

TULANE LAW REVIEW

VOLUME 63

JUNE 1989

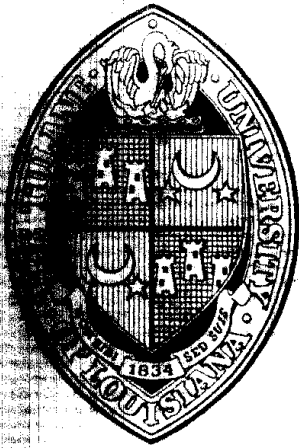
NUMBER 6

CONTENTS

SYMPOSIUM: MICHAEL J. PERRY'S *MORALITY, POLITICS, AND LAW*

<i>PREFACE: MICHAEL PERRY AND THE SIGN OF BETTER TIMES AHEAD</i>	<i>Milner S. Ball</i>	1283
MICHAEL PERRY AND THE FUTURE OF CONSTITUTIONAL THEORY	<i>Sotirios A. Barber</i>	1289
THE LOST UNION CARD	<i>David P. Bryden</i>	1305
THE DISSENT OF THE GOVERNORS	<i>Stephen L. Carter</i>	1325
ABORTION & DIALOGUE	<i>Ruth Colker</i>	1363
NATURE AND COMMUNITY: COMMENTS ON MICHAEL PERRY	<i>Fred Dallmayr</i>	1405
COMIC RELIEF	<i>John Denvir</i>	1423
THE MAN WHO MISTOOK HIS LIFE FOR A PLANT	<i>Daniel A. Farber</i>	1445
HUMAN FLOURISHING AS A CRITERION OF MORALITY: A CRITIQUE OF PERRY'S NATURALISM	<i>Robert P. George</i>	1455
PLURALISM, CIVIC REPUBLICANISM, AND CRITICAL THEORY	<i>Ronald Kahn</i>	1475
MORAL KNOWLEDGE AND CONSTITUTIONAL ADJUDICATION	<i>Richard S. Kay</i>	1501
PERRY, NATURALISM, AND RELIGION IN PUBLIC	<i>Robin W. Lovin</i>	1517
ORIGINALISM AND THE SEPARATION OF POWERS	<i>Wm. Bradford Reynolds</i>	1541
MORALITY AND THE POLITICS OF JUDGING ..	<i>Martin Shapiro</i>	1555
WOMEN'S VIRTUE	<i>Suzanna Sherry</i>	1591

ORIGINALISM AS TRANSFORMATIVE POLITICS	<i>Lawrence B. Solum</i>	1599
FLOURISHING AND THE PROBLEM OF EVIL	<i>Mark Tushnet</i>	1631
ABORTION, INCOMMENSURABILITY, AND JURISPRUDENCE.....	<i>Joan C. Williams</i>	1651
RESPONSE		
A BRIEF COMMENT	<i>Michael J. Perry</i>	1673
COMMENT		
LABOR INJUNCTIONS PENDING ARBITRATION: A PROPOSAL TO AMEND NORRIS-LAGUARDIA	<i>Michael A. Berenson</i>	1681
RECENT DEVELOPMENTS		
<i>NCAA v. TARKANIAN</i> : STATE ACTION IN COLLEGIATE ATHLETICS	<i>J.M. Schwartz</i>	1703
<i>NEELY v. HOLLYWOOD MARINE, INC.</i> : DISCHARGED ATTORNEYS' RIGHT TO CHALLENGE SETTLEMENT AGREEMENTS BETWEEN SEAMEN AND DEFENDANTS	<i>S.-M. Lee</i>	1710
<i>NEUWIRTH v. LOUISIANA STATE BOARD OF DENTISTRY</i> : BOARD IS ALTER EGO OF STATE UNDER ELEVENTH AMENDMENT.....	<i>A.Y. Chang</i>	1720
<i>STATE v. CHURCH</i> : DWI ROADBLOCKS ARE PER SE UNCONSTITUTIONAL IN LOUISIANA— SEARCH AND SEIZURE IMPLICATIONS BEYOND ROADBLOCKS	<i>M.A. Berenson</i>	1727
<i>WALKER v. CITY OF MESQUITE</i> : THE NONAPPEALABILITY OF CLASS ACTION CONSENT DECREES BY NONNAMED CLASS MEMBERS	<i>N.E. Paolini</i>	1732
VOLUME 63 INDEX.....		i



Tulane Law Review

2
10
Tabla

A National Law Journal Distinguished for
Coverage of Civil and Comparative Law

SYMPOSIUM:

MICHAEL J. PERRY'S *MORALITY, POLITICS, AND LAW*

Milner S. Ball
Sotirios A. Barber
David P. Bryden
Stephen L. Carter
Ruth Colker
Fred Dallmayr
John Denvir
Daniel A. Farber
Robert P. George

Ronald Kahn
Richard S. Kay
Robin W. Lovin
Wm. Bradford Reynolds
Martin Shapiro
Suzanna Sherry
Lawrence B. Solum
Mark Tushnet
Joan C. Williams

Response by
Michael J. Perry

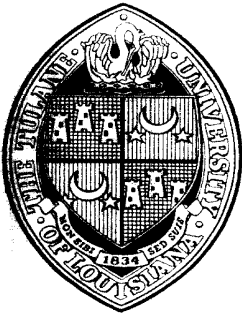
COMMENT

Labor Injunctions Pending Arbitration: A Proposal to
Amend Norris-LaGuardia Michael A. Berenson

VOLUME 63

NUMBER 6

JUNE 1989



Tulane Law Review

A National Law Journal Distinguished for
Coverage of Civil and Comparative Law

CENTRO LINCOLN

SYMPOSIUM:

MICHAEL J. PERRY'S *MORALITY, POLITICS, AND LAW*

Milner S. Ball	Ronald Kahn
Sotirios A. Barber	Richard S. Kay
David P. Bryden	Robin W. Lovin
Stephen L. Carter	Wm. Bradford Reynolds
Ruth Colker	Martin Shapiro
Fred Dallmayr	Suzanna Sherry
John Denvir	Lawrence B. Solum
Daniel A. Farber	Mark Tushnet
Robert P. George	Joan C. Williams

Response by
Michael J. Perry

COMMENT

Labor Injunctions Pending Arbitration: A Proposal to
Amend Norris-LaGuardia Michael A. Berenson

VOLUME 63

NUMBER 6

JUNE 1989

AUG 14

TULANE LAW REVIEW

VOLUME 63

JUNE 1989

NUMBER 6

CONTENTS

SYMPOSIUM: MICHAEL J. PERRY'S *MORALITY, POLITICS, AND LAW*

<i>PREFACE: MICHAEL PERRY AND THE SIGN OF BETTER TIMES AHEAD</i>	<i>Milner S. Ball</i>	1283
<i>MICHAEL PERRY AND THE FUTURE OF CONSTITUTIONAL THEORY</i>	<i>Sotirios A. Barber</i>	1289
<i>THE LOST UNION CARD</i>	<i>David P. Bryden</i>	1305
<i>THE DISSENT OF THE GOVERNORS</i>	<i>Stephen L. Carter</i>	1325
<i>ABORTION & DIALOGUE</i>	<i>Ruth Colker</i>	1363
<i>NATURE AND COMMUNITY: COMMENTS ON MICHAEL PERRY</i>	<i>Fred Dallmayr</i>	1405
<i>COMIC RELIEF</i>	<i>John Denvir</i>	1423
<i>THE MAN WHO MISTOOK HIS LIFE FOR A PLANT</i>	<i>Daniel A. Farber</i>	1445
<i>HUMAN FLOURISHING AS A CRITERION OF MORALITY: A CRITIQUE OF PERRY'S NATURALISM</i>	<i>Robert P. George</i>	1455
<i>PLURALISM, CIVIC REPUBLICANISM, AND CRITICAL THEORY</i>	<i>Ronald Kahn</i>	1475
<i>MORAL KNOWLEDGE AND CONSTITUTIONAL ADJUDICATION</i>	<i>Richard S. Kay</i>	1501
<i>PERRY, NATURALISM, AND RELIGION IN PUBLIC</i>	<i>Robin W. Lovin</i>	1517
<i>ORIGINALISM AND THE SEPARATION OF POWERS</i>	<i>Wm. Bradford Reynolds</i>	1541
<i>MORALITY AND THE POLITICS OF JUDGING</i> ..	<i>Martin Shapiro</i>	1555
<i>WOMEN'S VIRTUE</i>	<i>Suzanna Sherry</i>	1591

ORIGINALISM AS TRANSFORMATIVE POLITICS.....	<i>Lawrence B. Solum</i>	1599
FLOURISHING AND THE PROBLEM OF EVIL	<i>Mark Tushnet</i>	1631
ABORTION, INCOMMENSURABILITY, AND JURISPRUDENCE.....	<i>Joan C. Williams</i>	1651
RESPONSE		
A BRIEF COMMENT	<i>Michael J. Perry</i>	1673
COMMENT		
LABOR INJUNCTIONS PENDING ARBITRATION: A PROPOSAL TO AMEND NORRIS-LAGUARDIA	<i>Michael A. Berenson</i>	1681
RECENT DEVELOPMENTS		
<i>NCAA v. TARKANIAN</i> : STATE ACTION IN COLLEGIATE ATHLETICS	<i>J.M. Schwartz</i>	1703
<i>NEELY v. HOLLYWOOD MARINE, INC.</i> : DISCHARGED ATTORNEYS' RIGHT TO CHALLENGE SETTLEMENT AGREEMENTS BETWEEN SEAMEN AND DEFENDANTS	<i>S.-M. Lee</i>	1710
<i>NEUWIRTH v. LOUISIANA STATE BOARD OF DENTISTRY</i> : BOARD IS ALTER EGO OF STATE UNDER ELEVENTH AMENDMENT.....	<i>A.Y. Chang</i>	1720
<i>STATE v. CHURCH</i> : DWI ROADBLOCKS ARE PER SE UNCONSTITUTIONAL IN LOUISIANA— SEARCH AND SEIZURE IMPLICATIONS BEYOND ROADBLOCKS	<i>M.A. Berenson</i>	1727
<i>WALKER v. CITY OF MESQUITE</i> : THE NONAPPEALABILITY OF CLASS ACTION CONSENT DECREES BY NONNAMED CLASS MEMBERS	<i>N.E. Paolini</i>	1732
VOLUME 63 INDEX.....		i