COLUMBIA LAW REVIEW



DeFunis Symposium

DeFunis: An Introduction

Louis Henkin

DeFunis Non Est Disputandum

Louis H. Pollak

Some Observations on the DeFunis Case

Erwin N. Griswold

DeFunis v. Odegaard: The "Non-Decision" With A Message Larry M. Lavinsky

PREFERENTIAL POLICIES IN HIRING AND ADMISSIONS: A JURISPRUDENTIAL APPROACH James W. Nickel

JUDICIAL SCRUTINY OF "BENIGN" RACIAL PREFERENCE IN LAW SCHOOL ADMISSIONS Kent Greenawalt

EXECUTIVE PRIVILEGE: A REPLY TO PROFESSOR SOFAER
Raoul Berger

THE PREEMPTION DOCTRINE: SHIFTING PERSPECTIVES ON FEDERALISM AND THE BURGER COURT

INDIAN TITLE: THE RIGHTS OF AMERICAN NATIVES IN LANDS
THEY HAVE OCCUPIED SINCE TIME IMMEMORIAL

Review: Joseph H. Smith

COLUMBIA LAW REVIEW

Vol. 75 APRIL 1975 No. 3

Copyright © 1975 by Directors of The Columbia Law Review Association, Inc.

CONTENTS

ARTICLES

ח ה. י	C
Deruns	Symposium

DeFunis: An Introduction	Louis Henkin	483
DeFunis Non Est Disputandum	Louis H. Pollak	495
Some Observations on the DeFunis Case	Erwin N. Griswold	512
DeFunis v. Odegaard: THE "Non-Decision"	WITH A MESSAGE Larry M. Lavinsky	520
Preferential Policies in Hiring and Adm A Jurisprudential Approach	ISSIONS: James W. Nickel	534
Judicial Scrutiny of "Benign" Racial Pr in Law School Admissions	EFERENCE Kent Greenawalt	559

EXECUTIVE PRIVILEGE: A REPLY TO PROFESSOR SOFAER

Raoul Berger 603

NOTES

THE PREEMPTION DOCTRINE: SHIFTING PERSPECTIVES ON FEDERALISM AND THE BURGER COURT

623

Indian Title: The Rights of American Natives in Lands They Have Occupied Since Time Immemorial

655

BOOKS

REVIEWED

Johnson, ed.: The Papers of John Marshall, Volume I

Joseph H. Smith 687

Published by Columbia Law Students monthly, October to January and March to June inclusive, at 35 New St., Worcester, Mass. Editorial offices, 435 West 116th Street, New York, New York 10027. Subscription \$15.00 per year domestic, \$16.00 foreign; single issues, \$3.00 each. For issues prior to 1969, inquire of Fred B. Rothman & Company, 57 Leuning Street, South Hackensack, New Jersey 07606. If subscriber wishes his subscription discontinued at its expiration, notice to that effect should be sent; otherwise it is assumed a continuation is desired.

Change of Address: Send your change of address to the REVIEW at 435 West 116th Street, New York, N.Y. 10027, at least 30 days before the date of the issue with which it is to take effect. The Post Office will not forward copies unless you provide extra postage; duplicate copies will not be sent.

Second class postage paid at New York, N.Y. and at additional mailing offices