

FURTHER DEVELOPMENTS ON PREVIOUS SYMPOSIA

THE POST-ZELMAN VOUCHER BATTLEGROUND: WHERE TO TURN AFTER  
FEDERAL CHALLENGES TO BLAINE AMENDMENTS FAIL ..... 213

*Luke A. Lantta*

# LAW AND CONTEMPORARY PROBLEMS

CONSERVATIVE  
AND PROGRESSIVE  
LEGAL ORDERS

Christopher H. Schroeder

Special Editor

SCHOOL OF LAW • DUKE UNIVERSITY

VOL. 67

SUMMER 2004

NO. 3

# LAW AND CONTEMPORARY PROBLEMS

---

Volume 67

Summer 2004

Number 3

---

## CONSERVATIVE AND PROGRESSIVE LEGAL ORDERS

*Christopher H. Schroeder*  
Special Editor

FOREWORD.....	1
	<i>Christopher H. Schroeder</i>
JUST DO IT.....	11
	<i>Girardeau A. Spann</i>
LEFT OUT.....	23
	<i>Louis Michael Seidman</i>
WARNING: LABELING CONSTITUTIONS MAY BE HAZARDOUS TO YOUR REGIME.....	33
	<i>Suzanna Sherry</i>
PROGRESSIVE AND CONSERVATIVE CONSTITUTIONALISM AS THE UNITED STATES ENTERS THE 21ST CENTURY.....	53
	<i>Erwin Chemerinsky</i>
THE MAJORITARIAN REHNQUIST COURT?.....	63
	<i>Neal Devins</i>
SPEECH AND STRIFE.....	83
	<i>Robert L. Tsai</i>
FUNCTIONAL DEPARTMENTALISM AND NONJUDICIAL INTERPRETATION: WHO DETERMINES CONSTITUTIONAL MEANING?.....	105
	<i>Dawn E. Johnsen</i>
THE CYCLES OF CONSTITUTIONAL THEORY.....	149
	<i>Barry Friedman</i>
THE ANTEBELLUM POLITICAL BACKGROUND OF THE FOURTEENTH AMENDMENT.....	175
	<i>Garrett Edds</i>