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EDITORS' NOTES

An exploding prison population over the past generation has resulted in an enormous increase in the number of inmates with claims of constitutional violations. These may relate to a determination of guilt and punishment or to treatment received in prison. Historically, the federal courts have played a pivotal role in responding to both sorts of prisoner claims, by state and federal inmates alike. Thus, an unintended result of mass incarceration was a mass inundation of the federal courts with prisoner litigation.

Congress sought to alleviate the burdens through a pair of statutes adopted in 1996, the Prison Litigation Reform Act and the Antiterrorism and Effective Death Penalty Act. Both statutes were poorly drafted and hastily enacted, creating major interpretive problems for the courts. It thus took some time for the shape of the new regime to emerge. Now, however, with sixteen years of case law and scholarly research behind us, the legacy of the PLRA and AEDPA can be more fully assessed.

This issue of *FSR* examines the present state and potential future reform of federal habeas corpus and prisoner-rights law, focusing particularly on the impact of the statutes of 1996. The contributors consider many specific provisions of the two statutes, as well as a number of more general concerns. On the whole, their perspectives are critical, raising questions about the extent to which prisoners have lost the ability to obtain meaningful remedies in federal court for constitutional violations. Some contributors urge the courts to rethink their approach to interpreting the statutes. Others propose reforms for Congress to consider. There are also suggestions that state courts and even non-judicial agencies should take up the slack and play a more active role in addressing wrongful convictions and official misconduct in the criminal-justice and corrections systems.

Whatever the best approach, it is clear that an important, unresolved challenge of mass incarceration in this country is the development of a system for handling prisoners' constitutional claims that is both fair and efficient.

