COLUMBIA LAW REVIEW

CENTRUNCOLN

THE JURISPRUDENCE OF TAKINGS

INTRODUCTION: UTILITARIAN BALANCING AND

FORMALISM IN TAKINGS

William A. Fischel

Frank Michelman

THE ORIGINAL UNDERSTANDING OF THE TAKING CLAUSE

Is NEITHER WEAK NOR OBTUSE

Douglas W. Kmiec

THE LIBERAL CONCEPTION OF PROPERTY:

CROSS CURRENTS IN THE JURISPRUDENCE

OF TAKINGS

Takings, 1987

Margaret Jane Radin

AGAINST AD HOCERY: A COMMENT ON MICHELMAN

Susan Rose-Ackerman

A REPLY TO SUSAN ROSE-ACKERMAN

Frank Michelman

Takings, Moral Evolution, and Justice

T. Nicolaus Tideman Stewart E. Sterk

NOLLAN, HENRY GEORGE, AND EXACTIONS TAKINGS. NARRATIVES, AND POWER

Gregory S. Alexander

THE SIGNIFICANCE OF PUBLIC PERCEPTIONS

OF THE TAKINGS DOCTRINE

William W. Fisher III

FEDERALISM AND FEDERAL CONSENT DECREES AGAINST STATE
GOVERNMENTAL ENTITIES

"New and Improved": Procedural Safeguards for Distinguishing Commercial from Noncommercial Speech

Insurance as Contract: The Argument for Abandoning the Ambiguity Doctrine

VOL. 88

DECEMBER 1988

NO.8

COLUMBIA LAW REVIEW

VOL. 88

DECEMBER 1988

NO. 8

Copyright © 1988 by Directors of The Columbia Law Review Association, Inc. All rights reserved.

CONTENTS

THE JURISPRUDENCE OF TAKINGS

Introduction: Utilitarian Balancing and Formalism in Takings	William A. Fischel	1581
Takings, 1987	Frank Michelman	1600
THE ORIGINAL UNDERSTANDING OF THE TAR CLAUSE IS NEITHER WEAK NOR OBTUSE		1630
THE LIBERAL CONCEPTION OF PROPERTY: CROSS CURRENTS IN THE JURISPRUDENCE OF TAKINGS	se Margaret Jane Radin	1667
Against Ad Hocery: A Comment on Michelman	Susan Rose-Ackerman	1697
A Reply to Susan Rose-Ackerman	Frank Michelman	1712
Takings, Moral Evolution, and Justice	T. Nicolaus Tideman	1714
NOLLAN, HENRY GEORGE, AND EXACTIONS	Stewart E. Sterk	1731
Takings, Narratives, and Power	Gregory S. Alexander	1752
THE SIGNIFICANCE OF PUBLIC PERCEPTIONS OF THE TAKINGS DOCTRINE	William W. Fisher III	1774
NOTES		
FEDERALISM AND FEDERAL CONSENT DE STATE GOVERNMENTAL ENTITIES	CREES AGAINST	1796
"New and Improved": Procedural S. Distinguishing Commercial from Speech		1821
Insurance as Contract: The Arguma Abandoning the Ambiguity Doct		1849