The arrangement has worked fairly well for a discipline with (a) little in the way of pre-publication peer review other than turns on the seminar circuit and faculty presentations over subs and chips, and (b) limited representation by law specialists in academic publishing. Perhaps *Fairness* represents a full convergence, but with the loss of informal post-publication peer review.

If so, what does it mean? Starting now, will it be possible to write your book, turn it over to a law review for citecheck and clean-up, and then publish the same thing twice, once for free to the legal world and once for a few dollars in royalties to the rest? (It also would save the cost of ordering reprints.) On the other hand, if journals start insisting on publishing whole books rather than just a chapter or two, some of the many law professors who can do without the help (and annoyance) of a journal staff when dealing with pesky little problems of authority, accuracy, and consistency may decide to cut out the middleman and go straight to the academic presses. If this catches on, it will be the end of law reviews as we know them. But on yet another hand, several press editors and librarians have reminded the *Green Bag* that over the years a not insignificant number of legal scholars have exhibited a peculiarly intense interest in publishing the same work as many times as possible, and there are no signs of any evolution of social norms in that regard.

In all likelihood, little will come of *Fairness*-as-article – except, of course, for whatever impact its substance may have. Its record length as a law review article will likely stand for as long as Fidel Castro's record-setting, 269-minute speech at the United Nations in September 1960, and for the same reason: Remember what Fidel said?

Louis Kaplow & Steven Shavell, *Fairness Versus Welfare*, 114 Harv. L. Rev. 961 (2001); Bruce Ackerman & David Golove, *Is* nafta *Constitutional?*, 108 Harv. L. Rev. 799 (1995); *Developments in the Law*, 102 Harv. L. Rev. 1508 (1989); www.guinnessworldrecords.com.

The Vote Early & Often

The convergence of law reviews and books is taking a different form in Chicago. This summer the *University of Chicago Law Review* will publish a nine-article symposium issue on the 2000 election controversy. The University of Chicago Press will publish unrevised versions of those articles in book form in the fall (as *The Vote*), supplemented by two additional articles, an introduction, and an afterword. In mid-April, however, the Press will offer a preview version of *The Vote* in draft form on its website – before the *Review*'s symposium issue hits the newsstands. Two articles in the preview edition (one from the left and one from the right) will be accessible for free and visitors who preorder a copy of the print edition of the book will receive a password to access the rest.

Richard A. Epstein & Cass R. Sunstein, eds., The Vote, thevotebook.com.

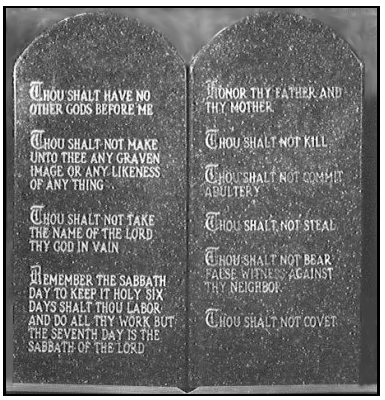
April Showers & Billable Hours

Here is why 21st century telecommuting won't live up even to 19th century standards:

> For a great many years past, Mr. Webster had a regular law office in the city of Boston, and supplied with a valuable library of five or six thousand volumes, which was, however, for the most part, in the keeping of a law partner. In alluding to this fact on one occasion, he informed the writer that it was with the utmost difficulty that he could ever bring himself to attend to any legal business when sojourning at either of his country residences. "It not infrequently happens," said he, "that people come to me just as I am about to leave Boston for Marshfield, with the request that I shall attend to their suits. I decline the

> business, and they insist upon my taking it in hand. I take their papers, put them in my *green bag*, and determine that I will attend to their cases when at Marshfield. When arrived at this place, my mind becomes so taken up with its manifold enjoyments that I forget all about the green bag, *unless there happens to come a rainy day.* In that event I sometimes look at the musty papers; but it is not infrequently the case that the bag travels from Boston to the sea-shore, and thence to the mountains and back again, without ever being disturbed. The truth is, you cannot mention the *fee* which I value half as much as I do a morning walk over my farm, the sight of a dozen yoke of my oxen furrowing one of my fields, or the breath of my cows, and the pure ocean air."

Charles Lanham, The Private Life of Daniel Webster 87 (Harper & Bros. 1852) (emphasis in original).



Lemon-ade

The "sisyphean task of trying to patch together the blurred, indistinct, and variable barrier [between church and state] described in *Lemon*" has confounded the Supreme Court and everyone else for the past 30 years. But a new development in Ten Commandments litigation offers some hope for at least a sliver of tide-proof isthmus between the usual Establishment Clause factions.

Last year, Jeffrey Adkins, represented by the Indiana Civil Liberties Union, filed a lawsuit in the United States District Court for the Southern District of Indiana, challenging a display of the Gettysburg Address, the Mayflower Compact, and the Ten Commandments in his local county courthouse. Settlement negotiations ensued, reasonable minds differed but reached common ground, and on February 9, 2001, the court approved a settlement under which,

> No later than January 31, 2001, the defendant shall create within the Washington County Courthouse a display separate from any existing display. The display shall contain pictorial representations of the following historical figures who are recognized as "lawgivers". In addition to the pictorial representation, there shall be displayed a representative sampling or excerpt of the laws associated with the historical figure, as more fully set out below. Each element of the display shall be the same size as all other elements and no aspect of the display shall be highlighted or made more or less obvious than any other aspect of the display. All text shall be in the same type size and font. The "lawgivers" and their related "laws" are as follows.
>
> Hammurabi — *The Hammurabi Code*
>
> Moses — *The Ten Commandments*
>
> Justinian — *The Justinian Code*
>
> King John — *The Magna Carta*
>
> Chief Dekanawida — *The Iroquois Constitution*
>
> William Blackstone — *Commentaries on the Law of England*
>
> Thomas Jefferson — *The United States Constitution*
>
> Thurgood Marshall — *Brown v. Board of Education*
>
> The parties further agree that defendant shall put a separate explanation concerning the display which shall be the same size as the pictorial representations and the sample laws in the display and which shall indicate:
>
> Throughout human history society has been instructed by various laws and the