

HARVARD LAW REVIEW

IN MEMORIAM: ALBERT M. SACKS

*Howard Raiffa
Erwin N. Griswold
Clark Byse
Sheldon Oliensis
David L. Shapiro*

*Norman Dorsen
Gary Bellow
Ruth Bader Ginsburg
Frank Michelman
David B. Wilkins*

A TRIBUTE TO JUSTICE THURGOOD MARSHALL

*William J. Brennan, Jr.
Robert L. Carter
William T. Coleman, Jr.*

*Owen Fiss
A. Leon Higginbotham, Jr.
Martha Minow*

THE SUPREME COURT, 1990 TERM

FOREWORD:

ANTIDISCRIMINATION AND CONSTITUTIONAL
ACCOUNTABILITY (WHAT THE BORK-BRENNAN
DEBATE IGNORES)

Guido Calabresi

COMMENT:

ARIZONA V. FULMINANTE:
THE HARM OF APPLYING HARMLESS
ERROR TO COERCED CONFESSIONS

Charles J. Ogletree, Jr.

LEADING CASES

HARVARD LAW REVIEW

© 1991 by The Harvard Law Review Association

CONTENTS

IN MEMORIAM: ALBERT M. SACKS

<i>Howard Raiffa</i>	1
<i>Erwin N. Griswold</i>	3
<i>Clark Byse</i>	4
<i>Sheldon Oliensis</i>	7
<i>David L. Shapiro</i>	9
<i>Norman Dorsen</i>	11
<i>Gary Bellow</i>	14
<i>Ruth Bader Ginsburg</i>	16
<i>Frank Michelman</i>	18
<i>David B. Wilkins</i>	20

A TRIBUTE TO JUSTICE THURGOOD MARSHALL

<i>William J. Brennan, Jr.</i>	23
<i>Robert L. Carter</i>	33
<i>William T. Coleman, Jr.</i>	42
<i>Owen Fiss</i>	49
<i>A. Leon Higginbotham, Jr.</i>	55
<i>Martha Minow</i>	66

THE SUPREME COURT, 1990 TERM

Table of Contents	77
Table of Cases	79

CONTENTS

Foreword:

Antidiscrimination and Constitutional Accountability (What the Bork-Brennan Debate Ignores)	<i>Guido Calabresi</i>	80
--	----------------------------------	----

Comment:

<i>Arizona v. Fulminante: The Harm of Applying Harmless Error to Coerced Confessions</i>	<i>Charles J. Ogletree, Jr.</i>	152
--	---	-----

Leading Cases 177

I. Constitutional Law	177
A. Criminal Law and Procedure	177
B. Constitutional Structure	196
C. Due Process	216
D. Eighth Amendment	235
E. Equal Protection	255
F. Freedom of Speech, Press, and Association	277
G. Search and Seizure	297
II. Federal Jurisdiction and Procedure	309
A. Appellate Procedure	309
B. Habeas Corpus	319
C. Retroactivity	339
D. Sanctions	349
III. Federal Statutes and Regulations	360
A. Antitrust	360
B. Civil Rights Law	369
C. Review of Administrative Action	389

CONTENTS

D. Securities Law	399
E. Voting Rights Act	409
IV. The Statistics	419

The Harvard Law Review (ISSN 0017-811X) is published monthly eight times a year, November through June, at Gannett House, Cambridge, Mass., and additional mailing offices. Second-class postage paid at Boston, Mass., and additional mailing offices. POSTMASTER: Send address changes to the Harvard Law Review, Gannett House, 1511 Massachusetts Avenue, Cambridge, MA 02138.

Current subscription: \$36.00 (plus \$6.00 for foreign mailing) payable in advance; \$8.00 a number. Remittance must be made by U.S. Dollar Draft payable at a United States bank. If subscription is to be discontinued at expiration, notice to that effect should be sent; otherwise it will be renewed as usual. All notifications of change of address should include old and new addresses, with zip codes. Please inform us one month in advance to ensure prompt delivery.

Single issues and bound and unbound volumes for volume 105 are available from the Harvard Law Review at the following prices: single issues, \$8.50; unbound volumes, \$45.00; bound volumes, \$75.00. Back issues prior to volume 104 are available from Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado 80123. For price of issues, volumes, and sets prior to volume 104, please inquire of Fred B. Rothman & Co.

Information for Contributors:

The Review invites the submission of unsolicited manuscripts. Please confine author's name and biographical information to a removable title page. Footnotes should conform to the 15th edition of *A Uniform System of Citation*. Please enclose an envelope with return postage if you would like your manuscript returned after consideration.

Send all correspondence to Harvard Law Review Association, Gannett House, 1511 Massachusetts Avenue, Cambridge, MA 02138.