state-law duty; not independently LS-2. Because P-052 was separately counted among the original 50, P-050 does not make P-052 a second LS-2 right. G3: FAIL AS FEDERAL RIGHT—Compulsory-attendance tradition rests primarily on state police power and statutes, not a federal retained personal right. G4: FAIL—*Pierce* and *Yoder* limit compulsory uniformity. Treating compulsion as an individual right obscures the constitutional allocation.

P-053 — Education directed to prescribed purposes

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-3 as an interpretive/educational purpose; not independently LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-3 as an interpretive/educational purpose; not independently LS-2. Because P-053 was separately counted among the original 50, P-050 does not make P-053 a second LS-2 right. G3: FAIL AS INDEPENDENT RIGHT—Civic-education traditions may inform P-050 but do not constitutionalize the entire UDHR purposes clause. G4: FAIL / CONFLICT—Government may teach civic content, but Barnette prohibits compelled orthodoxy. A constitutional command to prescribe worldview would conflict with existing liberty.

P-055 — Cultural participation and enjoyment of the arts

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Negative expressive core: LS-1. Positive access/provision: LS-7/LS-6. No additional LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

Negative expressive core: LS-1. Positive access/provision: LS-7/LS-6. No additional LS-2. G3: PARTIAL PASS—Speech, press, assembly, religion, and receipt-of-information doctrine anchor the negative expressive core. They do not establish an affirmative cultural-provision duty. G4: PASS / FAIL—The negative core fits First Amendment state action. The positive component entails funding, property, copyright, and access allocation.

P-056 — Sharing in scientific advancement and its benefits

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-6 internationally and LS-7/LS-5 through programs and statutes. Existing speech/information rights remain separate LS-1 components. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-6 internationally and LS-7/LS-5 through programs and statutes. Existing speech/information rights remain separate LS-1 components. NOT LS-2. G3: FAIL—The Intellectual Property Clause empowers Congress to create limited exclusive rights for public progress; it does not give every person a constitutional share of scientific benefits. G4: FAIL—The claim implicates appropriations, patent exclusivity, safety regulation, distribution, and private property without a constitutional allocation rule.

P-057 — Authors' material interests

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS5; LS8 as an additional retained federal constitutional right. No additional counting unit. C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as an independent retained constitutional right in published works. Any common-law interest in unpublished manuscripts is a separate state-law/current-law question, not P-057's additional federal right. G4 fails. The right-form evidence is sufficient to require serious analysis but not enough to trigger a P3 presumption against the Clause's deliberate legislative allocation. If a presumption were assumed, Wheaton and the limited-times/public-purpose structure rebut independence from statute. LS5; LS8 as an additional retained federal constitutional right. No additional counting unit. C2.

P-058 — Authors' moral interests of attribution and integrity

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS-5 for VARA and related laws; LS-6 internationally. NOT LS-2. Dependency: none. Nonduplicative LS2 unit: 0.

LS-5 for VARA and related laws; LS-6 internationally. NOT LS-2. G3: FAIL—The identified U.S. sources—VARA and narrow state statutes—are modern and limited. They do not establish a sustained founding or constitutional tradition. Treaty or UDHR recognition cannot substitute. G4: FAIL—Dastar rejects using federal

trademark law to create a broad attribution rule for communicative products; private-party duties depend on statute and copyright architecture.

P-066 — Progressive-realisation clause

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: Primary LS-3 (implementation principle); possible LS-4/LS-6 descriptions in their proper domains. NOT LS-2.

Dependency: none. Nonduplicative LS2 unit: 0.

Primary LS-3 (implementation principle); possible LS-4/LS-6 descriptions in their proper domains. NOT LS-2. G3: FAIL—The Preamble and Spending Clause support governmental purposes and powers, not a judicially measurable duty of progressive realization. State welfare and education clauses do not alone establish a federal right. G4: FAIL—The clause assigns continuing resource, priority, and intergovernmental choices without a constitutional metric; treating it as LS-2 would collapse program administration into retention.

P-069 — Residual protection against arbitrary interference with family, home or correspondence beyond the enumerated guarantees

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for identified current constitutional applications; LS5 for statutory communications/privacy protections; LS6 for the broader international umbrella; LS8 for this residual LS2 row. Zero additional unit. Dependency: none.

Nonduplicative LS2 unit: 0.

NO ADDITIONAL LS2 RIGHT IS RECOGNISED ON THIS RECORD because the residual is defined only by what other protections omit. G2 and G4 fail and G3 is not proposition-specific. The presumption is unavailable. Non-enumeration is not being used against a bounded claim; the defect is that no bounded residual claim has been stated. LS1 for identified current constitutional applications; LS5 for statutory communications/privacy protections; LS6 for the broader international umbrella; LS8 for this residual LS2 row. Zero additional unit.

P-070 — Affirmative governmental protection of the law against interference with, or attacks upon, the Article 12 interests

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: P-004 component: LS2/C1, dependency count zero. Specific current applications LS1; statutes LS5; international protective duties LS6; general prevention residual LS8. Zero additional unit. Dependency: P-004.

Nonduplicative LS2 unit: 0.

NO NEW INDEPENDENT COUNTING UNIT. The remedial protection-of-law facet is already carried by P-004's retained effective-remedy right. The broader claim that government must prevent private Article 12 interference is not recognized as a general retained constitutional right. The trigger is satisfied only for the remedy component already recognized at P-004. For a separate prevention right, G3/G4 fail. Dependency and double-counting therefore control the row. P-004 component: LS2/C1, dependency count zero. Specific current applications LS1; statutes LS5; international protective duties LS6; general prevention residual LS8. Zero additional unit.

P-071 — Free elementary and fundamental education (no-cost access)

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C3 as a dependent component of P-050; recognized row, zero new unit. State constitutional rights are also LS1 within their jurisdictions; federal Supreme Court doctrine remains adverse to a broad fundamental-right label. Dependency: P-050.

Nonduplicative LS2 unit: 0.

RECOGNIZED only as a component of P-050's LS2/C3 minimum civic-education right: a State that compels elementary attendance may not charge tuition for the minimum public instruction necessary to provide a

genuine opportunity for functional literacy and basic civic competence. It is not a separate counting unit and does not constitutionalize every fee or ancillary service. All gates pass only through the bounded P-050 component. The presumption is triggered by the parent right plus the free-school constitutional tradition. Rebuttal confines the result to tuition-free minimum instruction and keeps confidence at C3. LS2/C3 as a dependent component of P-050; recognized row, zero new unit. State constitutional rights are also LS1 within their jurisdictions; federal Supreme Court doctrine remains adverse to a broad fundamental-right label.

P-072 — Genuine elections — residual guarantee of electoral genuineness beyond the current-law core

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for existing voting and honest-count rights; LS4/LS5 for added supervisory safeguards; LS8 as a separate retained personal right. No additional unit. C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a separate additional personal right in ‘impartial supervision and independent scrutiny.’ Existing constitutional voting rights and honest-count protections remain LS1; additional administrative safeguards are LS4/LS5 unless tied to a concrete constitutional violation. No presumption triggers for the residual because the object is institutional and allocation-sensitive. A concrete denial, dilution, dishonest count, or discriminatory administration remains actionable under current law. LS1 for existing voting and honest-count rights; LS4/LS5 for added supervisory safeguards; LS8 as a separate retained personal right. No additional unit. C2.

P-073 — Freedom of a United States citizen from permanent or indefinite governmental banishment or forced exclusion from the national...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C2. One additional retained-right counting unit, shared with P-074 as a component/application. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED as LS2/C2: national citizenship includes freedom from permanent or indefinite governmental banishment from the United States while citizenship remains, subject to constitutionally valid extradition, temporary custody-linked restrictions, and comparable confined legal processes. P-074 is the entry-side application of the same right and is not separately counted. All gates pass; the presumption is triggered by citizenship’s necessary incidents and anti-evasion structure. Rebuttal supplies the explicit exceptions and prevents the right from becoming a challenge to ordinary custody or extradition. LS2/C2. One additional retained-right counting unit, shared with P-074 as a component/application.

P-074 — A United States citizen shall not be arbitrarily denied physical re-entry into the United States by the federal government.

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C2, derivative/component of P-073. Recognized proposition; zero additional deduplicated unit. Dependency: P-073. Nonduplicative LS2 unit: 0.

RECOGNIZED as LS2/C2, but classified as the operational re-entry component of P-073 and therefore not a separate retained-right counting unit. Citizenship requires a nonarbitrary means for a citizen to establish status and enter the nation; documentation rules may regulate proof but may not convert citizenship into permanent exclusion. All gates pass. The presumption is triggered and not materially rebutted for the bounded citizen-only rule. Administrability concerns narrow procedure and remedies rather than negate the right. LS2/C2, derivative/component of P-073. Recognized proposition; zero additional deduplicated unit.

P-075 — Government shall not adopt or maintain a facially neutral measure that has the effect of creating or perpetuating sex...

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for intentional sex discrimination; LS5 for statutory/state effects rules; LS8 for the proposed additional federal right. No additional unit. C1/C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as an additional federal constitutional disparate-impact right. Intentional sex classifications receive intermediate scrutiny under current law (LS1); effects-only rules may arise under statutes or state constitutions (LS5). P3 cannot erase *Washington v. Davis* and *Feeney*. G4 fails, and the controlling holdings provide material negation. The P3 presumption cannot be used as an alternative standard of review that reverses those holdings. LS1 for intentional sex discrimination; LS5 for statutory/state effects rules; LS8 for the proposed additional federal right. No additional unit. C1/C2.

P-076 — A Fourteenth Amendment citizen has a right to a reasonably accessible and non-arbitrary procedure for initiating and obtaining a...

Disposition: RECOGNISED AS RETAINED. Legal status: LS2/C3 for the core; LS5 for present statutory delivery; LS8 for the listed ancillary incidents. One additional retained-right counting unit. Dependency: none. Nonduplicative LS2 unit: 1.

RECOGNIZED only at the core as LS2/C3: because citizenship may be relinquished only voluntarily and intentionally, government must maintain a genuine, nonarbitrary means to receive and determine a competent citizen's unequivocal relinquishment. No fixed deadline, fee ceiling, domestic location, remote procedure, accommodations code, damages remedy, or right to use any nonstatutory act is derived. All gates pass for the core. The presumption is triggered by the natural-right declaration and the constitutional centrality of voluntary intent. It is rebutted for every unproven procedural detail beyond a genuine, nonarbitrary path and determination. LS2/C3 for the core; LS5 for present statutory delivery; LS8 for the listed ancillary incidents. One additional retained-right counting unit.

P-077 — Freedom from punishment solely for making an asylum request

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 domestic core; LS5/LS6 asylum-specific law; LS8 additional retained right. No additional counting unit. C2. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as an additional universal retained right. Within U.S. constitutional protection, punishment imposed solely for communicating a lawful request is ordinarily governed by current speech, petition, due-process, and retaliation doctrine (LS1); asylum-specific protections are statutory/treaty law (LS5/LS6). Outside that nexus, G3/G4 are not satisfied. No additional-right presumption triggers because the domestic anchor either yields an already enumerated right or fails beyond its reach. The row is therefore subsumed/reclassified, not dismissed as normatively meaningless. LS1 domestic core; LS5/LS6 asylum-specific law; LS8 additional retained right. No additional counting unit. C2. This disposition leaves the prior R5 MET determination intact: absence of express constitutional negation does not itself supply the affirmative, proposition-specific Domestic Constitutional Anchor required by G3.

P-080 — Freedom from limitation of a Declaration right unless the limitation is determined by law

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS3 for the constitutional legality principle; LS1 for operative due-process, separation-of-powers, and right-specific applications; LS6 for Article 29's international rule; no LS2 and zero unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT AN ADDITIONAL RETAINED PERSONAL RIGHT as framed. Article 29(2)'s rule across every Declaration right remains international interpretive law. The exact LS2 row fails G2/G3 because it makes 'Declaration right' do the work of domestic reception. The domestic legality principle needs no P3 recognition because it is already constitutional in its proper applications. LS3 for the constitutional legality principle; LS1 for operative due-process, separation-of-powers, and right-specific applications; LS6 for Article 29's international rule; no LS2 and zero unit.

P-082 — Freedom from limitation of a Declaration right for a purpose outside Article 29(2)'s exclusive permissible purposes

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS6 international limitations rule; LS1/LS3 for narrower domestic purpose doctrines; LS8 for the asserted LS2 status. Zero unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a retained constitutional right. Article 29(2)'s exclusive purpose catalogue is an international construction rule. U.S. constitutional law tests governmental purpose through multiple right-specific doctrines and does not adopt this catalogue as a universal limit. G3 and G4 fail. No presumption arises because the proposition-specific domestic anchor is absent; the exact list cannot serve as its own anchor. LS6 international limitations rule; LS1/LS3 for narrower domestic purpose doctrines; LS8 for the asserted LS2 status. Zero unit.

P-083 — Freedom from limitation of a Declaration right exceeding the just requirements of an Article 29(2) purpose

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS1 for right-specific tailoring rules; LS3 for means–end review as constitutional method; LS6 for Article 29's international standard; LS8 for universal LS2. Zero unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as one universal retained proportionality right. U.S. law contains LS1 right-specific means–end tests and an LS3 anti-arbitrariness/tailoring methodology; Article 29's general just-requirements standard remains an international rule. G2 is incomplete and G3/G4 fail for the universal personal right. The retention presumption does not trigger. Existing proportionality-like protections remain LS1/LS3. LS1 for right-specific tailoring rules; LS3 for means–end review as constitutional method; LS6 for Article 29's international standard; LS8 for universal LS2. Zero unit.

P-084 — Freedom from limitation of a Declaration right incompatible with a democratic society

Disposition: NO ADDITIONAL LS2 RIGHT RECOGNISED ON THIS RECORD. Legal status: LS3 structural principle; LS1 for concrete democratic-process rights; LS6 for Article 29's international standard; LS8 for a universal personal right. Zero unit. Dependency: none. Nonduplicative LS2 unit: 0.

NOT RECOGNIZED as a freestanding retained personal right. G2 and G4 fail; G3 reaches only principle and specific applications. The P3 presumption does not trigger for LS2. LS3 structural principle; LS1 for concrete democratic-process rights; LS6 for Article 29's international standard; LS8 for a universal personal right. Zero unit.

Verification and Sources

Currency. Law and treaty record stated as at 31 July 2026. The Process 3 method and adjudications are stated as at 14 August 2026. Reporter and current-law claims are subject to the source limits stated in the annexes.

Register summary. Eighty-four propositions were tested across ninety-seven UDHR clauses. Under the strict record, seven are recognized as retained, twenty-one are subsumed by current law, forty-eight are not established, six are not individual rights, and two are constitutionally excluded as formulated. Process 3 evaluated fifty propositions and recognizes sixteen rows representing fourteen nonduplicative LS2 units. These are different counting measures and are reported separately.

Primary authority and evidence record. Every relied-upon authority is identified in the accompanying Public Evidence Workbook, together with proposition links, source locators, authority status, and limiting treatment. The native results are: Process 1, seven rows; Process 2, seven rows; Process 3, sixteen rows representing fourteen nonduplicative units; and Process 4, six domestic-effect changes. The derived comparison of seven plus six equals thirteen, but thirteen is not an LS2 count.

Source instruments. The Declaration is quoted from the text adopted by General Assembly resolution 217 A (III), Official Records, A/810 at 71–77. The Constitution is quoted from the text reproduced in the Source Annex.

State evidentiary annexes. Appendix D records the remedy or open-courts clause, if any, of each State constitution; every row was checked against, or verified to, an official or state-directed source. For Arkansas, the Secretary of State's official research page links to the Arkansas Constitution of 1874 through Lexis, and article II, section 13 was cross-checked against concordant Justia and FindLaw transcriptions. Appendix E records the education provision, if any, of each State and the District of Columbia, with a four-tier textual classification and a justiciability rollup. The Utah entry asserts no ruling, the District of Columbia entry rests on statute rather than a State constitution, and the Oklahoma entry is based on two independent characterisations rather than a direct reading of the opinion. No unverified reporter pincite is asserted, and these limits do not affect any determination. A survey is cited in the coverage ledger only where its subject corresponds to the clause: four clauses carry an annex citation under a controlled evidence basis, and every other clause is marked not surveyed. Neither annex is cited for tribunal independence or impartiality, criminal procedure, compulsory attendance, higher or technical education, curricular content, or parental choice.

Status of determinations. These determinations are not holdings of any court and bind no one. Any divergence from the holding of a tribunal is marked in the authority ledger. Contrary evidence may materially affect propositions receiving no additional LS2 recognition on this record.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE CONSTITUTION OF THE UNITED STATES: Recognition, constitutional reception, and delivery of retained human rights

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