

目 录

Who Killed Jonbenet Ramsey?	(2)
谁杀了约贝尼特·拉姆齐	
The Abortion Problem	(26)
堕胎问题	
United States Court of Appeals for the Sixth Circuit	(46)
美国法庭第六巡回上诉	
Acid Test	(78)
令人担忧的遗传物质的检测	
Dr. Jeffrey Macdonald the Trial	(90)
“不公正”的审判	
Trends in the Law	(130)
法律倾向	
The First Juvenile Court in the World	(144)
世界上第一个少年法庭	
Schools on the Alert	(162)
戒备中的校园	
Computers and the Criminal Law	(176)
电脑与刑法	
... The Last Man Executed in New Zealand	(190)
……新西兰最后一名被处死的人	

Who Killed Jonbenet Ramsey?

For nearly three years all America has asked: Who killed JonBenét Ramsey? There has been plenty of speculation, but no conclusive evidence. Instead of advancing the investigation, each clue seems only to pose another question.

Rising early on that fateful Boxing Day, JonBenét's mother, 41-year-old Patsy Ramsey, phoned the police to report her daughter missing. At 6 a. m., she said, she had discovered a ransom note on the stairs of the family's home, and on rushing to her daughter's room she found that JonBenét had disappeared.

Officers arrived at the opulent mock-Tudor house to find a Christmas tree in every room but no sign of the missing six-year-old. They made a cursory search, and told JonBenét's millionaire father, 55-year-old John Ramsey, to check each of the 15 rooms himself, as he knew where to look better than they did. Then all but one officer left. They took the ransom note with them, telling Mr. Ramsey to await a call from the kidnapper while they bugged his

谁杀了约贝尼特·拉姆齐

近三年来所有的美国人都在问：谁杀了约贝尼特·拉姆齐？许许多多的推测产生了，但都没有令人信服的证据，每一条线索都只是又提出了一个新问题，而根本无助于推进调查。

在那个不幸的礼盒日的清晨，拉姆齐的母亲，41岁的帕齐·拉姆齐起来便给警察打电话报告她的女儿失踪了。她说早上六点她在自家的楼梯上发现了索要赎金的短笺，当她冲进女儿的房间时发现约贝尼特已经不见了。

警察来到这个装修豪华的房子，发现每个房间都有一棵圣诞树……但是没有这个失踪的六岁女孩的踪迹，他们草率地进行了搜索，就让拉姆齐的百万富翁父亲、55岁的约翰·拉姆齐自己检查15个房间，因为他比他们更清楚应该找哪儿，然后其他人都走了，只留下一个警察。他们带走了赎金条，告诉拉姆齐先生等待绑匪的电话，而他们会窃听他的电话。

phone.

It was presumed that JonBenét was now miles away, being held hostage by her abductor. . . if she were still alive. Eight hours later, however, John Ramsey checked a seldom-used storage room in the basement, accompanied by a friend of the family. Behind the door they found JonBenét's body. If it was there during the officers' earlier search they had failed to spot it. And by the time they returned in response to a call saying the child had been found, the body had been moved, the place was crowded with friends and neighbours, and whatever vital evidence there may have been was hopelessly contaminated.

It seemed that the killer had entered JonBenét's bedroom in the early hours of Boxing Day, delivering a blow to her head which fractured her skull and knocked her unconscious. Then he – or she – had carried the child down to the basement, where duct tape was stuck over her mouth and a length of white cord was wound round her neck and tightened with a stick, asphyxiating her.

The three-page ransom note turned out to have been written on paper taken from a pad in the Ramseys' kitchen. Whoever wrote it has used a pen taken

假如约贝尼特还活着，现在她可能在数英里之外，被绑匪当作人质胁持着。然而，8 小时后，约翰·拉姆齐在家的一个朋友陪伴下检查了地下室一个很少用的贮藏室，在门后他们发现了约贝尼特的尸体。如果早些时候警察搜过那里，那他们就没有注意到她，在他们被告之孩子已被发现并返回来时，尸体已被移动了，那里挤满了邻居和朋友，任何可能有重要作用的证据都被无可挽回地破坏了。

看起来凶手是在礼盒节的清晨进入拉姆齐的卧室，重击她的头部，使她的头颅破裂，失去了知觉，然后她或者他把孩子搬到地下室，在那儿用胶带封住她的嘴，用一截白色绳子绕住她的脖子并用一棍子弄紧，使得她窒息而死。

三页纸的赎金条被发现是用拉姆齐家厨房里的写字簿上的纸写的。写条的人用的是厨房杯子里的笔，写完后重新将其放了回去。这所房子晚上被

from a cup in the kitchen, afterwards replacing it. The house had been securely locked overnight, and there was no sign of a forced entry, so was the note written as a cover-up by a family member?

Handwriting experts ruled out the victim's father and her nine-year-old brother Burke as the possible author. They weren't so sure about Mrs. Ramsey. The note's "hand" didn't match hers, but the wording was not unlike her style of speech, and the investigators suspected that the author was a woman.

Other features of the note suggested an elaborate sick joke. The ransom demanded was \$118,000, a strange figure which happened to be precisely the annual bonus paid to John Ramsey by his computer company. And the note was signed "SBTC" . . . initials also displayed on a plaque found near the body.

The plaque was a souvenir of Ramsey's time as a serviceman based at Subic Bay in the Philippines.

There were no fingerprints to help the investigators, not even on the heavy torch which was believed to have been used to knock JonBenét unconscious. Found in the kitchen, the torch didn't belong to the Ramseys, they said. They had never seen it before.

Everything else, however, seemed to indicate

很安全地锁上了，也没有强行进入的迹象。因此这个字条是不是一个家庭成员为掩饰什么而写的呢？

笔迹专家排除了被害者的父亲和她 9 岁的哥哥伯克是写字条人的可能性，他们对拉姆齐夫人不能如此确定，字条的笔迹与她的笔迹不符，但措词的风格却并非不像她，而且调查人员怀疑写字条的人是一个妇女。

字条其他的特征显示这是一个精心设计的病态的玩笑，赎金要求是 11 万 8 千美元，这奇怪的数字恰巧和约翰·拉姆齐的计算机公司付给他的每年的红利精确地一致，而且字条上签名是“SBTC”……，在尸体旁发现的胸襟饰物上也有这个姓名字母缩写。

这个胸襟饰物是拉姆齐在菲律宾苏比克港服役时的纪念物。

没有指纹可帮助调查，甚至在被认为用作敲击约贝尼特使她丧失知觉的手电筒上也没有发现指纹。拉姆齐家的人说在厨房里发现的手电筒不是拉姆齐家的，他们以前从未见过它。

然而，其他的每件事似乎都暗示是内部人作

an inside job. The stick used to garrotte the victim belonged to Mrs. Ramsey. It was an artist's paint-brush. And the blanket wrapped around the corpse had been taken from a drier in the family's utility room.

The job of a grand jury is to decide whehter there is sufficient evidence to put an accused person on trial. To date nobody has been formally accused of the murder. Inevitably, the prime suspects are the child's parents: either one or the other (they have hired separate lawyers) or both acting together.

It has been suggested that Patsy Ramsey, driven to distraction by her daughter's persistent bed-wetting, "snapped" and struck her harder than she intended. Then, according to this theory, the accidental death was disguised as an abduction-murder.

The couple's image has not been helped by their obsession with JonBenét's career on the infant beautyqueen circuit. This is believed to have stemmed from Patsy Ramsey's own success on the cat-walk. She is a former Miss West Virginia, and her promotion of her little daughter's good looks has been seen as an attempt to relive her own lost youth.

This may seem innocent enough, but the

案。用来勒杀被害人的棍子属于拉姆齐夫人，这是一个艺术家的画笔，包裹尸体的毯子是从家里的一个烘干机中拿的。

大陪审团的工作是决定是否有足够的证据审讯被告。到今天为止还没有人正式被控谋杀。最主要的嫌疑犯不可避免地是孩子的父母：不是这个就是另一个（他们已雇用了各自的律师）或者是两人共同所为。

据说帕齐·拉姆齐被女儿顽固性的尿床气疯了，打她的时候出手过重。那么根据这种看法，意外的死亡被伪装成了绑架谋杀。

夫妇俩强迫女儿参加幼儿选美也使他们的形象受损，这被认为是源自帕齐·拉姆齐自己在独木桥似的事业上的成功体验，帕齐·拉姆齐是前西维吉尼亚小姐。女儿美丽容貌带来的成功似乎使她又体验了她逝去的青春。

这看起来似乎是清白的，但最终的结果却十分

end-product was downright weird: a six-year-old bottle-blonde with fuschia lipstick, false eyelashes, mascara and red varnished toe nails. And JonBenét wore strapless ball gowns and expensive furs. She also sported sequins and diamonds, and aped adult seductive poses. Some people might call this "beauty. "

The rest of us would call it grotesque.

Nevertheless, this get-up brough JonBenét titles including National Tiny Miss Beauty and Little Miss Colorado, and this has to be borne in mind when you wonder what kind of parents would make such a sickening spectacle of their infant daughter and think it marvellous. Or what kind of people would agree with them. The kind of people, perhaps, who would have an 18th-century piano converted to play electronicall. The Ramsey did that too.

So the couple had execrable taste. But being breathtakingly vulgar is one thing, and killing your own child is quite another. The way the Ramseys turned their little daughter into a sexobject might seem unhealthy, but it falls far short of indicating a predisposition to murder.

Yet it has laid the couple open to lurid speculation. Tongues were set wagging by news that detec-

古怪，女孩只有六岁，长着金黄色的头发，却涂着口红，戴着假睫毛，脚趾上涂着红色的指甲油。约贝尼特还穿无肩带的礼服和昂贵的皮衣。她还炫耀闪光的饰品和钻石，模仿成人搔首弄姿，一些人也许会称之为美。

而我们称之为怪诞。

然而，这种装扮给约贝尼特带来了各种头衔，包括全国小美人和科罗拉多小姐。你心里会疑惑什么样的父母会把自己年幼的女儿弄成这种病态的样子并以为很了不起，或者什么样的人会同意他们的做法，也许他们就是那种一定要把 18 世纪的钢琴进行改装来弹奏电子音乐的人。拉姆齐夫妇就是这样做的。

因此夫妇二人的品味很差，但是品味粗俗是一回事，杀死自己的孩子是另一回事。拉姆齐夫妇把他们的小女儿变成一个“性物”的行为是不健康的，但这远不能说明他们有谋杀的倾向。

然而这却使夫妇二人不得不面对耸人听闻的猜测。侦探在搜查房子时发现的一张照片引起人们

tives searching the house had found photos depicting JonBenét partly clothed and with a bruise on her right arm, but such pictures are to be found among the snapshots of many families with infants. Little children often romp around less than fully clothed, and are innocently photographed enjoying themselves; and few active children get through a week without collecting a bruise or two. Nevertheless, the Ramseys' photos prompted speculation about what went on behind their closed doors.

JonBenét was known still to be a bed-wetter at six, and bed-wetting can be a sign of sexual abuse. A filmed interview showed her nervously massaging herself in a manner suggesting masturbation, which is common in sexually abused children. But bed-wetting and masturbation are by no means unknown in children who are not sexually abused, and nothing positive is known to substantiate rumours of sexual abuse and torture in JonBenét's history. There is no proof that she was sexually abused prior to the night of her death, and with her murder the Ramseys' comfortable world fell apart. They left their house and went to their second home in Georgia, which they have since also had to leave upon finding themselves again besieged by reporters. They have

议论纷纷，照片显示只穿着一件衣服的约贝尼特右胳膊上有瘀伤。但是很多有小孩家庭的快照中都会有这种照片，年幼的孩子经常穿着很少的衣服跑来跑去，并被拍照以娱乐，很少有活泼的孩子在一个星期中没有一两处擦伤的。然而，拉姆齐家的照片激起了人们的猜测，在他们紧闭的房门后发生了什么事。

人们都知道约贝尼特在 6 岁时仍尿床，而尿床可以是性虐待的一个迹象。在一个采访她的片子中，她神经质地按摩她自己，这种行为暗示着手淫。这在遭性虐待的儿童中很普遍，但是尿床和手淫在没有遭性虐待的儿童中并非就没有。约贝尼特遭性虐待和过去受折磨的传言并无确证。在她遇害前的那晚，没有证据表明她遇到性虐待。由于她被谋杀，拉姆齐夫妇舒适的生活破碎了。他们离开了那个家搬到了乔治亚的另一个住处。尽量避免重新被记者包围，他们变成了媒体的逃亡者。

become fugitives from the media.

And they have not been the only ones to suffer. The aftermath of JonBenét's murder has been like a malignant disease, ending friendships, wrecking careers, even putting people behind bars. Victims of the fall-out include a senior detective who has taken early retirement, three who have resigned over disagreements about how the investigation has been handled, a police chief who has quit over the case, and a district attorney accused of going easy on the Ramseys for political reasons.

An artist obsessed with the case has been jailed for trying to torch the Ramseys' house, two private detectives have been arrested for illicitly obtaining access to the Ramseys' private documents, and a business partner of John Ramsey is on probation for threatening two men he took to be reporters. A photo lab employee has been imprisoned for selling pictures of JonBenét's autopsy, and another man has been arrested for walking naked through the streets to protest his innocence in the murder of which nobody has accused him anyway!

The investigation has not been helped by a feud between the police and the district attorney, which finally led to the DA's office taking over the inquiry.

但是他们并不是唯一的受害者。约贝尼特的被谋杀所产生的后果就像致命的传染病，结束了友谊，破坏了职业生涯，甚至让人们入牢。受害者包括一个提前退休的资深侦探；三个因就如何处理调查未能达成一致意见的侦探辞了职；一个放弃这个案子的警官，一个被控告因政治原因优待拉姆齐夫妇的地区律师。

一个对该案念念不忘的艺术家因试图放火烧拉姆齐家的房子而被关进了监狱，两个私人侦探因非法获得使用拉姆齐夫妇的私人资料而被捕，约翰·拉姆齐的一个生意伙伴因威胁他以为是记者的两个人被判缓刑，某个照相馆的一个雇员因出售约贝尼特的验尸照片而坐牢，另一个因赤身裸体走在大街上抗议在谋杀中无人对他指控而被捕。

警察和地区律师之间的宿怨无助于调查，最终导致区律师事务所接受调查。弗利特·怀特，约翰·拉姆齐的朋友，当约翰发现尸体时与他在一起，在

And Fleet White, John Ramsey's friend who was with him when he found the body, has since fallen out with the Ramseys over their behaviour after the murder. Within hours of the corpse's discovery Ramsey tried to hire a plane to fly his family to Georgia, and the couple have also engaged a costly public relations consultant.

On TV, John Ramsey told viewers he found his role as a suspect "nauseating beyond belief," and his wife protested: "We are a deeply religious family and our involvement is not within the realms of possibility."

But if they had nothing to hide, why did their highpowered lawyers block police attempts to interrogate them? Why did the Ramseys consent to answer only questions put to them in writing?

All this has inevitably attracted suspicion, but apart from the parents' presence under the same roof as the murder, there is much to suggest that they are innocent. How, their supporters argue, could they have brought themselves to kill the child they idolised to the point of making almost a fetish of her beauty? It didn't make sense. Whoever garrotted JonBenét would have had to look at her face while they did it. What father or mother could do that?

谋杀发生后，因拉姆齐夫妇的行为而与他们发生了争吵。在尸体被发现后的几个小时内，拉姆齐试图雇一架飞机让全家飞往佐治亚州，而夫妇两人已经与一个公共关系顾问订了约。

在电视里，约翰·拉姆齐对观众说他对自己嫌疑犯的角色令人难以置信地恶心，而他的妻子抗议说：“我们是一个宗教观念很强的家庭，我们决不可能牵涉其中。”

但是如果他们没有什么可隐藏的，为什么他们神通广大的律师要阻止警察对他们的审问？为什么拉姆齐夫妻只同意回答有关字迹的问题？

所有这些不可避免地会引起猜疑，但是除了夫妇两人都在谋杀发生的同一所房子里之外，似乎有更多的理由认为他们是无辜的。他们的支持者辩解说，他们怎么可能会杀害一个他们培养出来的偶像呢？这样做没有任何意义，无论是谁勒杀了约贝尼特，在这样做的时候，他们都会看到她的脸，父亲或者母亲能这样做吗？当然不会是约翰·拉姆齐。四年前，他第一次婚姻所生的女儿死于车祸使他很受打击。当然也不会是帕齐·拉姆齐，仅仅在谋杀