Lawlemmas
Lawlemmas

In Search of Principled Choices in Law, Justice, and Life

James R. Acker

Illustrated by
Anna L. Acker

CAROLINA ACADEMIC PRESS
Durham, North Carolina
To three generations of my dear family—Jenny, Elizabeth, Anna, Ethan, Andy, Zoe—and to generation upon generation of students, past, present, and future, and the elusive, never-ending, but essential quest for justice. Together we can get there.

—JRA

For Dad, Mom, Liz, and Ethan; with love and gratitude.

—ALA
Contents

Acknowledgments ix
Introduction 3

Chapter 1 · The Goldfish Bowl 9
Chapter 2 · Confrontational Tactics 23
Chapter 3 · The Nullifier 51
Chapter 4 · Punishment 79
Chapter 5 · Crazy Like a Fox 97
Chapter 6 · Cause and Effect 123
Chapter 7 · Justice in Black and White, and Shades of Gray 143
Chapter 8 · The Death Penalty 165
Chapter 9 · On Guilt and Innocence in Fact and Law 183
Chapter 10 · A Little Privacy, Please? 201
Chapter 11 · Flights of Fancy and the Freedom of Speech 223
Chapter 12 · The Truth, the Whole Truth? 241
Chapter 13 · Last Call 263
Chapter 14 · Pleas, Deeds, and Special Needs 281
Chapter 15 · Commencement 297
I am indebted to the wonderful individuals at Carolina Academic Press for all they have done to make this book possible, from beginning to end. The characters and issues that have found their way into these pages took form gradually over several years. They lingered, sleepy, abstract, and shadowy, with scant chance of development until a fortuitous exchange with acquisitions editor Beth Hall caused them to stir, sharpen, and finally spring forward. I am especially grateful to Beth for her help in liberating them. Without her encouragement, the essays that make up this book would not have been written nor seen the light of day.

I have enjoyed the gift of an academic career for more than three decades. During this time I have had a chance to meet with and learn from a multitude of students, to swap ideas and perspectives with them, to get to know many fine individuals, and to deepen my appreciation of the world we share and its quirks and challenges. Needless to say, the echoes of many classroom and hallway conversations with these fellow learners reverberate within the pages that follow.

As I have told my daughter Anna repeatedly and in all sincerity, the remarkably creative and jaw-droppingly good illustrations which she has prepared for this volume easily surpass the accompanying text and enhance it immeasurably. They invite the characters who inhabit the essays and the issues they confront to leap off the book’s pages and dance into life. I could not be happier than to have had the chance to collaborate with her in this endeavor. It has been a true labor of love.