

2000

## University of Richmond Law Review

Follow this and additional works at: <http://scholarship.richmond.edu/lawreview>



Part of the [Constitutional Law Commons](#), and the [Courts Commons](#)

---

### Recommended Citation

*University of Richmond Law Review*, 34 U. Rich. L. Rev. (2000).

Available at: <http://scholarship.richmond.edu/lawreview/vol34/iss2/1>

This Prefatory Matter is brought to you for free and open access by the Law School Journals at UR Scholarship Repository. It has been accepted for inclusion in University of Richmond Law Review by an authorized editor of UR Scholarship Repository. For more information, please contact [scholarshiprepositary@richmond.edu](mailto:scholarshiprepositary@richmond.edu).

# UNIVERSITY OF RICHMOND

## LAW REVIEW

VOLUME 34

MAY 2000

NUMBER 2

### CONTENTS

#### COMMENTARIES ON MARK TUSHNET'S *TAKING THE CONSTITUTION AWAY FROM THE COURTS*

- Reanimator: Mark Tushnet and the Second Coming  
of the Imperial Presidency ..... *Neal Devins* 359
- The Law Professor as Populist ..... *Mark A. Graber* 373
- Looking Sideways, Looking Backwards, Looking  
Forwards: Judicial Review vs. Democracy  
in Comparative Perspective ..... *Ran Hirschl* 415
- Against Constitutional Law  
(Populist or Otherwise) ..... *Michael Mandel* 443
- Populist Natural Law (Reflections on Tushnet's  
"Thin Constitution") ..... *Frank I. Michelman* 461
- Comparing Alternative Approaches about Congress's  
Role in Constitutional Law ..... *Charles Tiefer* 489
- Herbert Wechsler's Complaint and the Revival  
of Grand Constitutional Theory ..... *Keith E. Whittington* 509

#### RESPONSE

- Politics, National Identity, and the  
Thin Constitution ..... *Mark Tushnet* 545

#### CASENOTES

- Commerce Clause, Enforcement Clause, or Neither?  
The Constitutionality of the Violence Against  
Women Act in *Brzonkala v. Morrison* ..... *Christine M. Devey* 567
- A Right to Confrontation or Insinuation?  
The Supreme Court's Holding in  
*Portuondo v. Agard* ..... *J. Fielding Douthat, Jr.* 591

#### COMMENT

- Students under Siege? Constitutional Considerations  
for Public Schools Concerned with  
School Safety ..... *Jennifer L. Barnes* 621

