

Washington University Law Quarterly

VOLUME 67

NUMBER 1

1989

© 1989 by Washington University

CONTENTS

SYMPOSIUM ON THE RECONSIDERATION OF *RUNYON v. McCRARY*

- RUNYON v. McCRARY* SHOULD
NOT BE OVERRULED *Marvin E. Frankel* 1
- THE FOIBLES AND FABLES
OF *RUNYON* *James McClellan* 13
- RUNYON v. McCRARY* AND THE
MOSAIC OF STATE ACTION *Ronald D. Rotunda* 47

ARTICLES

- REQUIEM FOR *MIRANDA*: THE REHNQUIST
COURT'S VOLUNTARINESS DOCTRINE IN
HISTORICAL PERSPECTIVE *Laurence A. Benner* 59
- DEBUNKING THE MYTH OF THE HISTORIC
SUPREMACY OF ANNUAL ACCOUNTING FOR
INCOME TAXES: A COALESCENCE OF
NON-LITERAL INTERPRETATION WITH
ORIGINAL INTENT ANALYSIS *Myron C. Grauer* 165

NOTE

- APPLICATION OF THE HAGUE
CONVENTION TO AMERICAN LITIGANTS:
INCORPORATING THE SUBSEQUENT
INTERPRETATIONS OF SIGNATORY STATES
INTO THE ANALYSIS OF THE U.S. JUDICIARY 243

CASE COMMENTS

HOSTILE TAKEOVERS AND THE <i>REVLON</i> PRINCIPLE: TRIGGERING THE DUTY OF AUCTIONEER UNDER DELAWARE LAW, <i>Black & Decker Corp. v. American Standard, Inc.</i> , 682 F. Supp. 772 (D. Del. 1988)	273
ESTABLISHMENT CLAUSE PERMITS PRAYER ROOM IN STATE CAPITOL BUILDING, <i>Van Zandt v. Thompson</i> , 839 F.2d 1215 (7th Cir. 1988).....	283
ERISA'S DEEMER CLAUSE AND THE QUESTION OF SELF- INSUREDS: WHAT'S A STATE TO DO?, <i>Reilly v. Blue Cross and Blue Shield United of Wisconsin</i> , 846 F.2d 416 (7th Cir. 1988)	291
CONSTITUTIONALITY AND STATUTORY AUTHORIZATION OF JURY SELECTION BY A U.S. MAGISTRATE IN FELONY CASES, <i>United States v. Garcia</i> , 848 F.2d 1324 (2d Cir. 1988)	305
OXMAN V. WLS-TV: TER-R.I.F.-IC NEWS FOR ADEA PLAINTIFFS, <i>Oxman v. WLS-TV</i> , 846 F.2d 448 (7th Cir. 1988)	315

The WASHINGTON UNIVERSITY LAW QUARTERLY (ISSN 0043-0862) is published four times a year by students of the Washington University School of Law. Address: LAW QUARTERLY, School of Law, Campus Box 1120, One Brookings Drive, Washington University, St. Louis, Missouri 63130. Unsolicited manuscripts will be considered for publication, and should be sent to the Articles Editors at this address. We regret that such manuscripts cannot be returned except upon receipt of postage and handling fees of \$1.00 or \$3.50 for first-class mail.

Subscription rates: United States and possessions, \$20.00 per year; single issue, \$5.50. All other countries, \$24.00 per year; single issue, \$6.50. A subscriber who wishes to discontinue his subscription at its expiration should send notice to that effect to the LAW QUARTERLY offices; otherwise, the subscription will be renewed. Requests for missing issues of the LAW QUARTERLY received six months after publication will not be honored. For all back issues not from the current volume, inquire of William S. Hein & Co., Inc., 1285 Main Street, Buffalo, N.Y. 14209 or Fred B. Rothman & Co., 10368 West Centennial Road, Littleton, Colorado 80127. Address all other business communications to the LAW QUARTERLY offices.

Except where the author has reserved the copyright, the LAW QUARTERLY grants permission for reproduction of articles and student works for classroom use in nonprofit educational institutions, provided that (1) copies are distributed at or below cost, (2) author and journal are identified, (3) proper notice of copyright is affixed to each copy, and (4) notice of use is sent to the LAW QUARTERLY.

Text and footnotes conform to *Texas Law Review Manual on Style* (4th ed. 1979); *U.S. Government Printing Office Style Manual* (rev. ed. 1973); and *A Uniform System of Citation* (14th ed. 1986).

Second-class postage paid at St. Louis, Missouri, and additional mailing offices. Printed in the United States of America. POSTMASTER: Send address changes to the WASHINGTON UNIVERSITY LAW QUARTERLY, Washington University School of Law, Campus Box 1120, One Brookings Drive, St. Louis, MO 63130.
