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CIVIL LIBERTY AND THE RESPONSE TO TERRORISM
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This article addresses many of the conceptions and misconceptions attending the public debate on the threat to civil liberty from the expansion of executive power. Section I outlines some basic principles that should guide the analysis of the Patriot Act, and related expansion of government power. The author summarizes some of the relevant history and attempts to identify relevant similarities and differences between past experiences and the contemporary, post-September 11th situation. The author then offers some basic principles for use in assessing the potential threat to civil liberties posed by various legal and technological changes. Section II conducts a detailed analysis of some of these changes, acknowledging at several points that ambiguity and the potential for abuse exists, at others that real problems may arise, and arguing, at others, that criticisms of the Patriot Act have swayed away from reality and into a sort of mythology.

IRS, INC.—THE IRS OVERSIGHT BOARD—EFFECTIVE REFORM OR JUST POLITICS? SOME EARLY THOUGHTS FROM A CORPORATE LAW PERSPECTIVE
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This article examines the new IRS Oversight Board as a governance device, particularly in light of corporate governance in the private sector. First, the author traces the history of the IRS, exploring
past organizational and governance problems. The author then focuses on the reforms enacted in the 1998 IRS Restructuring and Reform Act, paying particular attention to the structural changes and establishment of the IRS Oversight Board. The author then engages in a critical review of the IRS Oversight Board, reviewing the Board from a corporate perspective by examining the role of directors in governing private corporations. The author's analysis tests the corporate analogy and considers recent criticisms of the corporate board model of governance in light of the current corporate scandals. The article ultimately concludes that, to the extent the creation of the IRS Oversight Board as a governance mechanism rests on a corporate analogy, the Board does not approach the reform suggested by the political rhetoric and does not significantly improve governance shortcomings.

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