

A National Law Journal Distinguished for Coverage of Civil and Comparative Law

ARTICLES

A TALE OF TWO COPYRIGHTS: LITERARY PROPERTY IN REVOLUTIONARY FRANCE AND AMERICA

Jane C. Ginsburg

COMPULSORY PILOTAGE, PUBLIC POLICY, AND THE EARLY PRIVATE INTERNATIONAL LAW OF TORTS

David J. Bederman

IN SEARCH OF GENERAL JURISDICTION

B. Glenn George

POLITICS WITHOUT BRACKETS ON RELIGIOUS CONVICTIONS: MICHAEL PERRY AND BRUCE ACKERMAN ON NEUTRALITY

Edward McGlynn Gaffney, Jr.

COMMENTS

The Political Offense Exception: An Historical

Analysis and Model for the Future

Michael R. Littenberg

Civil RICO Standing: Direct/Indirect

Distinction Should Not Be

Taken Sitting Down

Eric W. McNeil

VOLUME 64

NUMBER 5

MAY 1990

TULANE LAW REVIEW

VOLUME 64

May 1990

Number 5

CONTENTS

ARTICLES

| A TALE OF TWO COPYRIGHTS: LITERARY PROPERTY IN REVOLUTIONARY FRANCE AND AMERICA | 991 |
|---|------|
| COMPULSORY PILOTAGE, PUBLIC POLICY, AND THE EARLY PRIVATE INTERNATIONAL LAW OF TORTS David J. Bederman | 1033 |
| IN SEARCH OF GENERAL JURISDICTION B. Glenn George | 1097 |
| POLITICS WITHOUT BRACKETS ON RELIGIOUS CONVICTIONS: MICHAEL PERRY AND BRUCE ACKERMAN ON | |
| NEUTRALITY Edward McGlynn Gaffney, Jr. | 1143 |
| COMMENTS | |
| THE POLITICAL OFFENSE EXCEPTION: AN HISTORICAL ANALYSIS AND MODEL FOR THE FUTURE | 1195 |
| CIVIL RICO STANDING: DIRECT/INDIRECT DISTINCTION SHOULD NOT BE TAKEN SITTING DOWN | 1239 |
| RECENT DEVELOPMENTS | |
| BROCK V. MERRELL DOW PHARMACEUTICALS, INC.: WHAT IS THE COURT'S ROLE IN EVALUATING EXPERT TESTIMONY? | 1263 |
| Browning-Ferris v. Kelco: The Excessive Fines Clause of the Eighth Amendment Provides No Federal Standard to Limit Punitive | |
| DAMAGES AWARDS | 1271 |
| | |

| COLISEUM SQUARE ASSOCIATION V. CITY OF NEW ORLEANS: STREETS FOR RENT, OR PUBLIC THINGS AND THE UNDERMINING OF THE DOCTRINE OF INALIENABILITY | 1280 |
|--|------|
| EIMANN V. SOLDIER OF FORTUNE MAGAZINE, INC.: FIFTH CIRCUIT LIMITS PUBLISHER LIABILITY FOR AMBIGUOUS ADVERTISEMENTS | |
| MASSACHUSETTS MUTUAL LIFE INSURANCE CO. V. NAILS: THE LOUISIANA ABUSE OF RIGHTS DOCTRINE | 1295 |
| PENNINGTON V. VISTRON CORP.: AN ANALYSIS OF PREEMPTION IN TOBACCO LITIGATION AND OF PRODUCTS THAT ARE UNREASONABLY DANGEROUS PER SE | 1302 |
| RODRIGUEZ DE QUIJAS V. SHEARSON/ AMERICAN EXPRESS, INC.: A GREEN LIGHT TO ARBITRATION, A YELLOW LIGHT TO INVESTORS | 1312 |
| STATE V. MURPHY: LOUISIANA'S CHILD WITNESS PROTECTIVE MEASURES SURVIVE COY V. IOWA | |
| WILLIAMS V. KUSHNER: LOUISIANA SUPREME COURT AVOIDS DECIDING CONSTITUTIONALITY OF MALPRACTICE | |
| RECOVERY LIMIT | 1329 |

| COLISEUM SQUARE ASSOCIATION V. CITY OF NEW ORLEANS: STREETS FOR RENT, OR PUBLIC THINGS AND THE UNDERMINING OF THE DOCTRINE OF INALIENABILITY | 1280 |
|--|------|
| EIMANN V. SOLDIER OF FORTUNE MAGAZINE, INC.: FIFTH CIRCUIT LIMITS PUBLISHER LIABILITY FOR AMBIGUOUS ADVERTISEMENTS | 1288 |
| MASSACHUSETTS MUTUAL LIFE INSURANCE CO. V. NAILS: THE LOUISIANA ABUSE OF RIGHTS DOCTRINE | 1295 |
| PENNINGTON V. VISTRON CORP.: AN ANALYSIS OF PREEMPTION IN TOBACCO LITIGATION AND OF PRODUCTS THAT ARE UNREASONABLY DANGEROUS PER SE | 1302 |
| RODRIGUEZ DE QUIJAS V. SHEARSON/ AMERICAN EXPRESS, INC.: A GREEN LIGHT TO ARBITRATION, A YELLOW LIGHT TO INVESTORS | 1312 |
| STATE V. MURPHY: LOUISIANA'S CHILD WITNESS PROTECTIVE MEASURES SURVIVE COY V. IOWA | 1320 |
| WILLIAMS V. KUSHNER: LOUISIANA SUPREME COURT AVOIDS DECIDING CONSTITUTIONALITY OF MALPRACTICE RECOVERY LIMIT | 1329 |
| Tunes | 1327 |

TULANE LAW REVIEW

VOLUME 64

May 1990

Number 5

CONTENTS

ARTICLES

| A TALE OF TWO COPYRIGHTS: LITERARY PROPERTY IN REVOLUTIONARY FRANCE AND AMERICA | 991 |
|--|------|
| COMPULSORY PILOTAGE, PUBLIC POLICY, AND THE EARLY PRIVATE INTERNATIONAL LAW OF TORTS David J. Bederman | |
| IN SEARCH OF GENERAL JURISDICTION B. Glenn George | 1097 |
| POLITICS WITHOUT BRACKETS ON RELIGIOUS CONVICTIONS: MICHAEL PERRY AND BRUCE ACKERMAN ON | |
| NEUTRALITY Edward McGlynn Gaffney, Jr. | 1143 |
| COMMENTS | |
| THE POLITICAL OFFENSE EXCEPTION: AN HISTORICAL ANALYSIS AND MODEL FOR THE FUTURE | 1195 |
| CIVIL RICO STANDING: DIRECT/INDIRECT DISTINCTION SHOULD NOT BE TAKEN SITTING DOWN Eric W. McNeil | |
| RECENT DEVELOPMENTS | 120) |
| BROCK V. MERRELL DOW PHARMACEUTICALS, INC.: WHAT IS THE COURT'S ROLE IN EVALUATING EXPERT TESTIMONY? | 1263 |
| Browning-Ferris v. Kelco: The Excessive Fines Clause of the Eighth Amendment Provides No Federal Standard to Limit Punitive | |
| DAMAGES AWARDS IC Livingston | 1271 |



A National Law Journal Distinguished for Coverage of Civil and Comparative Law

COLN A TALE OF TWO COPYRIGHT Jane C. Ginsburg

COMPULSORY PILOTAGE, PUBLIC POLICY, AND THE EARLY PRIVATE INTERNATIONAL LAW OF TORTS

David J. Bederman

IN SEARCH OF GENERAL JURISDICTION

B. Glenn George

POLITICS WITHOUT BRACKETS ON **RELIGIOUS CONVICTIONS:** MICHAEL PERRY AND **BRUCE ACKERMAN ON NEUTRALITY**

Edward McGlynn Gaffney, Jr.

COMMENTS

The Political Offense Exception: An Historical Analysis and Model for the Future

Michael R. Littenberg

Civil RICO Standing: Direct/Indirect Distinction Should Not Be Taken Sitting Down

Eric W. McNeil

VOLUME 64

NUMBER 5

MAY 1990