

Michigan Law Review

Volume 86 | Issue 3

1987

Front Matter

Michigan Law Review

Follow this and additional works at: <https://repository.law.umich.edu/mlr>

Recommended Citation

Michigan Law Review, *Front Matter*, 86 MICH. L. REV. i (1987).
Available at: <https://repository.law.umich.edu/mlr/vol86/iss3/1>

This Front Matter is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

Michigan Law Review

Vol. 86, No. 3

December 1987

CONTENTS

ARTICLES

- THE RHETORIC OF THE ANTI-PROGRESSIVE
INCOME TAX MOVEMENT: A TYPICAL
MALE REACTION *Marjorie E. Kornhauser* 465

- THE 1986 AND 1987 AFFIRMATIVE ACTION CASES:
IT'S ALL OVER BUT THE SHOUTING *Herman Schwartz* 524

ESSAYS

- LAW AND ENCHANTMENT:
THE PLACE OF BELIEF *Joseph Vining* 577

NOTES

- A RECOMMENDED APPROACH TO BAIL IN
INTERNATIONAL EXTRADITION CASES 599

- THRESHOLD REQUIREMENTS FOR THE
FBI UNDER EXEMPTION 7 OF THE
FREEDOM OF INFORMATION ACT 620

RECENT BOOKS

BOOKS RECEIVED 646

PERIODICAL INDEX

SUBJECT INDEX of Articles, Comments, Notes and Recent
Developments Appearing in Leading Law Reviews 648

The design on the cover is taken from an etching of The University of Michigan Legal Research Building.

Michigan Law Review (ISSN 0026-2234) is published monthly October, November, December, February, April, May, June, and August. Subscriptions: United States, \$32 per year in advance, eight numbers; Foreign, \$34. Editorial and Business Offices: Hutchins Hall, Ann Arbor, Michigan 48109-1215. Second-class postage paid at Ann Arbor, Michigan, and additional mailing offices. POSTMASTER: send address changes to Michigan Law Review, Hutchins Hall, Ann Arbor, Michigan 48109-1215.

Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521.

Recent Volumes: Single Issues \$6, Book Review and Special Issues \$12, postpaid, at Editorial and Business Offices.

Back issues and volumes (before November 1981) available from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Because back stock of the *Review* is turned over to a dealer, back numbers are available to the *Review* for a short time only. It is therefore necessary to ask that subscribers report the nonreceipt of copies within six months of the mailing date.

We gladly consider unsolicited manuscripts for publication. Citations in manuscripts should follow the form prescribed in *A Uniform System of Citation* (14th ed.). We regret that we can return only those manuscripts for which we receive postage and handling fees of \$3.50 for first-class and \$1.50 for special fourth-class mail.

Michigan Law Review

Vol. 86, No. 3

December 1987

EDITORIAL BOARD

Editor-in-Chief

MELISSA H. MAXMAN, *of Washington, D.C.*

Managing Editor

GARY A. MACDONALD, *of Michigan*

Book Review Editors

LISSA M. CINAT, *of Michigan*
JUDITH L. HUDSON, *of Michigan*

Executive Article Editor

RICHARD A. KABA, *of Michigan*

Executive Note Editor

GREGORY A. KALSCHUR, *of Wisconsin*

Executive Editors

PATRICK T. CONNORS, *of Michigan*
MARILYN MANN, *of Michigan*

ERIC M. ACKER, *of California*
MARK S. BERNSTEIN, *of Illinois*
PATRICK B. CAREY, *of Michigan*
MICHAEL L. CHIDESTER, *of Utah*
STEVEN T. CORLISS, *of Michigan*
BARRY L. JOHNSON, *of Iowa*
ALISON R. KEAN, *of Ohio*
ANDREW M. KENEFICK, *of Washington*
BRIAN K. KNOX, *of Ohio*

MICHAEL N. AMBLER, *of New York*
SANDIP C. BHATTACHARJI, *of New York*
KERMITT J. BROOKS, *of Michigan*
ANNE E. CAMPBELL, *of Michigan*
PAUL F. CAMPOS, *of Michigan*
STEVEN F. CHERRY, *of Indiana*
DARLEEN R. DARNALL, *of Oregon*
MARCELLA DAVID, *of New York*
TODD J. EHLMAN, *of Illinois*
SARA A. ENGLE, *of Michigan*
STEVEN R. ENGLUND, *of Minnesota*
HEIDI L. FELDMAN, *of New Jersey*
ELIZABETH S. FERGUSON, *of Indiana*
JONATHAN T. FOOT, *of Massachusetts*
PETER J. HAMMER, *of Washington*
LYNDA L. HOMERDING, *of Virginia*
KEVIN E. KENNEDY, *of California*
ROBERT R. KIMBALL, *of Michigan*
BRANDON D. LAWNICZAK, *of Michigan*

Article Editors

STEVEN G. BRADBURY, *of Oregon*
ANN H. COULTER, *of Connecticut*
JEFFREY A. HALL, *of Michigan*
M. SEAN LAANE, *of Illinois*
ANDREW J. MCGUINNESS, *of Michigan*

Note Editors

DAVID T. AZRIN, *of Florida*
DAVID H. BROMFIELD, *of Massachusetts*
MARK A. GRANNIS, *of Ohio*
WARD A. GREENBERG, *of New York*
JEFFREY G. MORAN, *of Illinois*
MARYELENA PARDO, *of Indiana*
FRANK G. ZARB, *of New York*

Contributing Editors

SCOTT M. KOSNOFF, *of Indiana*
JONATHAN H. MARGOLIES, *of New York*
TODD J. MAYBROWN, *of New York*
DONALD S. PLUM, *of Ohio*
FRANK C. SHAW, *of New York*
HARRY R. SILVER, *of Colorado*
JAMES L. THOMPSON, *of Indiana*
CHARLES F. WEISS, *of Maryland*

Associate Editors

JONATHAN L. MARKS, *of Illinois*
CREIGHTON R. MELAND, *of Michigan*
TIMOTHY F. MELLETT, *of Minnesota*
RICHARD L. MUGEL, *of New York*
JULIE E. OETTINGER, *of Illinois*
NELLIE PAPPAS, *of Michigan*
ETHAN M. POSNER, *of New York*
JESSICA M. RIZZOLO, *of North Carolina*
MICHAEL D. ROSENTHAL, *of New Jersey*
JEREMY R. SALESIN, *of New York*
LINDA A. SCHOEMAKER, *of Minnesota*
KENNETH F. SPARKS, *of Alabama*
JAMES R. STEFFEN, *of Michigan*
JOHN P. STIMSON, *of Michigan*
MAUREEN P. TAYLOR, *of Michigan*
JULIA A. THOMPSON, *of Michigan*
SARA J. VANCE, *of Arizona*
ROBERT S. WHITMAN, *of New York*

BUSINESS MANAGER

Eleonora V. Eckert

EDITORIAL ASSISTANT

Jenne S. Moldovan

UNIVERSITY OF MICHIGAN LAW SCHOOL

Administrative Officers

ROBBEN W. FLEMING, B.A., LL.B., LL.D., *Interim President of the University*
JAMES J. DUDERSTADT, M.S., PH.D., *Provost and Vice President for Academic Affairs*
LEE C. BOLLINGER, B.S., J.D., *Dean*
EDWARD H. COOPER, A.B., LL.B., *Associate Dean for Academic Affairs*
SUSAN M. EKLUND, A.B., J.D., *Associate Dean for Student Affairs and Operations*
BEVERLEY J. POOLEY, B.A., LL.B., LL.M., S.J.D., *Associate Dean for the Law Library*
VIRGINIA B. GORDAN, B.A., J.D., *Assistant Dean for Student Affairs*
JONATHAN D. LOWE, B.A., J.D., *Assistant Dean for Law School Relations*
ALLAN T. STILLWAGON, A.B., M.A., *Assistant Dean and Admissions Officer*

Professors Emeriti of Law

FRANCIS A. ALLEN, A.B., LL.B., J.D., LL.D.,
Edson R. Sunderland Professor of Law
OLIN L. BROWDER, JR., A.B., LL.B., S.J.D.,
James V. Campbell Professor of Law
ALFRED F. CONARD, A.B., LL.B., LL.M., J.S.D.,
LL.D., *Henry M. Butzel Professor of Law*
LUKE K. COOPERRIDER, B.S., J.D.
ROBBEN W. FLEMING, B.A., LL.B., LL.D.
FRANK R. KENNEDY, A.B., LL.B., J.S.D.,
Thomas M. Cooley Professor of Law
MARVIN L. NIEHUSS, A.B., LL.B.
GEORGE E. PALMER, A.B., J.D., LL.M.
ROY F. PROFFITT, B.S., J.D., LL.M.
ALLAN F. SMITH, A.B., LL.B., LL.M., S.J.D.
RUSSELL A. SMITH, A.B., J.D.
ERIC STEIN, J.U.D., J.D., DR.H.C., DR.H.C.,
Hessel E. Yntema Professor of Law

Professors of Law

T. ALEXANDER ALEINIKOFF, B.A., J.D.
LAYMAN E. ALLEN, A.B., M.P.A., LL.B.
LEE C. BOLLINGER, B.S., J.D.
DAVID L. CHAMBERS, A.B., LL.B.
EDWARD H. COOPER, A.B., LL.B.
ROGER A. CUNNINGHAM, S.B., J.D.,
James V. Campbell Professor of Law
DONALD N. DUQUETTE,†† B.A., J.D.
PHOEBE C. ELLSWORTH, A.B., PH.D.
SAMUEL D. ESTEP, A.B., J.D.
MERRITT B. FOX,* B.A., J.D., PH.D.
RICHARD D. FRIEDMAN,* B.A., J.D., D.PHIL.
BRUCE W. FRIER, B.A., PH.D.
ANN J. GELLIS,* B.A., J.D.
WHITMORE GRAY, A.B., J.D., LL.D.
THOMAS A. GREEN, B.A., PH.D., J.D.
BARRY E. HAWK,* A.B., LL.B.
LEON E. IRISH, B.A., J.D., D. PHIL.
JEROLD H. ISRAEL, B.B.A., LL.B.,
Alene and Allan F. Smith Professor of Law
JOHN H. JACKSON, B.A., J.D.,
Hessel E. Yntema Professor of Law
DOUGLAS A. KAHN, B.A., J.D.,
Paul G. Kauper Professor of Law
YALE KAMISAR,** A.B., LL.B., LL.D.,
Henry King Ransom Professor of Law
THOMAS E. KAUPER, A.B., J.D.,
Henry M. Butzel Professor of Law
JAMES E. KRIER, B.S., J.D.
RICHARD O. LEMPERT, A.B., J.D., PH.D.
WILLIAM I. MILLER,** B.A., PH.D., J.D.
SALLYANNE PAYTON, A.B., LL.B.
WILLIAM J. PIERCE,** A.B., J.D.
BEVERLEY J. POOLEY, B.A., LL.B., LL.M., S.J.D.
MARTIN A. REDISH,* A.B., J.D.
JOHN W. REED,** A.B., LL.B., LL.M., JUR.SC.D.,
Thomas M. Cooley Professor of Law
DONALD H. REGAN, A.B., LL.B., B.PHIL., PH.D.
THEODORE J. ST. ANTOINE, A.B., J.D.,
James E. and Sarah A. Degan Professor of Law
TERRANCE SANDALOW,** A.B., J.D.
FREDERICK F. SCHAUER, A.B., M.B.A., J.D.
CARL E. SCHNEIDER,** A.B., J.D.
JOEL SELIGMAN, A.B., J.D.
A. W. BRIAN SIMPSON, B.A., M.A., D.C.L.,
Charles F. and Edith J. Clyne Professor of Law
PHILIP SOPER,** B.A., M.A., J.D., PH.D.
PETER O. STEINER,** A.B., M.A., PH.D.
JOSEPH VINING, B.A., M.A., J.D.,
Harry Burns Hutchins Professor of Law
LAWRENCE W. WAGGONER, B.B.A., J.D., D.PHIL.,
Lewis M. Simes Professor of Law
ANDREW S. WATSON, B.S., M.D., M.S. IN MED.
STEVEN WECHSLER,* B.S., M.B.A., J.D.
JOSEPH WEILER, B.A., LL.B., PH.D. LL.M.
PETER K. WESTEN,** B.A., J.D.
JAMES BOYD WHITE, A.B., A.M., LL.B.,
L. Hart Wright Professor of Law
JAMES J. WHITE, B.A., J.D.,
Robert A. Sullivan Professor of Law
CHRISTINA B. WHITMAN, A.B., M.A., J.D.

Associate Professors of Law

REBECCA S. EISENBERG,** B.A., J.D.
SAMUEL R. GROSS, A.B., J.D.
JESSICA D. LITMAN,** B.A., M.F.A., J.D.

Assistant Professors of Law

CLARK D. CUNNINGHAM,†† B.A., J.D.
LISA E. D'AUNNO,†† A.B., J.D.
MARIE R. DEVENNEY, B.A., M.A., J.D.
MARTIN A. GEER,†† B.A., J.D.
DAVID J. HERRING,†† B.B.A., J.D.
AVERY KATZ, B.A., M.A., J.D., PH.D.
LEO KATZ, B.A., M.A., J.D.
JEFFREY S. LEHMAN, A.B., J.D., M.P.P.
MATHIAS W. REIMANN, DR. IUR., LL.M.
PAUL D. REINGOLD,†† B.A., J.D.
DENNIS E. ROSS,** B.A., J.D.
SUELLYN SCARNECCHIA,†† B.A., J.D.
KENT D. SYVERUD, B.S.F.S., J.D., M.A.
MARK C. VAN PUTTEN,†† B.A., J.D.

Instructor in Law

MARY F. WHITE,† B.A., J.D.

Lecturers in Law

HERBERT A. JORDAN,† B.G.S., J.D.
CYRIL MOSCOW,† B.S., J.D.
STEVEN D. PEPE,† B.A., J.D., LL.M.
EDWARD R. STEIN,† B.A., J.D.

* Visiting † Adjunct
** On Leave †† Clinical