
CONSTITUTIONAL COMMENTARY

Volume 3, Number 1

Winter 1986

Economic Analysis of Abortion *D.A.F.*
Just You Wait, Harry Blackmun *William Blodgett*
Chinese Constitution

Articles

Celebrating Secrecy *Judith Lachman*
Fancy Dancing in the
Marble Palace *Peter H. Irons*
The Legislative Veto, the Constitution,
and the Courts *Robert F. Nagel*
Sloppiness in the Supreme Court,
O.T. 1935 - O.T. 1944 *Mark Tushnet*
Is There "Life" (Or "Choice") After *Roe*? *Ronald Collins*
Caught in a Political Thicket:
The Supreme Court and
Campaign Finance *Frank J. Sorauf*
Congressional Power Under the
Fourteenth Amendment — The Original
Understanding of Section Five *Michael Zuckert*

*Book Reviews by Paul Murphy, Aaron Wildavsky, Harold M.
Hyman, Edward J. Erler, David A. Anderson, Charles A. Lofgren,
James M. O'Fallon, Jeremy Rabkin, Allan C. Hutchinson,
Maurice Holland, Deborah J. Merritt, Sandra F. VanBurkleo,
Ernest B. Lowrie, William O'Neill, Carol T. Rieger, Philip P.
Frickey and David I. Levine, Daniel A. Farber*

CONSTITUTIONAL COMMENTARY

Daniel Farber & David Bryden Editors
 Jan Stone Technical Editor
 Laurie Newbauer Administrative Assistant

CONTENTS

BUT CF. . . .

Economic Analysis of Abortion	<i>D.A.F.</i>	1
Just You Wait, Harry Blackmun	<i>William Blodgett</i>	3
Chinese Constitution		5

ARTICLES

Celebrating Secrecy	<i>Judith Lachman</i>	31
Fancy Dancing in the Marble Palace	<i>Peter H. Irons</i>	35
The Legislative Veto, the Constitution, and the Courts	<i>Robert F. Nagel</i>	61
Sloppiness in the Supreme Court, O.T. 1935 - O.T. 1944	<i>Mark Tushnet</i>	73
Is There "Life" (Or "Choice") After <i>Roe</i> ? ..	<i>Ronald Collins</i>	91
Caught in a Political Thicket: The Supreme Court and Campaign Finance	<i>Frank J. Sorauf</i>	97
Congressional Power Under the Fourteenth Amendment — The Original Understanding of Section Five	<i>Michael Zuckert</i>	123

BOOK REVIEWS

History of the Supreme Court of the United States, Volume IX: The Judiciary and Responsible Government 1910-1921	<i>Paul Murphy</i>	157
The New American Dilemma: Liberal Democracy and School Desegregation	<i>Aaron Wildavsky</i>	161
Red Scare!	<i>Harold M. Hyman</i>	174

Canarsie: The Jews and Italians of Brooklyn Against Liberalism	<i>Edward J. Erler</i>	176
Press Law in Modern Democracies: A Comparative Study	<i>David A. Anderson</i>	184
Edward S. Corwin and the American Constitution: A Bibliographical Analysis The President, Office and Powers 1787-1984: History and Analysis of Theory and Practice Constitutional Conflicts Between Congress and the President	<i>Charles A. Lofgren</i>	193
When Words Lose Their Meaning: Constitutions and Reconstitutions of Language, Character, and Community	<i>James M. O'Fallon</i>	204
Constitutional Choices	<i>Jeremy Rabkin</i>	208
Sexism, Racism and Oppression	<i>Allan C. Hutchinson</i>	215
The Federal Courts: Crisis and Reform	<i>Maurice Holland</i>	220
Freedom of Expression: A Critical Analysis Nimmer on Freedom of Speech: A Treatise on the Theory of the First Amendment	<i>Deborah J. Merritt</i>	234
Supreme Court Justice Joseph Story: Statesman of the Old Republic	<i>Sandra F. VanBurkleo</i>	244
Religion, State and the Burger Court	<i>Ernest B. Lowrie</i>	255
The Politics of the American Civil Liberties Union	<i>William O'Neill</i>	260
The Goldmark Case: An American Libel Trial	<i>Carol T. Rieger</i>	266

The Willowbrook Wars	<i>Philip P. Frickey</i>	270
	<i>David I. Levine</i>	
Ideals, Beliefs, Attitudes and the Law: Private Law Perspectives on a Public Law Problem	<i>Daniel A. Farber</i>	282

Constitutional Commentary is published by the University of Minnesota Law School two times a year in January and July. Subscription: 1 year, \$12.00; single copies of issues in the current volume, \$6.00. Subscriptions are automatically renewed upon expiration unless a request for discontinuance is received.

Constitutional Commentary invites the submission of unsolicited manuscripts. We regret that such manuscripts cannot be returned except upon receipt of postage and handling fees of \$2.50. Citations conform generally to *A Uniform System of Citation* (13th ed. 1981), supplemented by *The Chicago Manual of Style*.

Communications should be addressed to: *Constitutional Commentary, University of Minnesota Law School, 229 19th Avenue South, Minneapolis, Minnesota 55455. Telephone: (612) 373-3970 (subscriptions); 373-5759 (Bryden); 376-7235 (Farber).*

Copyright 1986 by Constitutional Commentary.