

HARVARD LAW REVIEW

ARTICLE

THE BOUNDARIES OF RACE: POLITICAL
GEOGRAPHY IN LEGAL ANALYSIS

Richard Thompson Ford

NOTES

The Eighth Amendment and Ineffective
Assistance of Counsel in Capital Trials

Investor Liability: Financial Innovations
in the Regulatory State and the Coming
Revolution in Corporate Law

Clear Statement Rules, Federalism, and
Congressional Regulation of States

Visual Artists' Rights in a Digital Age

Protection of Foreign Direct Investment
in a New World Order: Vietnam — A Case Study

Dethroning the Welfare Queen:
The Rhetoric of Reform

COMMENTARY

THE MAKING OF *THE LEGAL PROCESS*

*William N. Eskridge, Jr.
and Philip P. Frickey*

BOOK REVIEWS

ECONOMICS OF DEATH

David Charny

LOYALTY AND THE LIMITS OF
KANTIAN IMPARTIALITY

Drucilla Cornell

CONGRESS AND THE REFORM OF RISK
REGULATION

Craig Gannett

BOOK NOTES

RECENT LEGISLATION

HARVARD LAW REVIEW

© 1994 by The Harvard Law Review Association

CONTENTS

ARTICLE

The Boundaries of Race: Political Geography in Legal Analysis Richard Thompson Ford 1841

NOTES

The Eighth Amendment and Ineffective Assistance of Counsel in Capital Trials 1923
Investor Liability: Financial Innovations in the Regulatory State and the Coming Revolution in Corporate Law 1941
Clear Statement Rules, Federalism, and Congressional Regulation of States 1959
Visual Artists' Rights in a Digital Age 1977
Protection of Foreign Direct Investment in a New World Order: Vietnam — A Case Study 1995
Dethroning the Welfare Queen: The Rhetoric of Reform 2013

COMMENTARY

The Making of The Legal Process William N. Eskridge, Jr. and Philip P. Frickey 2031

BOOK REVIEWS

Economics of Death (Review of PHILIPSON AND POSNER: Private Choices and Public Health: The AIDS Epidemic in an Economic Perspective) David Charny 2056

CONTENTS

Loyalty and the Limits of Kantian Impartiality (Review of FLETCHER: Loyalty: An Essay on the Morality of Relationships) . . . <i>Drucilla Cornell</i>	2081
Congress and the Reform of Risk Regulation (Review of BREYER: Breaking the Vicious Circle: Toward Effective Risk Regulation)	<i>Craig Gannett</i> 2095

BOOK NOTES

A "Four Warning" (Review of ALEXANDER AND SKAPSKA, EDS: A Fourth Way? Privatization, Property, and the Emergence of New Market Economies)	2105
Stripping Pornography of Constitutional Protection (Review of MACKINNON: Only Words)	2111
The Least Interested Branch (Review of ELY: War and Responsibility: Constitutional Lessons of Vietnam and Its Aftermath)	2117

RECENT LEGISLATION

Criminal Procedure — Sentencing — California Enacts Enhancements for Prior Felony Convictions. — Act of March 7, 1994, 1994 Cal. Legis. Serv. Ch. 12 (A.B. 971) (to be codified at Cal. Penal Code § 667)	2123
--	------

RECENT PUBLICATIONS	2129
-------------------------------	------

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: \$40.00 (plus \$6.00 for foreign mailing) payable in advance; \$9.00 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 107 are available from the Harvard Law Review at the following prices: single issues, \$9.50; unbound volumes, \$45.00. Back issues prior to volume 107 are available from Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado 80123. For price of issues, volumes, and sets prior to volume 107, 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 *The Bluebook: 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.