

REVIEWS

PRACTICE

52 Limited Options

The authors of the Sarbanes-Oxley Act had the right diagnosis for the corporate scandals of the 1990s. But that doesn't mean they had the cure.

BY JOHN C. COFFEE JR.

ACADEMY

56 Tailored Genes

Eugenics was the darling of scientists and lawmakers of the early 20th century. Should we be concerned that it's catching on in the 21st?

BY EDWARD J. LARSON

ACADEMY

59 Pay Direct

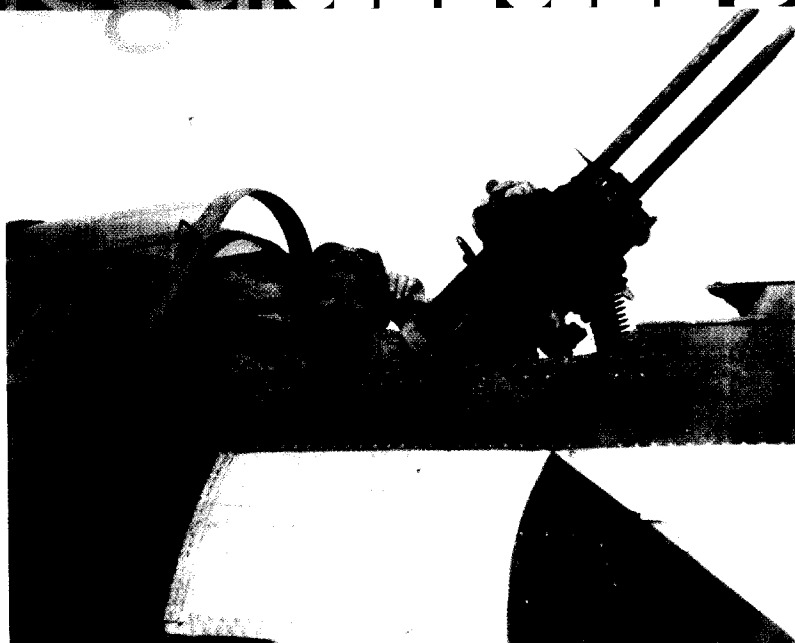
How states can fund religious education without crossing the line between church and state.

BY BORIS BITTKER

ACADEMY

61 Elsewhere

In search of the most generous jury, the legal lessons of Sodom and Gomorrah, and other ideas from the nation's law reviews.



Judge Joe (page 63)

STORIES

63 Judge Joe

How the youngest judge in Wisconsin's history became the country's most notorious senator.

BY TED MORGAN

69 Immigration by Shibboleth

Should a refugee be judged by what he says or how he says it?

BY MICHAEL ERARD

71 Falling on Deaf Ears

Scientists say that earwitnesses are unreliable. Why aren't the courts listening?

BY LAWRENCE M. SOLAN &
PETER M. TIERSMA



EXHIBIT

76 The Witch Trials



cover art by JEFFREY SMITH

5 The Wall
LINCOLN CAPLAN

6 LETTERS

SCENES

8 Shooting an Elephant
DAVID GOLDENBERG
Collateral damage in Zambia's war on poaching.

11 Count Me Out, Coach
BRUCE BARCOTT
Mutiny on the high school basketball court.

13 PCU
SASHA POLAKOW-SURANSKY
Texas Tech University's free-speech gazebo.

CASES & CONTROVERSIES

15 Toucan Sam takes on Toucan Golf; cattle ranchers have a beef with the Department of Agriculture.

THE PRUDENT JURIST

17 Are judges who borrow from lawyers' briefs committing plagiarism?

ARGUMENT

18 Color Inside the Lines
EDWARD BLUM & ROGER CLEGG
The Voting Rights Act should be scrapped.

22 Equal Effects
ANITA EARLS
The Voting Rights Act is needed more than ever.

24 By Force of Will
ROSA EHRENREICH BROOKS
Iraq and the rule of law.

TERMS OF ART

26 Rhetorical Question
MICHAEL FROST
What would Aristotle make of Scalia?

28 Unbecoming Conduct
By Steve Weinberg

A prosecutor in Nashville is accused of manipulating evidence to send a defendant to death row.

34 Trials, but Mostly Tribulations
By Wade Chow

Inconclusive evidence, unreliable witnesses, uncooperative colleagues, indiscreet sheriffs, and unappreciative victims—all in a day's work.

38 Delusions of Grand Juries
By Niki Kuckes

Everyone knows that a grand jury would indict a ham sandwich. So why do we bother to use them?

42 Ramsey Clark's Prosecution Complex
By Josh Saunders

How did Lyndon Johnson's attorney general come to defend dictators, war criminals, and terrorists?

47 The Diplomat's Dance
By Romesh Ratnesar

As a prosecutor, Pierre-Richard Prosper took on gangs in Los Angeles and genocide in Rwanda. Now that he's at the State Department, have his priorities changed?

