
University of Pennsylvania
JOURNAL OF
CONSTITUTIONAL LAW

ADDRESS

THE CURRENT, SUBTLE—AND NOT SO SUBTLE—REJECTION OF AN
INDEPENDENT JUDICIARY

Guido Calabresi

ARTICLE

ON THE SLIPPERY SLOPES OF AFGHANISTAN: MILITARY COMMISSIONS
AND THE EXERCISE OF PRESIDENTIAL POWER

Juan R. Torruella

ESSAY

RACIAL MIND-GAMES AND REAPPORTIONMENT: WHEN CAN RACE BE
CONSIDERED (LEGITIMATELY) IN REDISTRICTING?

Ken Gormley

COMMENTS

Unbalance of Powers: The International Criminal Court's Potential To Upset the
Founders' Checks and Balances

Shame's Revival:
An Unconstitutional Regression

Running from the Law:
Federal Contractors Escape *Bivens* Liability



Volume 4

May 2002

Number 4

University of Pennsylvania
JOURNAL OF CONSTITUTIONAL LAW

TABLE OF CONTENTS

ADDRESS

- The Current, Subtle—and Not So Subtle—Rejection
of an Independent Judiciary
Guido Calabresi.....637

ARTICLE

- On the Slippery Slopes of Afghanistan: Military
Commissions and the Exercise of Presidential Power
Juan R. Torruella.....648

ESSAY

- Racial Mind-Games and Reapportionment: When Can
Race Be Considered (Legitimately) in Redistricting?
Ken Gormley.....735

COMMENTS

- Unbalance of Powers: The International Criminal
Court's Potential To Upset the Founders' Checks and
Balances
David M. Baronoff.....800

- Shame's Revival:
An Unconstitutional Regression
Mark Spatz827

- Running from the Law:
Federal Contractors Escape *Bivens* Liability
Mariana Claridad Pastore.....850