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Essay

JAMES DUKE CAMERON *John P. Frank & Jenae R. Bunyak* 735

John Frank and Jenae Bunyak recount the life of retiring Arizona Supreme Court Justice James Cameron. The authors reconstruct Cameron's professional career as an attorney, a Superior Court judge, one of the first judges to sit on the Arizona Court of Appeals and as the last publicly-elected Justice of the Arizona Supreme Court.

Articles

WHOSE RULES SHOULD GOVERN TAKEOVERS:

DELAWARE'S, THE ALI'S, OR MARTIN

LIPTON'S?..... *Elliott J. Weiss* 761

The pace of takeover activity has abated, but debate continues concerning what rules should govern contests for corporate control. Professor Weiss takes advantage of the current hiatus to review and place in perspective the many important takeover-related decisions handed down since 1980, and to compare the rules Delaware's courts have developed with proposals to regulate takeovers that the American Law Institute and Martin Lipton recently have advanced. He concludes that both the ALI's and Mr. Lipton's proposals are inconsistent with and inferior to Delaware law.

PRIVACY AND SOCIAL CONTRACT:

A DEFENSE OF JUDICIAL ACTIVISM

IN PRIVACY CASES..... *Kevin W. Saunders* 811

Professor Saunders characterizes the privacy cases as claims that the sovereign is governing beyond the authority granted by the social contract. He then argues that any government claiming legitimacy through consent of the governed must seriously consider such claims. Further, the courts, as the governmental entity most removed from the sovereignty, should determine the limitations on the sovereign power.

THE LIMITS OF CORRECTIVE JUSTICE AND THE POTENTIAL OF EQUITY IN CONSTITUTIONAL REMEDIES.....	<i>Kent Roach</i>	859
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This Article examines two traditions that courts employ to justify or deny constitutional remedies. The dominant tradition, corrective justice, requires remedies to address harms caused by defendants and to restore the position of plaintiffs before such harms. A less dominant but recently revived tradition, equity, stresses the breadth and flexibility of remedial powers and the obligation to balance affected interests before ordering intrusive remedies. Professor Roach assesses the theory and practice of these two traditions with reference to institutional reform litigation and concludes that in such contexts, courts have not and cannot live up to the demands of corrective justice. He argues that equity provides a better explanation of what courts have done and has the potential to justify remedies based on the needs of those injured by structural wrongs and the opportunities for genuine reform.

TOWARD A NEW ANALYSIS OF THE ABORTION DEBATE.....	<i>Karen L. Bell</i>	907
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Professor Bell demonstrates that the American public's attitudes about abortion have remained remarkably consistent over the past thirty years. Professor Bell looks to several traditional defenses available under criminal law and constructs an analytical framework to explain this thirty-year pattern. In light of her analytical regime, Professor Bell surveys other countries' laws on abortion and concludes that the statutes enacted by several Western European nations comport well with the American public's notions regarding the availability of abortion.

Notes

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