

## LIST OF SELECT FOREIGN ARTICLES\*

### *Administrative Law*

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Divergent legal conceptions of the State: Implications for Global Administrative Law. McLean, Janet. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 167-188p.

Emergence of global Administrative Law. Kingsbury, Benedict, Krisch, Nico and Stewart, Richard B. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 15-62p.

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Global standards for National Administrative Procedure. Cassese, Sabino. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 109-126p.

Interplay between actors as a determinant of the evolution of Administrative Law in International Institutions. Benvenisiti, Eyal. *Law and Contemporary Problems*: 2005 (Summer/Autum) : 68(3&4) : 319-340p.

Public Agencies as Lobbyists. DeShazo, J.R. and Freeman, Jody. *Columbia Law Review*: 2005 (Dec) : 105 (8): 2217-2309p.

Rule of (Administrative) Law in International Law. Dyzenhaus, David. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 127-166p.

Transational mutual recognition regimes: Governance without global Government. Nicolaidis, Kalypso and Shaffer, Gregory. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 226-263p.

U. S. Administrative law: A model for global administrative law ? Stewart, Richard B. *Law and Contemporary Problems*: 2005 (Summer/Autumn) : 68(3&4): 63-108p.

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### *Adoption*

Barriers to the successful implementation of the Hague Convention on protection of children and co-operation in respect of inter-country adoption. Kimball, Caeli Elizabeth. *Denver Journal of International Law and Policy* : 2005 (Fall) : 33 (4) : 561-84p.

### *Adverse Possession*

Adverse possession of identity : Radical theory, conventional practice. Clarke, Jessica A. *Oregon Law Review* : 2005 : 84 (2) : 563-654p.

### *Air Law*

Rescuing the Rome Convention of 1952: Six decades of effort to make a workable regime for damage caused by Foreign Aircraft to third parties. Jennison, Micheal. *Uniform Law Review*: 2005-4: 10: 785-812p.

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Evolution of commercial ADR in Australia. Street, Sir Laurence. *Australian Law Journal*: 2005 (Dec): 79 (12): 765-68p.

### *Antitrust Law*

Antitrust Law : Indirect purchaser standing to sue in Oklahoma – Major v. Microsoft Corp. Tracy, Keith D. and Walker, Ronald L. *Oklahoma Law Review* : 2004 (Winter) : 57 (4) : 727-46p.

Recent developments in Oklahoma Antitrust Law. Meyers, D. Kent and Dutton, Jennifer A. *Oklahoma Law Review* : 2004 (Winter) : 57 (4) : 715-26p.

### *Arbitration*

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### *Arms & Ammunition*

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Micro-Disarmament: The consequences for public safety and human rights. Kopel, David B Gallant, Paul and Eisen, Joanne D. *UKMC Law Review*: 2005 (Summer): 73 (4): 969-1014p.

Shooting stories: The creation of narrative and melodrama in real and fictional litigation against the gun industry. Rostron, Allen. *UKMC Law Review*: 2005 (Summer): 73 (4) : 1047-72p.

*Asylum*

Are unaccompanied alien children really getting a fair trial ? An overview of Asylum Law and children. Gordon, Christine M. *Denver Journal of International Law and Policy* : 2005 (Fall) : 33 (4) : 641-74p.

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*Banking Law*

Exclusion of cardholder chargeback rights. Edwards, Robin. *Bond Law Review*. 2005 (Dec.): 17 (2): 47-65p.

“Trust me, I’m your husband” : Undue influence and Royal Bank of Scotland v. Etridge. Allan, B. *Otago Law Review* : 2006 : 11 (2) : 247-62p.

Mistaken Bank Payments : Commercial certainty counts. Scott, S. *Otago Law Review* : 2006 : 11 (2) : 209-32p.

*Bankruptcy*

Serial Entrepreneurs and Small Business Bankruptcies. Baird, Douglas G. and Morrison, Edward R. *Columbia Law Review*: 2005 (Dec) : 105 (8) : 2310-68p.

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Applying the Death Penalty to Crimes of Genocide. Ohlin, Jens David. *American Journal of International Law* : 2005 (Oct) : 99 (4) : 747-77p.

Death row phenomenon comes to Botswana : Kehlohonolo Bernard Kobedi v. The State. Bojosi, K.N. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 304-13p.

Risking the eighth amendment : Arbitrariness, Juries and Discretion in capital cases. Hoeffel, Janet C. *Boston Law Review* : 2005 (Jul) : 46 (4) : 771-824p.

*Carriage by Air*

New Era in the law of international carriage by air : From Warsaw (1929) to Montreal (1999). Cheng, Bin. *International & Comparative Law Quarterly* : 2004 (Oct) : 53 (4) : 833-60p.

*Children*

State intervention and child protection measures in New Zealand—lessons for South Africa. Kruger, J.M. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 246-70p.

Storming the castle to save the children : The ironic costs of a child welfare exception to the fourth amendment. Coleman, Doriane Lambelet. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 413-540p.

*Civil Procedure*

Dubious origins and dangers of clawback and quick-peek agreements: An argument against their codification in the federal rules of civil procedure. Daniel, Laura Catherine. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 663-96p.

Enduring (double) legacy of the code Napoleon. Markesinis, Basil. *Law Quarterly Review* : 2005 (Jan) : 121 : 80-97p.

Raining on the litigation parade : Is it time to stop litigant abuse of the fraud on the court doctrine ? Temple, Hollee S. *University of San Francisco Law Review* : 2005 (Summer) : 39 (4) : 967-98p.

*Civil Rights*

Brown : Why we must remember. Robinson, Mildred Wigfall. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 53-74p.

Brown and Lawrence (and Goodridge). Klarman, Michael J. *Michigan Law Review*: 2005 (Dec): 104 (3): 431-90p.

Compelling interest, forbidden aim: The antinomy of Grutter and Gratz. Shin, Patrick S. *University of Detroit Mercy Law Review*: 2005 (Spring): 82 (3): 431-460p.

Constitutionality of racial balancing in charter schools. Gajendragadkar, Suhrid S. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 144-81p.

Conundrum of segregation's ending : The education choices. Barnes, Alison. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 33-52p.

Economic consequences of the academic achievement gap for African Americans. Olneck, Michael. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 95-104p.

Education of American Indians in the age of Brown v. Board of Education. Prucha, Francis Paul. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 87-94p.

Equality without Tiers, Goldberg, Suzanne B. *Southern California Law Review*: 2004 (Mar): 77 (3): 481-582p.

Milwaukee cases. Charne, Irvin B. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 83-86p.

Public interest model for applying lost chance theory to probabilistic injuries in Employment Discrimination Cases. Secunda, Paul M. *Wisconsin Law Review* : 2005 (3) : 747-94p.

Reflections on Wisconsin's Brown experience. Williams, Phoebe Weaver. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 1-32p.

Some conditions in Milwaukee at the time of Brown v. Board of Education. Zeidler, Frank. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 75-82p.

#### *Class Action*

Dismissing the class : A practical approach to the class action restriction on the legal services corporation. Blank, Joshua D. and Zacks, Eric A. *Penn State Law Review* : 2005 (Summer) : 110 (1) : 1-40p.

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#### *Cloning*

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#### *Commercial Law*

Rule, practice and pragmatism in Transnational Commercial Law. Goode, Roy. *International & Comparative Law Quarterly* : 2005 (Jul) : 54 (3) : 539-62p.

#### *Common Law*

Common law choice of law rules for resulting and constructive trusts. Chong, Adeline. *International & Comparative Law Quarterly* : 2005 (Oct) : 54 (4) : 855-84p.

European Union and the systematic dismantling of the common law of conflict of laws. Hartley, Trevor C. *International & Comparative Law Quarterly* : 2005 (Oct) : 54 (4) : 813-28p.

Road ahead for the common law. Cooke, Robin. *International & Comparative Law Quarterly* : 2004 (Apr) : 53 (2) : 273-86p.

#### *Company Law*

"A temple built on faulty foundations" : Piercing the corporate veil and the legacy of Salomon v. Salomon. Moore, Marc T. *Journal of Business Law* : 2006 (Mar) : 180-203p.

Bottom line on Board Diversity : A cost-benefit analysis of the business rationales for diversity on Corporate Boards. Farifax, Lisa M. *Wisconsin Law Review* : 2005 (3) : 795-854p.

Cognitive and social psychology and contagious organizational corruption. Darkey, John M. *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1177-94 p.

Corporate Misbehavior and Collective Values. Gilbert, Margaret. *Brooklyn Law Review*: 2005 (Summer): 70 (4):1369-80p.

Corporate voting and the takeover debate. Edelman, Paul H. and Thomas, Randall S. *Vanderbilt Law Review*: 2005 (Mar): 58 (2): 453-98p.

Discussing Corporate Misbehavior: The conflicting norms of market, agency, profit and loyalty, Greenwood, Daniel J. H. *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1213-38p.

Manager's share. Walker, David I. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 587-662p.

Markets and democracy: the illegitimacy of corporate law. Greenwood, Daniel J.H. *UMKC Law Review*: 2005 (Fall): 74(1): 41-104p.

Out of touch: The CEO's role in Corporate Misbehavior Trevino, Linda Klebe, *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1195-1212p.

Policy and legal obstacles in recovering director's plunder. Chaikin, David. *Bond Law Review*. 2005 (Dec.): 17 (2): 27-46p.

Political economy of merger regulation. Bagchi, Aditi. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 1-30p.

"Pre-nuptial Agreements" for removing directions in Australia – are they a valid part of the marriage between shareholders and the board ? McConvill, James and Holland, Evan. *Journal of Business Law* : 2006 (Mar) : 204-23p.

Promoting employee policy adherence and rule following in work settings : The value of self regulatory approaches. Tyler, Tom R. *Brooklyn Law Review*: 2005 (Summer): 70 (4):1287-1312p.

Social identity and misuse of power : The dark side of leadership. Higg, Micheal A. *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1239-58p.

Social nature of boards. Khurana, Rakesh and Pick, Katharina, *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1259-86p.

Structural holes, CEOs and information monopolies : The missing link in corporate governance. Mitchell, Lawrence E. *Brooklyn Law Review*: 2005 (Summer): 70 (4): 1313-68p.

Taking shareholder protection seriously? Corporate governance in the United States and Germany. Baums, Theodor and Scott, Kenneth E. *American Journal of Comparative Law* : 2005 (Winter) : 53(1) : 31-76p.

Termination benefits for executives of Australian companies. Stapledon, Geof. *Sydney Law Review* : 2005 (Dec) : 27 (4) : 683-714p.

#### *Conflict of Law*

European Union and the systematic dismantling of the common law of conflict of laws. Hartley, Trevor C. *International & Comparative Law Quarterly* : 2005 (Oct) : 54 (4) : 813-28p.

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#### *Constitutional Development*

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Indonesia: General elections test the amended constitution and the new constitutional court. Harijanti, Susi Dwi and Tim Lindsey. (*I-CON*) *International Journal of Constitutional Law*: 2006 (Jan): 4(1): 138-150p.

Italy: The subsidiarity principle. Groppi, Tania and Nicoletta Scatone. (*I-CON*) *International Journal of Constitutional Law*: 2006 (Jan): 4(1): 131-137p.

Spain: The struggle for jurisdiction between the tribunal constitucional and the tribunal supremo. Turano, Leslie. (*I-CON*) *International Journal of Constitutional Law*: 2006 (Jan): 4(1): 151-162p.

#### *Constitutional Law*

Constitutional calcification : How the law becomes what the court does. Roosevelt III, Kermit. *Virginia Law Review* : 2005 (Nov) : 91 (7) : 1649-1720p.

Constitutional Reform Act 2005 : The politics of constitutional reform. Windlesham, Lord. *Public Law* : 2006 (Spring) : 35-57p.

Israeli constitutional revolution/ evolution, models of constitutions and a lesson from mistakes and achievements. Edrey, Yoseph M. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 77-124p.

Legislative Usurpation: The early practice and Constitutional Repudiation of Legislative Intervention in Adjudication. Kairys, David. *UKMC Law Review*: 2005 (Summer): 73 (4): 945- 50p.

Nation Building and the Canadian Constitution: The impact of Ken Lysyk as an Advocate on the Patriation Reference and other important cases. Q.C., Roy Romanow P. C. *U.B.C. Law Review*: 2005 (Nov): 38 (2): 493-560p.

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Overriding guarantee of just terms of supplementary source of power ? : Rethinking S.51 of the Constitution. Dixon, Rosalind. *Sydney Law Review* : 2005 (Dec) : 27 (4) : 639-64p.

Pepper v. Hart and matters of constitutional principles. Kavanagh, Aileen. *Law Quarterly Review* : 2005 (Jan) : 121 : 98-122p.

Question of case selection in comparative constitutional law. Hirschl, Ran. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 125-56p.

Reply to Noah Feldman: Constitutionally excluded confessions: Applying America's lessons to a democratic Iraq. *Oklahoma Law Review*: 2005 (Spring): 58 (1): 37-58p.

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Third Annual Henry Lecture: The democratic fatwa: Islam and democracy in the realm of constitutional politics. Feldman, Noah. *Oklahoma Law Review*: 2005 (Spring): 58 (1): 1-10p.

Transnational constitutionalism in the United States : Toward a worldwide use of interpretive modes of comparative reasoning. Yap, Po-Jen. *University of San Francisco Law Review* : 2005 (Summer) : 39 (4) : 999-1044p.

Who's afraid of the eleventh amendment ? The limited impact of the Court's Sovereign Immunity Rulings. Choper, Jesse H. and Yoo, John C. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 213-61p.

#### *Consumer Protection*

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#### *Contract Law*

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Commentary on the economic loss doctrine under the rule of cease electric and cascade stone. Finerty, John D. and Crueger, Charles J. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 137-68p.



Penalty clauses in England and France – A comparative study. Miller, Lucinda. *International & Comparative Law Quarterly* : 2004 (Jan) : 53 (1) : 79-106p.

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#### *Corporate Governance*

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#### *Criminal Law*

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Amending the Hearsay Exception for declarations against Penal interest in the Wake of Crawford. Capra, Daniel J. *Columbia Law Review*: 2005 (Dec) : 105 (8): 2409-50p.

American Indians, Crime and the Law. Washburn, Kevin K. *Michigan Law Review* : 2006 (Feb) : 104 (4) : 709-78p.

Choice, Consent and Cycling : The Hidden limitations of consent. Katz, Leo. *Michigan Law Review* : 2006 (Feb) : 104 (4) : 627-70p.

Criminal Defense Advocacy in Russia under the 2001 Criminal Procedure Code. Jordan, Pamela A. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 157-88p.

Crown appeals against sentence in Victoria : Results and implications of an empirical study. Edney, Richard. *Australian Law Journal*: 2005 (Aug): 79 (8): 513-17p.

Drug detection dogs, traffic stops and the fourth amendment. Fields, Michael J. *Oklahoma Law Review* : 2004 (Winter) : 57 (4) : 765-74p.

Expert witness fees as a recoverable item of costs : Recent litigation trends. Kolker, Paul M. *Oklahoma Law Review* : 2004 (Winter) : 57 (4) : 765-74p.

Habeas Corpus: Expired conviction, expired relief: can the writ of Habeas corpus be used to test the constitutionality of a deportation based on an expired conviction? Smith, Joshua D. *Oklahoma Law Review*: 2005 (Spring): 58 (1): 59-96p.

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Right of confrontation : U.S. and European perspectives. O'Brian, William E. *Law Quarterly Review* : 2005 (Jul) : 121 : 481-510p.

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Should coercive interrogation be legal ? Posner, Eric A. and Vermeule, Adrian. *Michigan Law Review* : 2006 (Feb) : 104 (4) : 671-708p.

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*Environmental Law*

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Rule of capture and the economic dynamics of natural resource use and survival under Open Access Management Regimes. Johnston, Jason Scott. *Environmental Law* : 2005 : 35 (4) : 855-98p.

Rule of capture-an oil and gas perspective. Kramer, Bruce M. and Anderson, Owen L. *Environmental Law* : 2005 : 35 (4) : 899-954p.

Three cases/ four tales : Commons, capture the public trust and property in land. Goble, Dale D. *Environmental Law* : 2005 : 35 (4) : 807-54p.

Trade-environmental nexus in Gatt jurisprudence: Pressing issues for developing countries. Alam, Shawkat. *Bond Law Review*. 2005 (Dec.): 17 (2): 1-26p.

Western grazing : The capture of grass, ground and government.... Donahue, Debra L. *Environmental Law* : 2005 : 35 (4) : 721-806p.

*European Community*

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### *Family Law*

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### *Federalism*

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### *Feminism*

Feminism and its (Dis)contents : Criminalizing Wartime Rape in Bosnia and Herzegovina. Engle, Karen. *American Journal of International Law* : 2005 (Oct) : 99 (4) : 778-816p.

### *Fiduciary*

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### *Foreign Exchange*

Adjustment of the Polish Foreign Exchange Law to the conditions of the Market Economy and Integration with the European Union. Wojtowicz, Wanda. *Transformation of Public Business Law*: (2000-01): 33-34: 77-95p.

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Taking the Strasbourg jurisprudence into account : Developing a ‘Municipal Law of Human Rights’ under the Human Rights Act. Masterman, Roger. *International & Comparative Law Quarterly* : 2005 (Oct) : 54 (4) : 907-32p.

*Income Tax*

Evidence for the possible information loss of conforming book income and taxable income. Hanlon, Michelle, Laplante, Stachie Kelly and Shevlin, Terry. *Journal of Law & Economics* : 2005 (Oct) : 48 (2) : 407-42p.

*Insolvency*

International commercial letters of credit : Balancing the rights of buyers and sellers in insolvency. Sappideen, Razeen. *Journal of Business Law* : 2006 (Mar) : 133-56p.

*Intellectual Property*

Contributory patent infringement and exhaustion in case of replacement parts – comment on a recent Supreme Court decision in Germany. Holder, Niels. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (8) : 889-98p.

Copyright Law and Free Speech after *Eldred v. Ashcroft*. Birnhack, Micheal D. *Southern California Law Review*: 2003 (Sep): 76 (6): 1275-1330p.

Creating copyright limitations without legal basis : The “Buren” decision, a liberation ? Geiger, C. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (7) : 842-50p.

Economic analysis of technological protection measures. Rothchild, John A. *Oregon Law Review* : 2005 : 84 (2) : 489-562p.

Inherency. Burk, Dan L. and Lemley, Mark A. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 371-412p.

Innovative medium defense : A doctrine to promote the multiple goals of copyright in the wake of advancing digital technologies. Lemley, Kevin M. *Penn State Law Review* : 2005 (Summer) : 110 (1) : 111-62p.

Mergers and new technologies. Bejcek, J. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (7) : 809-34p.

New perspectives for the protection of traditional cultural expressions in New Zealand. Zografos, Daphne. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (8) : 928-52p.

Now the wolf has indeed come ! perspective on the patent protection of biotechnology invention in China. Liu, Deming. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 207-60p.

Parody and perception : Using cognitive research to expand fair use in copyright. Bradford, Laura R. *Boston Law Review* : 2005 (Jul) : 46 (4) : 705-70p.

Patents, essential medicines and the innovation game. Opderbeck, David W. *Vanderbilt Law Review*: 2005 (Mar): 58 (2): 501-54p.

Perpetual moral rights : A troubling justification for a fair result. Nerisson, Sylvie. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (8) : 953-70p.

Scope of protection for gene sequence patents. Tilmann, Winfried. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (8) : 899-911p.

Scope of protection of trademark image – including comments on a recent decision of the Israeli Supreme Court. Zakharov, Katya. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (7) : 787-808p.

Trademark infringement – Right of publicity – “McDonald’s” Ct. Sup. Israel. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (7) : 855-66p.

University inventions : Classification and remuneration in Germany, the Netherlands, France, U.K., U.S. and Japan. Falck, Andreas Von and Schmaltz, Christiane. *International Review of Intellectual Property and Competition Law* : 2005 : 36 (8) : 912-27p.

#### *International Commercial Arbitration*

Ancillary jurisdiction for interim measures of protection in support of Cross-Border Litigation. *Abou-Nigm-Abou, Ruiz V. Uniform Law Review*: 2005-4: 10: 759-83p.

Public procurement : An appraisal of the UNCITRAL model law as a Global Standard. Arrowsmith, Sue. *International & Comparative Law Quarterly* : 2004 (Jan) : 53 (1) : 17-46p.

#### *International Criminal Court*

Restructuring the ICC framework to advance transitional justice : A search for a permanent solution in Sudan. Lipscomb, Rosanna. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 182-212p.

#### *International Humanitarian Law*

Hinduism and international humanitarian law. Sinha, Manoj Kumar. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 285-294p.

#### *International Imprisonment*

International Imprisonment. Smit, Dirk van Zyl. *International & Comparative Law Quarterly* : 2005 (Apr) : 54 (2) : 357-86p.

#### *International Law*

Exiting treaties. Helfer, Laurence R. *Virginia Law Review* : 2005 (Nov) : 91 (7) : 1579-1648p.

Failed states, or the state as failure? Brooks, Rosa Ehrenreich. *University of Chicago Law Review*: 2005 (Fall): 72 (4): 1159-1196p.

Impact of treaty reservations on the establishment of an international human rights regime. Ferreira, G.M. and Ferreira-Snyman, M.P. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 148-83p.

International law: The compatibility of the Rome statute of the International Criminal Court with U.S. bilateral immunity agreements included in the American service-members' Protection Act. Meyer, Eric M. *Oklahoma Law Review*: 2005 (Spring): 58 (1): 97-133p.

Internment during the great war – A challenge to the rule of law. McDermott, Peter M. *University of New South Wales* : 2005 : 28 (2) : 330-63p.

Islam and international law. Al-Zuhili, Sheikh Wahbeh. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 269-284p.

Law and the shaping of American Foreign Policy: The Twenty Years' Crisis. Zasloff Jonathan, *Southern California Law Review*: 2004 (Mar) : 77 (3): 583-682p.

Personality rights : A comparative overview. Neethling, J. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 210-45p.

Principle of systemic integration and Article 31 (3) (c) of the Vienna Convention. McLachlan, Campbell. *International & Comparative Law Quarterly* : 2005 (Apr) : 54 (2) : 279-320p.

Procedural principles and safeguards for internment/ administrative detention in armed conflict and other situations of violence. Pejic, Jelena. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 375-392p.

Terrorism and international law. Guillaume, Gilbert. *International & Comparative Law Quarterly* : 2004 (Jul) : 53 (3) : 537-48p.

'Torture-lite' in the 'wild zone of power'. Bosch, S. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 184-209p.

Vienna Convention on consular relations : Persuasive force or binding law ? Weiland, Sandra J. *Denver Journal of International Law and Policy* : 2005 (Fall) : 33 (4) : 641-74p.

'Wars on Terror' and Vicarious Hegemons : The UK, International Law and the Northern Ireland Conflict. Campbell, Colm. *International & Comparative Law Quarterly* : 2005 (Apr) : 54 (2) : 321-56p.

#### *Interpretation of Statutes*

Principle of legality and the clear statement principle. AC, Spigelman J. *Australian Law Journal*: 2005 (Dec): 79 (12): 769-82p.

Rise and fall of textualism. Molot, Jonathan T. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 1-69p.

Time for everything under the law : Some reflections on retrospectivity. Rodger, Alan. *Law Quarterly Review* : 2005 (Jan) : 121 : 57-79p.

What divides textualists from purposivists ? Manning, John F. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 70-111p.

### *Judges*

Subjective objectivity : Judicial impartiality and social intercourse in the US Supreme Court. Olowofoyeku, Abimbola A. *Public Law* : 2006 (Spring) : 15-34p.

### *Judicial Activism*

Judicial Activism in Australia. Barker, Ian, *Australian Law Journal*: 2005 (Dec): 79 (12): 783-94p.

### *Judicial Education*

Judicial Education on context. Smith, Lynn. *U.B.C. Law Review*: 2005 (Nov): 38 (2): 569-82p.

Personal reflections on Judicial Education in Canada. Lederman, Sidney N. *U.B.C. Law Review*: 2005 (Nov): 38 (2): 561-68p.

### *Judicial Ethics*

Duck when a conflict of interest blinds you : Judicial conflicts of interest in the matters of Scalia and Ginsburg. Jennings, Marianne M. and Razook, Nim. *University of San Francisco Law Review* : 2005 (Summer) : 39 (4) : 873-928p.

### *Judicial Process*

Interveners or interferers : Intervention in decisions to withhold and withdraw life-sustaining medical treatment. Willmott, Lindy, White, Ben and Cooper, Donna. *Sydney Law Review* : 2005 (Dec) : 27 (4) : 597-622p.

### *Judiciary*

Call for change : Improving judicial selection methods. Czarnezki, Jason J. *Marquette Law Review* : 2005 (Fall) : 89 (1) : 169-78p.

Federal Courts, the first congress and the non-settlement of 1789. Collins, Michael G. *Virginia Law Review* : 2005 (Nov) : 91 (7) : 1515-78p.



Nature and functions of Fiduciary Loyalty. Conaglen, Mathew. *Law Quarterly Review* : 2005 (Jul) : 121 : 452-80p.

Subjective objectivity : Judicial impartiality and social intercourse in the US Supreme Court. Olowofoyeku, Abimbola A. *Public Law* : 2006 (Spring) : 15-34p.

#### *Jurisprudence*

Cognitive Jurisprudence, Hirsch, Adam J. *Southern California Law Review*: 2003 (Sep): 76 (6): 1331-70p.

Interpretive theories: Dworkin, Sunstein, and Ely. Hunter, Tina. *Bond Law Review*. 2005 (Dec.): 17 (2): 78-101p.

Jefferson and Juries : The problem of law, reason and politics in the new republic. Blinka, Daniel D. *American Journal of Legal History* : 2005 (Jan) : 47 (1) : 35-103p.

#### *Juvenile Justice*

Judicial perspectives on family drug treatment courts. Edwards, Leonard P. and Ray, James A. *Juvenile and Family Court Journal* : 2005 (Summer) : 56 (3) : 1-28p.

Juvenile delinquency guidelines : Improving court practice in juvenile delinquency cases. *Juvenile and Family Court Journal* : 2005 (Summer) : 56 (3) : 41-49p.

Knowledge of detained juveniles about the Juvenile Justice System. Talley, Theresa Rajack, Talley, Clarence R. and Tewksbury, Richard. *Juvenile and Family Court Journal* : 2005 (Summer) : 56 (3) : 29-40p.

#### *Law of the Sea*

Further development of the law of the Sea Convention : Mechanisms for change. Boyle, Alan. *International & Comparative Law Quarterly* : 2005 (Jul) : 54 (3) : 563-84p.

Future of compulsory dispute settlement under the law of the Sea Convention. Rayfuse, Rosemary. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 683-712p.

New horizons in the law of the sea. Leary, David and Chakraborty, Anshuman. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 675-82p.

#### *Legal Education*

Democracy and social justice : Founding centers for social justice in law schools. Wildman, Stephanie M. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 252-67p.

Faculty ethics in law school: shirking, capture, and “The Matrix”. Harrison, Jeffrey L. *University of Detroit Mercy Law Review*: 2005 (Spring): 82 (3): 397-430p.

Law teacher as peacemaker : National Security in the classroom. Dycus, Stephen. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 42-48p.

Multidisciplinary comparison of Rules-Driven Writing : Similarities in legal writing, biology research articles and computer programming. Koch, Karen L. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 234-51p.

Other students : Teaching the “War on Terror” to Nonlawyers. Kayyem, Juliette N. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 57-64p.

Teaching and learning about terrorism. Banks, William C. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 35-41p.

Teaching civil procedure stories. Marder, Nancy S. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 138-51p.

Teaching constitutional law stories. Ross, Thomas. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 126-37p.

Teaching National Security Law. Glennon, Michael J. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 49-56p.

Teaching property stories. Underkuffler, Laura S. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 152-62p.

Teaching tax stories. Mehrotra, Ajay K. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 116-25p.

Teaching torts stories. Bender, Leslie. *Journal of Legal Education* : 2005 (Mar/Jun) : 55 (1&2) : 108-15p.

### *Legal Profession*

Fieger, civility and the first amendment: Should the mouth that roared be silenced? Dubin, Lawrence A. *University of Detroit Mercy Law Review*: 2005 (Spring): 82 (3): 377-396p.

Rediscovering Julius Henry Cohen and the origins of the business/profession dichotomy : A study in the discourse of early twentieth century legal professionalism. Levine, Samuel J. *American Journal of Legal History* : 2005 (Jan) : 47 (1) : 1-34p

### *Local Government*

Powers of local government in decentralized systems of government : Managing the ‘curse of common competencies’. Steytler, N. *Comparative and International Law Journal of Southern Africa* : 2005 (Jul) : 38 (2) : 271-284p.

*Marriage Law*

Resurrecting Comity : Revisiting the problem of non-uniform marriage laws. Grossman, Joanna L. *Oregon Law Review* : 2005 : 84 (2) : 433-88p.

*Mass Media*

Free but not independent : The real amendment issue for the press. Mermin, Jonathan. *University of San Francisco Law Review* : 2005 (Summer) : 39 (4) : 929-66p.

*Medical Law*

Duties to subjects in Clinical Research. Coleman, Carl H. *Vanderbilt Law Review*: 2005 (Mar): 58 (2): 387-452p.

Legal status of the human pre-embryo in the context of the general revolution. Jordaan, Donrich W. *South African Law Journal* : 2005: 122 (1): 237-49p.

*Military Law*

Alternative Dispute Resolution in the military context. Katter, Dominic. *University of New South Wales* : 2005 : 28 (2) : 458-78p.

Calling out the troops – Disturbing trends and unanswered questions. Head, Michael. *University of New South Wales* : 2005 : 28 (2) : 479-506p.

Call-out the guards – Why Australia should no longer fear the deployment of Australian troops on home soil. Laing, Norman. *University of New South Wales* : 2005 : 28 (2) : 507-22p.

Civilianization of Australian Military Law. Groves, Matthew. *University of New South Wales* : 2005 : 28 (2) : 364-95p.

Constitution and Military Justice. Tracey, Richard. *University of New South Wales* : 2005 : 28 (2) : 426-37p.

Contracting out war? : Private military companies, law and regulations in the United Kingdom. Walker, Clive and Whyte, Dave. *International & Comparative Law Quarterly* : 2005 (Jul) : 54 (3) : 651-90p.

Crimes at Sea Act – Its impact on ADF operations. Lye, Amanda. *University of New South Wales* : 2005 : 28 (2) : 538-65p.

Executive and the Military. White, Margaret. *University of New South Wales* : 2005 : 28 (2) : 438-57p.

Have your cake and eat it too : A proposal for a layered approach to regulating private military companies. Desai, Deven R. *University of San Francisco Law Review* : 2005 (Summer) : 39 (4) : 825-72p.

International force in East Timor legal aspects of maritime operations. Rogers, Felicity. *University of New South Wales* : 2005 : 28 (2) : 566-80p.

Justice at the sharp end – Improving Australia’s Military Justice System. Mitchell, Andrew D. and Voon, Tania. *University of New South Wales* : 2005 : 28 (2) : 396-425p.

Outsourcing power : How privatizing military efforts challenges accountability, professionalism and democracy. Minow, Martha. *Boston College Law Review* : 2005 (Sep) : 46 (5) : 989-1026p.

‘To execute and maintain the laws of the commonwealth’ The ADF and internal security – Some old issues with new relevance. Moore, Cameron. *University of New South Wales* : 2005 : 28 (2) : 523-37p.

#### *Ombudsman*

Asymmetric Devolution and Ombudsman Reform in England. Elliott, Mark. *Public Law* : 2006 (Spring) : 84-105p.

#### *Outsourcing*

Outsourcing power : How privatizing military efforts challenges accountability, professionalism and democracy. Minow, Martha. *Boston College Law Review* : 2005 (Sep) : 46 (5) : 989-1026p.

#### *Pluralism*

Pluralism and the law : New Zealand accommodates the Burqa. Griffiths, D. *Otago Law Review* : 2006 : 11 (2) : 281-304p.

#### *Political Parties*

Dissolution of political parties: The problem of internal democracy. Mersel, Yigal. (*I-CON*) *International Journal of Constitutional Law*: 2006 (Jan): 4(1): 84-114p.

#### *Privacy*

Postmodernism and the Model Penal Code v. The Fourth, Fifth and Fourteenth Amendments – and the Castle Privacy Doctrine in the Twenty-First century. Caplan, David I. and Caplan, sue Wimmershoff, *UKMC Law Review*: 2005 (Summer): 73 (4): 1073-1164p.

#### *Privatization*

Privatization in the international petroleum industry : The interplay between politics, economics and reliance. Rhea, John E. *Denver Journal of International Law and Policy* : 2005 (Fall) : 33 (4) : 609-40p.

*Property*

Freedom-promoting approach to property: A renewed tradition for new debates. Purdy, Jedediah. *University of Chicago Law Review*: 2005 (Fall): 72 (4): 1237-1298p.

Of property and federalism. Bell, Abraham and Gideon Parchomovsky. *Yale Law Journal*: 2005 (Oct.): 115 (1): 72-115p.

Property as Entrance. Penalver, Eduardo M. *Virginia Law Review* : 2005 (Dec) : 91 (8) : 1889-1972p.

*Prosecutors*

Salaries, Plea rates and the career objectives of federal prosecutors. Boylan, Richard T. and Long, Cheryl X. *Journal of Law & Economics* : 2005 (Oct) : 48 (2) : 627-52p.

*Public Finance*

Evolution and condition of the law on Economy and Public Finances in Poland between 1989-2000, Kosikowski, Cezary. *Transformation of Public Business Law*: (2000-01): 33-34: 5-18p.

*Rape*

Choice, Consent and Cycling : The Hidden limitations of consent. Katz, Leo. *Michigan Law Review* : 2006 (Feb) : 104 (4) : 627-70p.

*Refugee Law*

Refugee law at sea. Barnes, Richard. *International & Comparative Law Quarterly* : 2004 (Jan) : 53 (1) : 47-78p.

*Religion*

Encountering perceptions in parts of the Muslim world and their impact on the ICRC's ability to be effective. Wigger, Andreas. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 343-366p.

Faith-based and secular humanitarian organizations. Ferris, Elizabeth. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 311-326p.

Hinduism and International Humanitarian Law. Sinha, Manoj Kumar. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 285-294p.

Influence of the Muslim religion in humanitarian aid. Krafess, Jamal. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 327-342p.

Islam and international law. Al-Zuhili, Sheikh Wahbeh. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 269-284p.

Putting religious symbolism in context: A linguistic critique of the endorsement test. Hill, B. Jessie, *Michigan Law Review*: 2005 (Dec): 104 (3):491-546p.

Religion, violence and "holy wars". Kung, Hans. *International Review of the Red Cross*: 2005 (Jun): 87 (858): 253-268p.

Religious liberty in the thirteenth colony: Church-state relations in colonial and early national Georgia. Nichols, Joel A. *New York University Law Review*: 2005 (Dec): 80 (6): 1693-1772p.

#### *Research & Development*

Power of money : Commercialization of research conducted in public institutions. Downie, J. *Otago Law Review* : 2006 : 11 (2) : 305-26p.

#### *Restitution*

Protection of entitlements via the law of restitution-Expectancies and privacy. Friedmann, Daniel. *Law Quarterly Review* : 2005 (Jul) : 121 : 400-20p.

Restitution and the law of subrogation in England and Australia. Tilley, Gareth. *Australian Law Journal*: 2005 (Aug): 79 (8): 518-24p.

#### *Retrospectivity*

Time for everything under the law : Some reflections on retrospectivity. Rodger, Alan. *Law Quarterly Review* : 2005 (Jan) : 121 : 57-79p.

#### *Sale of Goods*

Danger of domestic pre-conceived view with respect to the uniform international of the CISG. Schwenger, Ingeborg. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 795-814p.

International commercial letters of credit : Balancing the rights of buyers and sellers in insolvency. Sappideen, Razeen. *Journal of Business Law* : 2006 (Mar) : 133-56p.

Requirements of application and sphere of applicability of the CISG. Schlechtriem, Peter. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 781-94p.

United Nations Convention contracts for the International Sale of Goods : The Canadian experience. Sharma, Rajeev. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 847-58p.

Who's afraid of the Vienna Sales Convention (CISG) ? Nottage, Luke. *Victoria University of Wellington Law Review* : 2005 (Dec) : 36 (4) : 815-46p.

*Searches and Seizures*

Searches and Seizures in a Digital World. Kerr, Orin S. *Harvard Law Review* : 2005 (Dec) : 119 (2) : 531-86p.

*Sexual Harassment*

Coming rise of disparate impact theory. Kearney, Robert A. *Penn State Law Review* : 2005 (Summer) : 110 (1) : 69-110p.

*Specific Performance*

Appraising a presumption : A modern look at the doctrine of specific performances in real estate contracts. Kirwan, Jason S. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 697-720p.

*Subrogation*

Restitution and the law of subrogation in England and Australia. Tilley, Gareth. *Australian Law Journal*: 2005 (Aug): 79 (8): 518-24p.

*Taxation*

Current state and direction of reform of Polish Tax Legislation at the turn of 20<sup>th</sup> and 21<sup>st</sup> Centuries. Brzezinski, Bogumil, *Transformation of Public Business Law*: (2000-01): 33-34: 19-34p.

Legal aspects of the reform of the Polish Tax System. Mastalski, Ryszard. *Transformation of Public Business Law*: (2000-01): 33-34: 35-46p.

Tax incentives – valuable tools for biodiversity conservation in South Africa. Paterson Alexander. *South African Law Journal* : 2005: 122 (1): 182-216p.

Tax powers of Territorial Authorities in Poland and the outlooks for their development. Ruskowski, Eugeniusz and Ostrowska, Anna. *Transformation of Public Business Law*: (2000-01): 33-34: 47-58p.

*Terrorism*

Detentions, Military Commissions, Terrorism and domestic case precedent. Tobias, Carl. *Southern California Law Review*: 2003 (Sep): 76 (6): 1371-1408p.

Terrorism and international law. Guillaume, Gilbert. *International & Comparative Law Quarterly* : 2004 (Jul) : 53 (3) : 537-48p.

*Textualism*

Rise and fall of textualism. Molot, Jonathan T. *Columbia Law Review* : 2006 (Jan) : 106 (1) : 1-69p.

*Torts Law*

Canadian reflections on the Tobacco Wars : Some unintended consequences of Mass Tort Litigation. Berryman, Jeff. *International & Comparative Law Quarterly* : 2004 (Jul) : 53 (3) : 579-604p.

Distinctiveness of Rylands v. Fletcher. Nolan, Donal. *Law Quarterly Review* : 2005 (Jul) : 121 : 421-51p.

“European group on Tort Law” and its “Principles of European Tort Law”. Koch, Bernhard, A. *American Journal of Comparative Law* : 2005 (Winter) : 53 (1) : 189-206p.

Opting out the liability: The forthcoming, near-total demise of the modern class action Gilles, Myriam. *Michigan Law Review*: 2005 (Dec): 104 (3): 373-430p.

‘Place of Wrong’ in the tort of defamation – behind the scenes of a legal fiction. Svantesson, Dan. *Bond Law Review*. 2005 (Dec.): 17 (2): 149-180p.

Protection of entitlements via the law of restitution-Expectancies and privacy. Friedmann, Daniel. *Law Quarterly Review* : 2005 (Jul) : 121 : 400-20p.

Reconstructing foreseeability. Cardi, W. Jonathan. *Boston College Law Review* : 2005 (Sep) : 46 (5) : 921-88p

*Torture*

Torture. Hope, David. *International & Comparative Law Quarterly* : 2004 (Oct) : 53 (4) : 807-32p.

*Trusts Law*

Common law choice of law rules for resulting and constructive trusts. Chong, Adeline. *International & Comparative Law Quarterly* : 2005 (Oct) : 54 (4) : 855-84p.

In defense of the no further inquiry rule : A response to Professor John Langbein. Leslie, Melanie B. *William and Mary Law Review* : 2005 (Nov) : 47 (2) : 541-86p.

*Unconscionability-Doctrine of*

Squeezing subjectivity from the doctrine of unconscionability. Marrow, Paul Bennett. *Cleveland State Law Review* : 2005-06 : 53 (2) : 187-225p.

*Unjust Enrichment*

Absence of basis : A path to reconciliation between Australian and English Unjust Enrichment Law ? Borsky, Michael. *Australian Law Journal*: 2005 (Aug): 79 (8): 507-12p.



Towards a rational structure of liability for unjustified enrichment: Thoughts from two mixed jurisdictions. Plessis, Jacques du. *South African Law Journal* : 2005: 122 (1): 142-81p.

#### *Water Law*

Between the market and the commons : Ensuring the right to water in rural communities. Astle, Jason. *Denver Journal of International Law and Policy* : 2005 (Fall) : 33 (4) : 585-608p.

#### *Women*

Women in politics in France : Is Parite the best way to redress the balance ? Godard, Joelle. *Public Law* : 2006 (Spring) : 124-39p.

#### *World Trade Organization*

Separation of powers in the WTO : How to avoid judicial activism. Bartels, Lorand. *International & Comparative Law Quarterly* : 2004 (Oct) : 53 (4) : 861-96p.

### **LIST OF SELECT FOREIGN CASES\***

#### *Administration of Justice*

R. (On the Application of Murphy) v. Secretary of State for the Home Department [2005] 1 W.L.R. 3516.

#### *Citizenship*

Re Minister for Immigration and Multicultural and Indigenous Affairs; Ex Parte Ame [2005] 79 ALJR 1309.

#### *Civil Rights*

Attorney General for Gibraltar v. Shimidzu (Berllaque Intervening) [2005] 1 W.L.R. 3335.

Jones v. Minister of Interior (Kingdom of Saudi Arabia) and Lt Col Abdul Aziz, Secretary of State for Constitutional Affairs and the Redress Trust Intervening and Mitchell v. Al-Dadi and Others [2004] EWCA Civ 1394 [2005] 2 W.L.R. 808.

#### *Conflict of Laws*

Harding v. Wealands [2004] EWCA Civ 1735 [2005] 1 All E.R. 415.

#### *Constitutional Law*

A (FC) & Ors (FC) v. Secretary of State for the Home Department; X (FC) & Anor (FC) v. Secretary of State for the Home Department [2004] UKHL 56.

Ashcroft v. Bollinger 539 U.S. 306.

Auton (Guardian ad litem of) & Ors. v. British Columbia (Attorney General) [2004] 3 SCR 657.

Behrooz v. Secretary of the Department of Immigration & Multicultural Affairs & Ors [2004] HCA 36.

City of Montreal v. 2952-1366 Quebec Inc. [2005] SCC 62.

Rasul v. Bush 124 S. Ct. 2686.

United States v. Banks 540 U.S. 31.

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\* Prepared by Bhag Singh, Librarian and assisted by Sonam Singh, Indian Law Institute, from case comments included in foreign journals and websites of Foreign Apex Courts.

*Consumer Protection*

Robb Evans & Associates v. European Bank Ltd. [2004] N.S.W.L.R. 75.

*Contempt of Court*

R. v. Serumaga [2005] 1 W.L.R. 3366.

*Criminal Law*

Wiggins v. Smith 539 U.S. 510.

*Death Penalty*

Boyce & Anor v. R. (Barbados) [2004] UKPC 32.

*Human Rights*

A v. Secretary for the Home Department [2004] UKHL 56 [2005] 2 W.L.R. 87

Campbell v. MGN Ltd (No. 2) [2005] 1 W.L.R. 3394.

R. (On the Application of Limbuela) v. Secretary of State for the Home Department [2005] 3 W.L.R. 1014.

R. (On the Application of Quark Fishing Ltd) v. Secretary of State for Foreign and Commonwealth Affairs [2005] 3 W.L.R. 837.

*Intellectual Property*

Eldred v. Ashcroft 537 U.S. 186.

ITOFCA, Inc. v. MegaTrans Logistics, Inc. 322 F.3d 928.

Polyaire Pvt. Ltd v. K-aire Pty Ltd (No2) [2005] 79 ALJR 1387.

R (On the application of Kehoe) v. Secretary of State for Work and Pensions [2005] 4 All ER 905.

Stevens v. Kabushiki Kaisha Computer Entertainment [2005] 79 ALJR 1850.

*Medical Negligence*

Gregg v. Scott [2005] UKHL 2 [2005] 2 W.L.R. 268.

*Natural Justice*

Re P (A Barrister) [2005] 1 W.L.R. 3019.

*Parliament*

R. (On the Application of Jackson) v. Attorney General [2005] 3 W.L.R. 733.

### LIST OF SELECT FOREIGN ARTICLES\*

#### *Accidents*

New Zealand accident compensation scheme : The statutory bar and the conflict of laws. Tobin, Rosemary and Schoeman, Elsabe. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 493-514p.

#### *Accountability*

Political accountability in play : The buds inquiry and David Blunkett's resignation. Bamforth, Nicholas. *Public Law* : 2005 (Summer) : 229-38p.

#### *Administrative Law*

Australian administrative law: The asylum-seeker legacy. Wells, Caron Beaton. *Public Law* : 2005 (Summer) : 267-85p.

Birth of a "logical system" : Thurman Arnold and the making of modern administrative law. Fenster, Mark. *Oregon Law Review* : 2005 : 84 (1) : 69-146p.

China's administrative litigation law. Cheung, Arthur K.C. *Public Law* : 2005 (Autumn) : 549-70p.

*Ultra vires* representations and illegitimate expectations. Hannett, Sarah and Busch, Lisa. *Public Law* : 2005 (Winter) : 729-39p.

"Slack" in the administrative state and its implications for governance : The issue of accountability. Markell, David. *Oregon Law Review* : 2005 : 84 (1) : 1-68p.

#### *Affirmative Action*

Stepping through Grutter's open doors : What the University of Michigan affirmative action cases mean for race-conscious government decision-making. Norton, Helen. *Temple Law Review*: 2005 (Fall) : 78 (3) : 543-78p.

#### *Air Law*

"Come fly with me" : Psychiatric injury and the Warsaw convention.

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Handford, Peter. *Journal of Business Law*: 2006 (Jun) : 408-28p.

#### *Antitrust Law*

Antitrust remedies revisited. Cavanagh, Edward. *Oregon Law Review* : 2005 : 84 (1) : 147-226p.

#### *Arbitration*

ADR and public law. Supperstone, Michael, Stiltz, Daniel and Sheldon, Clive. *Public Law* : 2006 (Summer) : 299-319p.

An arbitrator's authority to award attorney fees for bad-faith arbitration. Hinchey, John W. and Burch, Thomas V. *Dispute Resolution Journal* : 2005 (May-Jul) : 60 (2) : 10-17p.

Arbitration in Brazil : Foreign investment and the New Brazilian approach to arbitration. Pucci, Adriana Noemi. *Dispute Resolution Journal* : 2005 (Feb-Apr) : 60 (1) : 82-87p.

Case for arbitrating intellectual property licensing disputes. Saylor, Richard H. *Dispute Resolution Journal* : 2005 (Feb-Apr) : 60 (1) : 62-67p.

Confidentiality in arbitration proceedings : Recent trends and developments. Seriki, Hakeem. *Journal of Business Law* : 2006 (May) : 300-11p.

Confidentiality in international mediation. Reichert, Klaus. *Dispute Resolution Journal* : 2005 (Nov 2004 - Jan 2005) : 59 (4) : 60-67p.

Delaying tactics in arbitration. Frecon, Alain. *Dispute Resolution Journal* : 2005 (Nov 2004 - Jan 2005) : 59 (4) : 40-53p.

Enforcing arbitration awards in China. Unkovic, Dennis. *Dispute Resolution Journal* : 2005 (Nov 2004 - Jan 2005) : 59 (4) : 68-75p.

Forty lines mediators can hang clothes on no really!. MacPherson, Robert. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 36-41p.

Importance of subject-matter expertise in antitrust arbitration. Disner, Eliot G. *Dispute Resolution Journal* : 2005 (Nov 2004 - Jan 2005) : 59 (4) : 39p.

Intellectual property roundtable : A discussion of IP and ADR. *Dispute Resolution Journal* : 2005 (Feb-Apr) : 60 (1) : 68-81p.

Investor protection and legal security in international arbitration. Cremades, Bernardo M. *Dispute Resolution Journal* : 2005 (May-Jul) : 60 (2) : 82-86p.

Mediating in Florida : New rules for out-of-state attorneys. Underwood, Christi L. *Dispute Resolution Journal* : 2005 (Aug-Oct) : 60 (3) : 40-41p.

Mediating international commercial disputes : Differences in U.S. and European approaches. Cairns, David J.A. *Dispute Resolution Journal* : 2005 (Aug-Oct) : 60 (3) : 62-69p.

Power of arbitrators to award monetary sanctions for discovery abuse. O'Neill, Philip D. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 60-69p.

Punitive damages remedy : Lessons for drafters of arbitration agreements. Nolan, Michael D. and Leblanc, Andrew M. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 50-53p.

Rise of mediation in administrative law disputes : Experiences from England, France and Germany. Boyron, Sophie. *Public Law* : 2006 (Summer) : 320-43p.

State enterprise arbitration and sovereign immunity issues : A look at recent trends. Maniruzzaman, A.F.M. *Dispute Resolution Journal* : 2005 (Aug-Oct) : 60 (3) : 76-85p.

Two alternatives to litigation : An introduction to arbitration and mediation. Erickson, David L. and Bowen, Peter Geoffrey. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 42-49p.

Using risk analysis as a mediation tool. Slavitt, Evan. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 18-35p.

Validity of arbitration agreements – Critical comparison between Hong Kong SAR and Mainland China. Xiaohong, Liu and Weixia, Gu. *Asia Law Review* : 2005 (Dec) : 2 (2) : 143-98p.

When is an “Arbitration” not an arbitration ? When a sitting judge serves as a private arbitrator. Smith, Charles H. *Dispute Resolution Journal* : 2005 (Aug-Oct) : 60 (3) : 29-33p.

### *Bankruptcy*

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Evolving bankruptcy bench : How are the “units” faring ? Mabey, Ralph R. *Boston College Law Review* : 2005 (Dec) : 47 (1) : 105-28p.

Look at transnational insolvencies and chapter 15 of the bankruptcy abuse prevention and consumer protection act of 2005. Biery, Evelyn H. and Boland, Jason L. and Cornwell, John D. *Boston College Law Review* : 2005 (Dec) : 47 (1) : 23-58p.

### *Biotechnology*

Biotechnology, bioethics and law : Europe’s 21<sup>st</sup> century challenge. Lenoir, Noelle. *Modern Law Review* : 2006 (Jan) : 69 (1) : 1-6p.

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Errors of justice and the death penalty : A first-hand view. Kogan, Gerald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 111-14p.

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Donor standing to enforce charitable gifts : *Civil Society v. Donor Empowerment*. Goodwin, Iris J. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1093-1166p.

#### *Civil Procedure*

Toward a new federalism in State Civil Justice : Developing a uniform code of State Civil procedure through a collaborative rule-making process. Koppel, Glenn S. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1167-1278p.

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Balance between burial rights and landownership in South Africa : Issues of content, nature and constitutionality. Pienaar, Juanita and Mostert, Hanri. *South African Law Journal* : 2005 : 122 (3) : 633-60p.

Civil rights, antitrust and early decision programs. Afram, Ruby Z. *Yale Law Journal* : 2006 (Jan) : 115 (4) : 814-79p.

Delictual protection of the right to bodily integrity and security of the person against omissions by the state. Neethling, Johann. *South African Law Journal* : 2005 : 122 (3) : 572-90p.

First thornburgh family lecture on disability law and policy Americans with disabilities and their civil rights : Past, present and future. Blanck, Peter. *University of Pittsburgh Law Review* : 2005 (Summer) : 66 (4) : 687-719p.

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Parliamentary Bills of rights : An alternative model ? Hiebert, Janet L. *Modern Law Review* : 2006 (Jan) : 69 (1) : 7-28p.

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Reports of Batson’s death have been greatly exaggerated : How the Batson doctrine enforces a normative framework of legal ethics. Appleman, Laura I. *Temple Law Review*: 2005 (Fall) : 78 (3) : 607-58p.

Rethinking civil rights lawyering and politics in the era before brown. Mack, Kenneth W. *Yale Law Journal* : 2005 (Nov) : 115 (2) : 256-355p.

Spillover effect of bills of rights : A comparative assessment of the impact of bills of rights in Canada and Israel. Dotan, Yoav. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 293-342p.

Stepping through Grutter's open doors : What the University of Michigan affirmative action cases mean for race-conscious government decision-making. Norton, Helen. *Temple Law Review*: 2005 (Fall) : 78 (3) : 543-78p.

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Weak-form judicial review and "core" civil liberties. Tushnet, Mark. *Harvard Civil Rights-Civil Liberties Law Review* : 2006 (Winter) : 41 (1) : 1-22p.

#### *Class Actions*

From "Predominance" to "Resolvability" : A new approach to regulating class actions. Erbsen, Allan. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 995-1092p.

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Articles 9 and 11 of the takeover directive (2004/25) and the market for corporate control. Clarke, Blanaid. *Journal of Business Law*: 2006 (Jun) : 355-74p.

Choice as regulatory reform : The case of Japanese corporate governance. Gilson, Ronald J. and Milhaupt, Curtis J. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 343-78p.

Concept of a company director : Time for a new expanded and unified statutory concept? Lacy, John de. *Journal of Business Law* : 2006 (May) : 267-99p.



Contextualizing shareholders' disputes – A way to reconceptualise minority shareholder remedies. Chiu, Iris H. *Journal of Business Law* : 2006 (May) : 312-38p.

Continuing evolution of shareholder governance. Nolan, R.C. *Cambridge Law Journal* : 2006 (Mar) : 65 (1) : 92-127p.

How do corporations play politics ? : The fedex story. Fisch, Jill E. *Vanderbilt Law Review* : 2005 (Oct) : 58 (5) : 1495-1572p.

Law and economics of "Sue and Dump": Should plaintiffs' attorneys be prohibited from trading the stock of companies they sue ? Yahya, Moin A. *Suffolk University Law Review* : 2006 : 39 (2) : 425-64p.

Outside director liability. Black, Bernard, Cheffins, Brian and Klausner, Michael. *Stanford Law Review* : 2006 (Feb) : 58 (4) : 1055-1160p.

Symbiotic federalism and the structure of corporate law. Kahan, Marcel and Rock, Edward. *Vanderbilt Law Review* : 2005 (Oct) : 58 (5) : 1573-1622p.

#### *Compensation*

New Zealand accident compensation scheme : The Statutory Bar and the Conflict of Laws. Tobin, Rosemary and Schoeman, Elsabe. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 493-514p.

#### *Constitutional Law*

Caribbean court of justice and its appellate jurisdiction : A difficult birth. O'Brien, Derek. *Public Law* : 2006 (Summer) : 344-63p.

Constitutional comparisons : Convergence, resistance, engagement. Jackson, Vicki C. *Harvard Law Review* : 2005 (Nov) : 119 (1) : 109-28.

Constitutionalism development of modern China : The status quo and the future. Yuan, Wang Jin and Guo, Wang Xiang. *Asia Law Review* : 2005 (Dec) : 2 (2) : 1-22p.

Constitutional dialogue, constitutional theories and the human rights act 1998. Hickman, Tom R. *Public Law* : 2005 (Summer) : 306-35p.

Constitutional reform act 2005 : Ministers, Judges and constitutional change. Windlesham. *Public Law* : 2005 (Winter) : 806-23p.

Devolution, westminster and the English question. Hadfield, Brigid. *Public Law* : 2005 (Summer) : 286-305p.

Germany : The subsidiarity principle. Taylor, Greg. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 115-30p.

Indonesia : General elections test the amended constitution and the new constitutional court. Harijanti, Susi Dwi and Lindsey, Tim. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 138-50p.

International constitutional order. Wet, Erika de. *International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 51-76p.

Italy : The subsidiarity principle. Groppi, Tania and Scattone, Nicoletta. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 131-37p.

Law, politics and impeachment: The impeachment of Roh Moo-hyun from a comparative constitutional perspective. Lee, Youngjae. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 403-32p.

Limited powers in the looking-glass : Otiose textualism and an empirical analysis of other approaches, when activists in private shopping centers claim state constitutional liberties. Peltz, Richard. *Cleveland State Law Review* : 2005-06 : 53 (3) : 399-428p.

President's statutory powers to administer the laws. Stack, Kevin M. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 263-323p.

Refusing to answer : The Supreme Court and the reference power revisited. McEvoy, John P. *University of New Brunswick Law Journal* : 2005 : 54 : 29-42p.

Spain : The struggle for jurisdiction between the tribunal constitutional and the tribunal supremo. Turano, Leslie. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 151-62p.

Supervisory power of the Supreme Court. Barrett, Amy Coney. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 324-87p.

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Anticipating litigation in contract design. Scott, Robert E. and Triantis, George G. *Yale Law Journal* : 2006 (Jan) : 115 (4) : 814-79p.

Basis of contractual liability in Dutch law. Pretorius, C.J. *Comparative & International Law Journal of Southern Africa* : 2004 (Nov) : 37 (3) : 377-403p.

Boilerplate and economic power in auto manufacturing contracts. Shahar, Omri Ben and White, James J. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 953-82p.

CISG and its followers : A proposal to adopt some international principles of contract law. Lando, Ole. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 379-402p.

'Contracting' for credit. Mann, Ronald J. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 899-932p.

Contracts as statute. Choi, Stephen J. and Gulati, G. Mitu. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 1129-74p.

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Losing faith : Extracting the implied covenant of goods faith from (some) contracts. Dobbins, Teri J. *Oregon Law Review* : 2005 : 84 (1) : 227-82p.

Objectivity in contract. McLauchlan, David. *University of Queensland Law Journal* : 2005 : 24 (2) : 479-98p.

One-sided contracts in competitive consumer markets. Bebchuk, Lucian A. and Posner, Richard A. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 827-36p.

Online boilerplate : Would mandatory website disclosure of e-standard terms backfire ? Hillman, Robert A. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 837-56p.

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Role of nonprofits in the production of boilerplate. Davis, Kevin E. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 1075-1104p.

Strategy of boilerplate. Ahdieh, Robert B. *Michigan Law Review* : 2006 (Mar) : 104 (5) : 1033-74p.

### *Convictions*

Do exonerations prove that “the system works ?” Marshall, Lawrence C. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 83-90p.

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What can we learn from other nations about the problem of wrongful conviction ? Huff, C. Ronald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 91-97p.

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Strategic improvements in the fight against corruption in international business transactions. Carr, Indira. *Journal of Business Law*: 2006 (Jun) : 375-95p.

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Caribbean court of justice and its appellate jurisdiction : A difficult birth. O'Brien, Derek. *Public Law* : 2006 (Summer) : 344-63p.

International Court of Justice and the United Nations Security council : Rethinking a complicated relationship. Furman, Kathleen Renee Cronin. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 435-63p.

Jurisdiction of the European Court of justice in respect of the common foreign and security policy. Ketvel, Maria-Gisella Garbagnati. *International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 77-120p.

Refusing to answer : The Supreme Court and the reference power revisited. McEvoy, John P. *University of New Brunswick Law Journal* : 2005 : 54 : 29-42p.

Supervisory power of the Supreme Court. Barrett, Amy Coney. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 324-87p.

### *Criminal Justice System*

Criminal justice system in Indonesia, between theory and reality. Hiariej, Edward Omar Sharif. *Asia Law Review* : 2005 (Dec) : 2 (2) : 23-38p.

Guilt and innocence in the criminal justice system : A comment on *R (Mullen) v Secretary of State for the Home Department*. Nobles, Richard and Schiff, David. *Modern Law Review* : 2006 (Jan) : 69 (1) : 80-91p.

Political constitution of criminal justice. Stuntz, William J. *Harvard Law Review* : 2006 (Jan) : 119 (3) : 780-851p.

### *Criminal Law*

Investigators and prosecutors or, desperately seeking Scotland : Re-formulation of the 'Philips Principle'. White, Robin M. *Modern Law Review* : 2006 (Mar) : 69 (2) : 143-82p.

Invisible pillar of gideon. Gershowitz, Adam M. *Indiana Law Journal* : 2005 (Summer) : 80 (3) : 571-604p.

Mystery of old bailey counsel. Gallanis, T.P. *Cambridge Law Journal* : 2006 (Mar) : 65 (1) : 159-73p.

Not "voluntary" but still reasonable : A new paradigm for understanding the consent searches doctrine. Simmons, Ric. *Indiana*

*Law Journal* : 2005 (Summer) : 80 (3) : 773-824p.

Responsible subject as citizen : Criminal law, democracy and the welfare State. Ramsay, Peter. *Modern Law Review* : 2006 (Jan) : 69 (1) : 29-58p.

Separation of powers and the criminal law. Barkow, Rachel E. *Stanford Law Review* : 2006 (Feb) : 58 (4) : 989-1054p.

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### *Criminal Procedure*

Do exonerations prove that "the system works ?" Marshall, Lawrence C. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 83-90p.

Errors of justice and the death penalty : A first-hand view. Kogan, Gerald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 111-14p.

Preventing wrongful convictions. Sullivan, Thomas P. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 106-10p.

Rates of reversible error and the risk of wrongful execution. Liebman, James S. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 78-82p.

Toward the formation of "innocence commissions" in America. Scheck, Barry C. and Neufeld, Peter J. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 98-105p.

What can we learn from other nations about the problem of wrongful conviction ? Huff, C. Ronald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 91-97p.

Wrongful convictions of the innocent. Radelet, Michael L. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 67-68p.

### *Damages*

Damaged goods : Why, in light of the Supreme Court's recent punitive damages jurisprudence, congress must amend the federal rules of evidence. Vitale, Michael S. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1405-41p.

Damages, late payment and indemnity insurance. Al-Asady, Janan. *Journal of Business Law*: 2006 (Jun) : 396-407p.

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Readings of *A v. Secretary of State for the Home Department*. Tomkins, Adam. *Public Law* : 2005 (Summer) : 259-66p.

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First thornburgh family lecture on disability law and policy  
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Remember the ladies and the children too : Crawford’s impact on domestic violence and child abuse cases. Raeder, Myrna. *Brooklyn Law Review* : 2005 (Fall) : 71 (1) : 311-90p.

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Environment and health : Vital intersection or contested territory ? Clapp, Richard W. and Ozonoff, David. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 189-216p.

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Past and present environmental health challenges in Southwestern Pennsylvania : Some comments on the right to a clean environment. Davis, Devra Lee and Forrester, Carrie. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 305-32p.

Suppression of environmental science. Kuehn, Robert R. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 333-70p.

Three asymmetries of informed environmental decision-making. Tai, Stephanie. *Temple Law Review*: 2005 (Fall) : 78 (3) : 659-718p.

#### *European Court of Justice*

Jurisdiction of the European Court of justice in respect of the common foreign and security policy. Ketvel, Maria-Gisella Garbagnati. *International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 77-120p.

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Changing nature of psychological expert testimony in child custody cases. Wah, Carolyn R. *Judicature* : 2002 (Nov-Dec) : 86 (3) : 152-61p.

Immoral purposes : Marriage and the genus of illicit sex. Dubler, Ariela R. *Yale Law Journal* : 2006 (Jan) : 115 (4) : 756-813p.

What role does gender play in mediation of domestic relations cases? Gordon, Elizabeth Ellen. *Judicature* : 2002 (Nov-Dec) : 86 (3) : 134-43p.

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Federalism's battle with history : The inaccurate associations with unpopular politics. Garry, Patrick M. *UMKC Law Review* : 2005 (Winter) : 74 (2) : 365-82p.

#### *Foreign Law*

Debate over foreign law in *Roper v. Simmons*. *Harvard Law Review* : 2005 (Nov) : 119 (1) : 103-08p.

Foreign law and the denominator problem. Young, Ernest A. *Harvard Law Review* : 2005 (Nov) : 119 (1) : 148-68p.

Foreign law and the modern *Lus Gentium*. Waldron, Jeremy. *Harvard Law Review* : 2005 (Nov) : 119 (1) : 129-47p.

Supreme Court and foreign sources of law : Two hundred years of practice and the juvenile death penalty decision. Calabresi, Steven G. and Zimdahl, Stephanie Dotson. *William and Marry Law Review* : 2005 (Dec) : 47 (3) : 743-910p.

#### *Freedom of Information*

Mosaic theory, national security and the freedom of information act. Pozen, David E. *Yale Law Journal* : 2005 (Dec) : 115 (3) : 628-79p.

#### *Freedom of Religion*

Legal limitations to freedom of religion or belief in school education. Plesner, Ingvill Thorson. *Emory International Law Journal* : 2005 (Summer) : 19 (2) : 557-86p.

Limitations of freedom of religion or belief : International law perspectives. Vyver, Johan D. van der. *Emory International Law Journal* : 2005 (Summer) : 19 (2) : 499-538p.

Limitations on religious freedom in the case law of the European Court of human rights. Torron, Javier Martinez. *Emory International Law Journal* : 2005 (Summer) : 19 (2) : 587-636p.

Public health and the limits of religious freedom. Payne, Heather and Doe, Norman. *Emory International Law Journal* : 2005 (Summer) : 19 (2) : 539-56p.

#### *Health Law*

Beyond overt violence : Wisconsin's progressive civil commitment statute as a marker of a new era in mental health law. Erickson, Steven K., Vitacco, Michael J. and Rybroek, Gregory J.V. etc. *Marquette Law Review* : 2005 (Winter) : 89 (2) : 359-406p.

#### *Human Rights*

Human rights, terrorism and risk : The roles of politicians and judges. Feldman, David. *Public Law* : 2006 (Summer) : 364-84p.

New commission for equality and human rights. Lester, Anthony and Beattie, Kate. *Public Law* : 2006 (Summer) : 197-208p.

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Parliament and the human rights act : Can the JCHR help facilitate a culture of rights? Hiebert, Janet L. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 1-38p.

Utility of the human rights act : A reply to Keith Ewing. Lester, Anthony. *Public Law* : 2005 (Summer) : 249-58p.



Standing back from the human rights act: How effective is it five years on? Klung, Francesca and Starmer, Kier. *Public Law*: 2005 (Winter) : 716-28p.

#### *Human Stem Cell*

Regulation of human stem cell research in Japan and Canada : A comparative analysis. Ries, Nola M. *University of New Brunswick Law Journal* : 2005 : 54 : 62-74p.

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Law, politics and impeachment: The impeachment of Roh Moo-hyun from a comparative constitutional perspective. Lee, Youngjae. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 403-32p.

#### *Intellectual Property*

Common law protection for products of the mind : An "Idea" whose time has come. Miller, Arthur R. *Harvard Law Review* : 2006 (Jan) : 119 (3) : 703-79p.

Harmonisation of invalidity and scope of protection practice of the National Court of EPC member states. Tilmann, Winfried. *International Review of Intellectual Property and Competition Law* : 2006 : 37 (1) : 62-73p.

Inducement as contributory copyright infringement : *Metro-Goldwyn-Mayer Studios Inc. v. Grokster, Ltd.* Heymann, Laura A. *International Review of Intellectual Property and Competition Law* : 2006 : 37 (1) : 31-61p.

Legal position of several Asian countries on the parallel importation of trade-marked goods. Hawin, M. *Asia Law Review* : 2005 (Dec) : 2 (2) : 89-142p.

Market place for ideas? Gill, Oren Ball and Parchomovsky, Gideon. *Texas Law Review* : 2005 (Dec) : 84 (2) : 395-432p.

Patent infringement warnings in a common law versus a civil law jurisdiction – An actionable threat? Brack, Hans-Peter. *International Review of Intellectual Property and Competition Law* : 2006 : 37 (1) : 1-30p.

Private copy exception, an area of freedom (temporarily) preserved in the digital environment. Geiger, Christophe. *International Review of Intellectual Property and Competition Law* : 2006 : 37 (1) : 62-73p.

What copyright teaches patent law about "fair use" and why universities are ignoring the lesson. Larena, Lorelei Ritchie de. *Oregon Law Review* : 2005 : 84 (3) : 779-820p.

What the right of publicity can learn from trademark law. Dogan, Stacey L. and Lemley, Mark A. *Stanford Law Review* : 2006 (Feb) : 58 (4) : 1161-1220p.

#### *International Commercial Arbitration*

Comparing arbitrator standards of conduct in international commercial, trade and investment disputes. Garcia-Bolivar, Omar E. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 76-84p.

Investment treaty arbitration's contribution to international commercial arbitration. Legum, Barton. *Dispute Resolution Journal* : 2005 (Aug-Oct) : 60 (3) : 70-75p.

Post-award experience in international commercial arbitration. Naimark, Richard W. and Keer, Stephanie E. *Dispute Resolution Journal* : 2005 (Feb-Apr) : 60 (1) : 94-98p.

Power of mediation to resolve international commercial disputes and repair business relationships. Bowen, Alexandra Alvarado. *Dispute Resolution Journal* : 2005 (May-Jul) : 60 (2) : 58-65p.

Starting an international commercial arbitration : Using a preliminary hearing letter. Chave, Carol. *Dispute Resolution Journal* : 2005 (Feb-Apr) : 60 (1) : 88-93p.

#### *International Court of Justice*

International Court of Justice and the United Nations Security Council : Rethinking a complicated relationship. Furman, Kathleen Renee Cronin. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 435-63p.

#### *International Law*

Anticipatory self defence. Rothwell, Donald. *University of Queensland Law Journal* : 2005 : 24 (2) : 337-54p.

Australian nationhood and the interaction between international and domestic law. French, R.S. *Asia Law Review* : 2005 (Dec) : 2 (2) : 39-72p.

Balancing maritime security and freedom of navigation on the high seas : A study of the multilateral negotiation process in action. Young Christopher. *University of Queensland Law Journal* : 2005 : 24 (2) : 355-414p.

Brief note on the legal effects of *Jus Cogens* in international law. Kawasaki, Kyoji. *Hitotsubashi Journal of Law and Politics* : 2006 (Feb) : 34 : 27-44p.

EU asylum qualification directive, its impact on the jurisprudence of the United Kingdom and international law. Lambert, Helene.

*International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 161-92p.

Humanitarian intervention and pretexts for war. Goodman, Ryan. *American Journal of International Law* : 2006 (Jan) : 100 (1) : 107-41p.

Meaning of Moscow : “Non-lethal” weapons and international law in the early 21st century. Fidler, David P. *International Review of the Red Cross* : 2005 (Sep) : 87 (859) : 525-52p.

Power and international law. Steinberg, Richard H. and Zasloff, Jonathan M. *American Journal of International Law* : 2006 (Jan) : 100 (1) : 64-87p.

Power of legitimacy and the legitimacy of power : International law in an age of power disequilibrium. Franck, Thomas M. *American Journal of International Law* : 2006 (Jan) : 100 (1) : 88-106p.

Private history of international law. Mills, Alex. *International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 1-50p.

Strategic improvements in the fight against corruption in international business transactions. Carr, Indira. *Journal of Business Law* : 2006 (Jun) : 375-95p.

Unfamiliar waters : Negligent advocates, egregious errors and lost chances of acquittal. Barker, Kit. *University of Queensland Law Journal* : 2005 : 24 (2) : 467-78p.

Views from Hamburg : The Juno Trader case or how to make sense of the coastal state’s rights in light of its duty of prompt release. Bantz, Vincent. *University of Queensland Law Journal* : 2005 : 24 (2) : 415-44p.

#### *Interpretation of Statutes*

(Re)-systematization of the canons of and aids to statutory interpretation. Plessis, Lourens du. *South African Law Journal* : 2005 : 122 (3) : 591-613p.

Can history define the structure of the confrontation clause ? Pitler, Robert M. *Brooklyn Law Review* : 2005 (Fall) : 71 (1) : 1-34p.

Does Crawford provide a stable foundation for confrontation doctrine. Kirst, Roger W. *Brooklyn Law Review* : 2005 (Fall) : 71 (1) : 35-104p.

Grappling with the meaning of “Testimonial”. Friedman, Richard D. *Brooklyn Law Review* : 2005 (Fall) : 71 (1) : 241-74p.

Polymorphic principle and the judicial role in statutory interpretation. Siegel, Jonathan R. *Texas Law Review* : 2005 (Dec) : 84 (2) : 339-94p.

What did the framers know and when did they know it ? fictional originalism in *Crawford v. Washington*. Kirst, Roger W. *Brooklyn Law Review* : 2005 (Fall) : 71 (1) : 105-218p.

*Judges*

In memoriam-William H. Rehnquist. Roberts, John G. Bartlett, Kerri Martin etc. *Columbia Law Review*: 2006 (Apr) : 106 (3) : 487-502p.

*Judgment*

Judgment and discretion revisited : Pedantry or substance? Bennion, Francis. *Public Law* : 2005 (Winter) : 707-15p.

*Judicial Review*

How mead has muddled judicial review of agency action. Bressman, Lisa Schultz. *Vanderbilt Law Review* : 2005 (Oct) : 58 (5) : 1443-94p.

Politics of judicial review. Friedman, Barry. *Texas Law Review* : 2005 (Dec) : 84 (2) : 257-338p.

Role of judicial review in consolidating democracies : The case of Taiwan. Chang, Wen-Chen. *Asia Law Review* : 2005 (Dec) : 2 (2) : 73-88p.

*Judiciary*

A historical perspective on federal judicial selection. Slotnick, Elliot E. *Judicature* : 2002 (Jul-Aug) : 86 (1) : 13-16p.

Crowd control : The Majoritarian Court and the reflection of public opinion in doctrine. Roesch, Benjamin J. *Suffolk University Law Review* : 2006 : 39 (2) : 379-424p.

Deference : A tangled story. Steyn. *Public Law* : 2005 (Summer) : 346-59p.

Federal judicial selection : A judge's view. Newman, Jon O. *Judicature* : 2002 (Jul-Aug) : 86 (1) : 10-12p.

Judges' council. Thomas. *Public Law* : 2005 (Autumn) : 608-30p.

Judging by heuristic : Cognitive illusions in judicial decision making. Guthrie, Chris and Rachlinkski, Jeffrey J. *Judicature* : 2002 (Jul-Aug) : 86 (1) : 44-50p.

Miscarriage of justice : A cop's view. Olson, Robert K. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 74-77p.

Mutability and method in the marriage reference. Mathen, Carissima. *University of New Brunswick Law Journal* : 2005 : 54 : 43-61p.

Politics, privilege and power : The senate's role in the appointment of federal judges. Burbank, Stephen B. *Judicature* : 2002 (Jul-Aug) : 86 (1) : 24-27p.

Prosecutorial mandate : See that justice is done. Earle, Ronald and Case, Carl Bryan. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 69-73p.

Refusing to answer : The Supreme Court and the reference power revisited. McEvoy, John P. *University of New Brunswick Law Journal* :

2005 : 54 : 29-42p.

Should we blame judge jury? The messages TV courtrooms send viewers. Podlas, Kimberlianne. *Judicature* : 2002 (Jul-Aug) : 86 (1) : 38-43p.

Supreme Court and the DIG : An empirical and institutional analysis. Solimine, Michael E. and Gely, Rafael. *Wisconsin Law Review*: 2005 (6) : 1421-78p.

*Vineet Narain v. Union of India* : “A court of law and not of justice” – is the Indian Supreme Court beyond the Indian Constitution ? Dam, Shubhankar. *Public Law* : 2005 (Summer) : 239-48p.

### *Jurisprudence*

Law’s box : Law, jurisprudence and the information ecosphere. Callister, Paul Douglas. *UMKC Law Review* : 2005 (Winter) : 74 (2) : 263-334p.

Practical jurisprudence of values : Re-writing *Lechmere, Inc. v. NLRB*. Shiffrin, Joshua B. *Harvard Civil Rights-Civil Liberties Law Review* : 2006 (Winter) : 41 (1) : 177-218p.

### *Labour Law*

Compensation and forum shopping in South African labour law. Cohen, Tamara. *South African Law Journal* : 2005 : 122 (3) : 614-32p.

### *Land Law*

Overreaching in registered land law. Jackson, Nicola. *Modern Law Review* : 2006 (Mar) : 69 (2) : 214-41p.

### *Law*

Persistence of general law. Nelson, Caleb. *Columbia Law Review*: 2006 (Apr) : 106 (3) : 503-68p.

### *Law and Economics*

Law & economics of “Sue and Dump”: Should plaintiffs’ attorneys be prohibited from trading the stock of companies they sue ? Yahya, Moin A. *Suffolk University Law Review* : 2006 : 39 (2) : 425-64p.

### *Law and Religion*

“Through a glass, darkly...”: Christianity, law and capital execution in twenty-first century America. Baker, Anthony V. *University of Detroit Mercy Law Review*: 2005 (Summer) : 82 (4) : 521-46p.

Jewish law : Deciphering the code by global process and analogy. Litman, Donna. *University of Detroit Mercy Law Review*: 2005 (Summer) : 82 (4) : 547-62p.

Law, ethics and mystery. Hazard, Geoffrey C. *University of Detroit Mercy Law Review*: 2005 (Summer) : 82 (4) : 509-20p.

Moral basis of American law : An hypothesis. Young, Stephen B. *University of Detroit Mercy Law Review*: 2005 (Summer) : 82 (4) : 649-86p.

Property and Epikeia : Theory, life and practice in the western Christian tradition. Richards, Peter Judson. *University of Detroit Mercy Law Review*: 2005 (Summer) : 82 (4) : 599-648p.

#### *Law Reform*

Rise, decline and current status of Canada's law reform agencies. Murphy, Gavin. *Commonwealth Law Bulletin* : 2004 : 30 : 900-21p.

#### *Legal Education*

"Arming the graduate for professional battle : No place for the weak skilled" teaching and assessing a course to develop multi-functioning lawyers. Evered, Jacline R. *Brandeis Law Journal* : 2005 (Spring) : 43 (3) : 325-68p.

An empirical study of empirical legal scholarship : The top law Schools. George, Tracey E. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 141-62p.

Assessing the SSRN-based law School rankings. Eisenberg, Theodore. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 285-92p.

Assessing what matters in law School : The law School survey of student engagement. O'Day, Patrick T. and Kuh, George D. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 401-10p.

Bankruptcy on the blackboard : A collection of graphic illustrations used in the teaching of the bankruptcy course at the University of North Dakota School of Law. Foster, John. *North Dakota Law Review*: 2005 : 81 (2) : 263-94p.

Destruction of the holistic approach to admissions : The pernicious effects of rankings. Johnson, Alex M. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 309-58p.

Eating our cake and having it, too : Why real change is so difficult in law Schools. Rapoport, Nancy B. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 359-74p.

Harnessing the positive power of rankings : A response to Posner and Sunstein. Korobkin, Russell. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 35-46p.

How the blogs saved law schools : Why a diversity of voices will undermine the U.S. News & World report rankings. Kamin, Sam. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 375-82p.

How to rank law Schools. Leiter, Brian. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 47-52p.

Interplay between law School ranking, reputations and resource allocation : Ways ranking mislead. Stake, Jeffrey Evans. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 229-70p.

Law School rankings. Posner, Richard A. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 13-24p.

Of rankings and regulation : Are the U.S. News & World report ranking really a subversive force in legal education ? Moran, Rachel F. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 383-400p.

Ranking law schools : A Market Test ? Sunstein, Cass R. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 25-34p.

Ranking law Schools : Using SSRN to measure scholarly performance. Black, Bernard S. and Caron, Paul L. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 83-140p.

Rat race as an information-forcing device. Baker, Scott, Choi, Stephen J. and Gulati, Mitu. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 53-82p.

Scholarly profit margins : Reflections on the web. Cunningham, Lawrence A. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 271-84p.

Status seeking and the allure and limits of law School rankings. Solimine, Michael E. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 299-308p.

Strength in numbers ? The advantages of multiple rankings. Sauder, Michael and Espeland, Wendy Nelson. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 205-28p.

Student quality as measured by LSAT scores : Migration patterns in the U.S. News ranking era. Henderson, William D. and Morriss, Andrew P. *Indiana Law Journal* : 2006 (Winter) : 81 (1) : 163-204p.

Tyrannosaurus-Rex aptly named "sue" : Using a disputed dinosaur to teach contract defenses. Cherry, Miriam A. *North Dakota Law Review* : 2005 : 81 (2) : 295-308p.

#### *Legal History*

"An agreement supersedes the law and amicable settlement a Court Judgment" disputes and litigation in Medieval Europe. Yamauchi, Susumu. *Hitotsubashi Journal of Law and Politics* : 2006 (Feb) : 34 : 1-14p.

#### *Legal Profession*

Eastern visions, western voices : A sermon on love in the valley of law. Teeter, John W. *Cleveland State Law Review* : 2005-06 : 53 (3) : 429-46p.

Focus questions answered verbatim from the ABA model rules of professional conduct. Miller, Irwin D. *Brandeis Law Journal* : 2005 (Fall) : 44 (1) : 1-349p.

Lawyers in the people's Republic of China : A study of commitment and professionalization. Hung Lo, Carlos Wing and Snape, Ed. *American Journal of Comparative Law* : 2005 (Spring) : 53 (2) : 433-56p.

Navigating troubled waters : Dealing with personal values when representing others. Simon, Mitchell M. *Brandeis Law Journal* : 2005 (Spring) : 43 (3) : 415-64p.

#### *Legal Writing*

Plain English in the law – a new model for the 21<sup>st</sup> Century. Macdonald, Ros. *Commonwealth Law Bulletin* : 2004 : 30 : 922-47p.

#### *Legislative Proceedings*

Improving the scrutiny of bills : The case for standards and checklists. Oliver, Dawn. *Public Law* : 2006 (Summer) : 219-46p.

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Emergence of risk-based regulation and the new public risk management in the United Kingdom. Baldwin, Robert. *Public Law* : 2005 (Autumn) : 512-48p.

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Preuptial agreements : A new reason to revive an old rule. Sherman, Jeffrey. *Cleveland State Law Review* : 2005-06 : 53 (3) : 359-98p.

#### *Medical Law*

Current medical malpractice crisis : The need for reform to ensure a tomorrow for oregon's obstetricians. Stamm, Lindsay J. *Oregon Law Review* : 2005 : 84 (1) : 283-316p.

#### *National Flag*

Burning the flag : A conservative defense of radical speech and why it matters now. Sullenger, D. Wes. *Brandeis Law Journal* : 2005 (Summer) : 43 (4) : 597-666p.

#### *Ombudsman*

Auditing by stealth ? special reports and the Ombudsman. Kirkham, Richard. *Public Law* : 2005 (Winter) : 740-48p.



*Parliament*

Hunting sovereignty : *Jackson v Her Majesty's Attorney-General*. Young, Alison L. *Public Law* : 2006 (Summer) : 187-96p.

Scrutiny and approval : The role for westminster-style parliaments in treaty-making. Harrington, Joanna. *International & Comparative Law Quarterly* : 2006 (Jan) : 55 (1) : 121-60p.

*Parliamentary Privilege*

Parliamentary privilege : *quis custodiet ipsos custodiet?* Geddis, Andrew. *Public Law* : 2005 (Winter) : 696-706p.

*Parliamentary Procedure*

Time for a new convention : Parliamentary scrutiny of constitutional bills 1997-2005. Hazell, Robert. *Public Law* : 2006 (Summer) : 247-98p.

*Plea Bargaining*

White-collar plea bargaining and sentencing after booker. Bibas, Stephanos. *William and Marry Law Review* : 2005 (Dec) : 47 (3) : 721-42p.

*Pleadings*

Pleadings in the age of settlement. Moffitt, Michael. *Indiana Law Journal* : 2005 (Summer) : 80 (3) : 727-72p.

*Political Parties*

Dissolution of political parties : The problem of internal democracy. Mersel, Yigal. *(ICON) International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 84-114p.

*Poverty*

Poverty and communitarianism : Towards a community-based welfare system. Gilman, Michele Estrin. *University of Pittsburgh Law Review* : 2005 (Summer) : 66 (4) : 721-820p.

*President*

President's statutory powers to administer the laws. Stack, Kevin M. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 263-323p.

*Prisons & Prisoners*

"Difficult and slippery terrain": Hansard, human rights and *Hirst v*

UK. Lewis, Tom. *Public Law* : 2006 (Summer) : 209-18p.

HMOs behind bars : Constitutional implications of managed health care in the prison system. Siever, Richard. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1365-1404p.

#### *Privacy*

Counting on confidentiality : Legal and statistical approaches to federal privacy law after the USA patriot act. Sylvester, Douglas J. and Lohr, Sharon. *Wisconsin Law Review* : 2005 : 2 : 1033-1136p.

Defusing the threat of RFID : Protecting consumer privacy through technology-specific legislation at the state level. Hildner, Laura. *Harvard Civil Rights-Civil Liberties Law Review* : 2006 (Winter) : 41 (1) : 133-76p.

Reconciling consent searches and fourth amendment jurisprudence : Incorporating privacy into the test for valid consent searches. Housholder, David John. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1279-1320p.

Repudiating morals legislation : Rendering the constitutional right to privacy obsolete. Bedi, Sonu. *Cleveland State Law Review* : 2005-06 : 53 (3) : 447-66p.

#### *Proportionality*

Proportionality and variable intensity of review. Rivers, Julian. *Cambridge Law Journal* : 2006 (Mar) : 65 (1) : 174-207p.

#### *Public Administration*

Government by publicity management : Sunlight or spin ? Yeung, Karen. *Public Law* : 2005 (Summer) : 360-83p.

#### *Public Health*

Consuming (F)ears of corn : Public health and biopharming. Bratspies, Rebecca M. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 371-404p.

Environment and health : Vital intersection or contested territory ? Clapp, Richard W. and Ozonoff, David. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 189-216p.

Environment and public health in a time of plague. Sutton, Victoria. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 217-36p.

Parks as Gyms ? Recreational paradigms and public health in the national parks. Wexler, Jay D. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 155-88p.

Public health impact of global environmental problems and the role of international law. Attapatu, Sumudu. *American Journal of Law &*

*Medicine* : 2004 : 30 (2 & 3) : 283-304p.

#### *Public Memory*

In search of a theory of public memory : The state, the individual and marcel proust. Havel, Brian F. *Indiana Law Journal* : 2005 (Summer) : 80 (3) : 605-726p.

#### *Public Opinion*

Crowd control : The Majoritarian Court and the reflection of public opinion in doctrine. Roesch, Benjamin J. *Suffolk University Law Review* : 2006 : 39 (2) : 379-424p.

#### *Public Risk Management*

Emergence of risk-based regulation and the new public risk management in the United Kingdom. Baldwin, Robert. *Public Law* : 2005 (Autumn) : 512-48p.

#### *Publicity Management*

Government by publicity management : Sunlight or spin ? Yeung, Karen. *Public Law* : 2005 (Summer) : 360-83p.

#### *Rape*

False allegations of rape. Rumney, Philip N.S. *Cambridge Law Journal* : 2006 (Mar) : 65 (1) : 128-58p.

From no means no to only yes means yes : The rational results of an affirmative consent standard in rape law. Little, Nicholas J. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1321-64p.

#### *Religion*

Testamentary conditions in restraint of religion in the twenty-first century : An Anglo-Canadian perspective. Grattan, Sheena and Conway, Heather. *McGill Law Journal* : 2005 (Nov) : 50 (3) : 511-52p.

#### *Restorative Justice*

Finding the right time and place : A case study comparison of the expression of offender remorse in traditional justice and restorative justice contexts. Szmania, Susan J. and Mangis, Daniel E. *Marquette Law Review* : 2005 (Winter) : 89 (2) : 335-58p.

Is restorative justice compatible with sentencing uniformity ? O'Hear, Michael M. *Marquette Law Review* : 2005 (Winter) : 89 (2) : 305-26p.

Restorative justice in the Twenty-First Century : A social movement full of opportunities and pitfalls. Umbreit, Mark S., Vos, Betty, Coates,

Robert B. etc. *Marquette Law Review* : 2005 (Winter) : 89 (2) : 251-304p.

Who do I teach restorative justice to law students ? Geske, Janine. *Marquette Law Review* : 2005 (Winter) : 89 (2) : 327-34p.

#### *Same Sex Marriage*

Constitutional conscience, constitutional capacity : The role of local government in protecting individual rights. Tepperman-Gelfant, Samuel P. *Harvard Civil Rights-Civil Liberties Law Review* : 2006 (Winter) : 41 (1) : 219-64p.

#### *Search and Seizure*

Reconciling consent searches and fourth amendment jurisprudence : Incorporating privacy into the test for valid consent searches. Housholder, David John. *Vanderbilt Law Review* : 2005 (May) : 58 (4) : 1279-1320p.

#### *Securities*

Insider trading in mutual funds. Bullard, Mercer E. *Oregon Law Review* : 2005 : 84 (3) : 821-60p.

#### *Sentencing*

White-collar plea bargaining and sentencing after booker. Bibas, Stephanos. *William and Marry Law Review* : 2005 (Dec) : 47 (3) : 721-42p.

#### *Separation of Powers*

Separation of powers and the criminal law. Barkow, Rachel E. *Stanford Law Review* : 2006 (Feb) : 58 (4) : 989-1054p.

#### *Sexual Abuse*

Proposal for change in statutes of limitations in childhood sexual abuse cases. Gray, William M. *Brandeis Law Journal* : 2005 (Spring) : 43 (3) : 493-509p.

#### *State Liability*

Member state liability in Europe and the United States. Meltzer, Daniel J. (*ICON*) *International Journal of Constitutional Law* : 2006 (Jan) : 4 (1) : 39-83p.

#### *Supreme Court*

Refusing to answer : The Supreme Court and the reference power

revisited. McEvoy, John P. *University of New Brunswick Law Journal* : 2005 : 54 : 29-42p.

Supervisory power of the Supreme Court. Barrett, Amy Coney. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 324-87p.

#### *Surveillance System*

Defusing the threat of RFID : Protecting consumer privacy through technology-specific legislation at the state level. Hildner, Laura. *Harvard Civil Rights-Civil Liberties Law Review* : 2006 (Winter) : 41 (1) : 133-76p.

#### *Taxation*

Crime and punishment in taxation : Deceit, deterrence and the self adjusting penalty. Raskolnikov, Alex. *Columbia Law Review*: 2006 (Apr) : 106 (3) : 569-642p.

EGTRRA and the past, present and future of oregon's inheritance tax system. Nofziger, Steven D. *Oregon Law Review* : 2005 : 84 (1) : 317-67p.

Individual alternative minimum tax : An argument in favor of repeal. Aitsebaomo, Gabriel O. *UMKC Law Review* : 2005 (Winter) : 74 (2) : 335-64p.

Jurisdictional competition for trust funds : An empirical analysis of perpetuities and taxes. Sitkoff, Robert H. and Schanzenbach, Max M. *Yale Law Journal* : 2005 (Nov) : 115 (2) : 356-437p.

Limits of international tax structuring. Laule, G. *Comparative & International Law Journal of Southern Africa* : 2004 (Nov) : 37 (3) : 364-76p.

#### *Terrorism*

Use of nuclear and radiological weapons by terrorists ? Wirz, Christoph and Egger, Emmanuel. *International Review of the Red Cross* : 2005 (Sep) : 87 (859) : 497-510p.

#### *Textualism*

Limited powers in the looking-glass : Otiose textualism and an empirical analysis of other approaches, when activists in private shopping centers claim state constitutional liberties. Peltz, Richard. *Cleveland State Law Review* : 2005-06 : 53 (3) : 399-428p.

#### *Torts Law*

Can there be a Unified Theory of torts ? A Pluralist suggestion from history and doctrine. Robinette, Christopher J. *Brandeis Law Journal* : 2005 (Spring) : 43 (3) : 369-414p.

Constitutional status of Tort Law : Due process and the right to a law for the redress of wrongs. Goldberg, John C.P. *Yale Law Journal* : 2005 (Dec) : 115 (3) : 524-627p.

#### *Treaty Law Making*

Redressing the democratic deficit in treaty law making : (Re) establishing a role for parliament. Harrington, Joanna. *McGill Law Journal* : 2005 (Nov) : 50 (3) : 465-510p.

#### *United Nations*

After 60 years : The United Nations and international legal order : An introduction. Bantz, Vincent; Baird, Rachel and Cassimatis, Anthony. *University of Queensland Law Journal* : 2005 : 24 (2) : 259-78p.

International Court of justice and the United Nations security council : Rethinking a complicated relationship. Furman, Kathleen Renee Cronin. *Columbia Law Review* : 2006 (Mar) : 106 (2) : 435-63p.

Reform at the UN : Waiting for Godot ? Prove, Peter. *University of Queensland Law Journal* : 2005 : 24 (2) : 293-316p.

United Nations and International criminal law. Vyver, Johan van der. *University of Queensland Law Journal* : 2005 : 24 (2) : 317-36p.

United Nations- Up close. Kirby, Michael. *University of Queensland Law Journal* : 2005 : 24 (2) : 279-92p.

United Nations' compact with business : Hindering or helping the protection of human rights? Nolan, Justine. *University of Queensland Law Journal* : 2005 : 24 (2) : 445-66p.

#### *Waters*

America's public lands and waters : The gateway to better health ? Norton, Gale and Suk, Michael. *American Journal of Law & Medicine* : 2004 : 30 (2 & 3) : 237-44p.

#### *Wills*

Mental capacity as an element of testamentary capacity. Toit, Francois du. *South African Law Journal* : 2005 : 122 (3) : 661-83p.

#### *Women*

Piercing the veil on trafficking in women. Singh, D. *Comparative & International Law Journal of Southern Africa* : 2004 (Nov) : 37 (3) : 340-63p.

#### *Wrongful Convictions*

Do exonerations prove that "the system works ?" Marshall, Lawrence C. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 83-90p.

Errors of justice and the death penalty : A first-hand view. Kogan, Gerald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 111-14p.

Preventing wrongful convictions. Sullivan, Thomas P. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 106-10p.

Rates of reversible error and the risk of wrongful execution. Liebman, James S. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 78-82p.

Toward the formation of "innocence commissions" in America. Scheck, Barry C. and Neufeld, Peter J. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 98-105p.

What can we learn from other nations about the problem of wrongful conviction ? Huff, C. Ronald. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 91-97p.

Wrongful convictions of the innocent. Radelet, Michael L. *Judicature* : 2002 (Sep-Oct) : 86 (2) : 67-68p.

#### WTO

ABCs of WTO dispute settlement. Sarhan, Karim. *Dispute Resolution Journal* : 2006 (Nov 2005-Jan 2006) : 60 (4) : 70-75p.

## LIST OF SELECT FOREIGN CASES\*

### *Arbitration*

Republic of Ecuador *v.* Occidental Exploration and Production Co [2005] EWCA Civ 1116 [2006] 2 All ER 225.

### *Civil Rights*

Ouellette *v.* Wal-Mart Stores, Inc. 888 So. 2d.  
 Phillips *v.* AWH Corp. 415 F.3d 1382.  
 R. *v.* Hayter [2005] UKHL 6.

### *Conflict of Laws*

Harriton *v.* Stephens [2005] HCA Trans 301.  
 Mckenzie *v.* Lichter [2005] VSC 61.  
 State *v.* Carter [2005] WL 767164.

### *Constitutional Law*

Hosty *v.* Carter 412 F.3d. 731.  
 Roper *v.* Simmons 125 S. Ct. 1183.  
 Santiago *v.* Rumsfeld 425 F.3d 549.  
 Sosa *v.* Alvarez-Machain 124 S. Ct. 2739.  
 Simpson *v.* Chesterfield County Board of Supervisors 404 F.3d 276.

### *Criminal Law*

Director of Public Prosecutions *v.* Smith (Michael Ross) [2006] EWHC 94 (Admin) [2006] 2 All ER 16.  
 R (On the application of Hasani) *v.* Blackfriars Crown Court [2005] EWHC 3016 [2006] 1 All ER 817.  
 Re A and Others [2006] EWCA Crim 04 [2006] 2 All ER 1.  
 R *v.* Quayle and other appeals [2005] EWCA Crim 1415 [2006] 1 All ER 988.  
 R *v.* Goldstein [2005] UKHL 63 [2006] 2 All ER 257.  
 Regina *v.* Dolley [2005] EWCA Crim 3093 [2006] 1 WLR 775.  
 Regina *v.* Timmins [2005] Crim 2909 [2006] 1 WLR 756.

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\*Prepared by Bhag Singh, Librarian and assisted by Sonam Singh, Indian Law Institute, from case comments included in foreign journals and websites of Foreign Apex Courts.



Regina v. Al-Khawaja [2005] EWCA Crim 2697 [2006] 1 WLR 1078.

Regina v. D (Sexual Offences: Prevention Order) [2005] EWCA Crim 2951 [2006] 1 WLR 1088.

United States v. Barnett 415 F. 3d 690.

#### *Evidence*

A and others v. Secretary of State for the Home Department (No 2) [2005] UKHL 71 [2006] 1 All ER 575.

Charman v. Charman [2005] EWCA Civ 1606 [2006] 1 WLR 1053.

#### *Family Proceedings*

Re G (a child) (interim care order: residential assessment) [2005] UKHL 68 [2006] 1 All ER 706.

#### *Extradition*

Regina (Okandeji) v. Bow Street Magistrates' Court (Secretary of State for the Home

Department intervening) [2005] EWHC 2925 (Admin) [2006] 1 WLR 674.

Nikonovs v. Governor of Brixton Prison and another [2005] EWHC Admin 2405 [2006] 1 All ER 927.

Office of the King 's Prosecutor, Brussels v. Cando Armas and another [2005] UKHL 67 [2006] 1 All ER 647.

Government of Germany v. Kleinschmidt and another [2005] EWHC 1373 (Admin) [2005] 3 All ER 759.

Government of the Republic of Albania v. Bleta and another [2005] EWHC 475 (Admin) [2005] 3 All ER 351.

Kociukow v. District Court of Bailystok III Penal Division [2006] EWHC 56 (Admin) [2006] 2 All ER 451.

#### *Human Rights*

M v. Secretary of State for Work and Pensions [2006] UKHL 11 [2006] 2 WLR 637.

Kay and others v. Lambeth London Borough Council [2006] UKHL 10 [2006] 2 WLR 570.

R (Limbuella) v. Secretary of State for the Home Department [2005] UKHL 66 [2006] 1 AC 396.

#### *Injunctions*

SmithKline Beecham plc and others v. Apotex Europe Ltd [2005] EWHC 1655 (Ch) [2006] 2 All ER 53.

Director of the Assets Recovery Agency v. Creaven and others [2005] EWHC 2726 (Admin) [2006] 1 WLR 622.

Smithkline Beecham plc and others v. Apotex Europe Ltd and others [2005] EWHC 1655(Ch) [2006] 1 WLR 872.

*Intellectual Property*

Synthonss BV v. SmithKline Beecham plc [2005] UKHL 59 [2006] 1 All ER 685.

Class International BV v. Colgate- Palmolive Co and others [2006] 2 WLR 507.

BP plc v. Woolsworths Ltd. [2004] FCA 1362.

R Griggs Group Ltd & Ors v. Evans & Ors [2005] EWCA Civ 11.

BMG Canada Inc. et al. v. John Doe et al. [2004] FC 488.

Stevens v. Kabushiki Kaisha Sony Computer Entertainment [2005] HCA 58.

Sawkins v. Hyperion records Ltd [205] EWCA Civ 565.

*Natural Justice*

AWG Group Ltd and another v. Morrison and another [2006] EWCA Civ 6 [2006] 1 All ER 967.

## LIST OF SELECT FOREIGN ARTICLES\*

### *Abortion*

When abortion was a crime: A historical perspective. Lugosi, Charles I. *University of Detroit Mercy Law Review*: 2006(Winter) : 83(2) : 51-70p.

### *Access to Justice*

Access to justice, costs and legal aid. George, James P. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 293-316p.

### *Accountability*

Corruption and accountability of the civil service in the United States. Schroth, Peter W. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 553-80p.

### *Antitrust Law*

Antitrust law on the borderland of language and market definitions: Is there a separate Spanish language radio market? A case study of the merger of univision and Hispanic Broadcasting Corporation. Sandoval, Catherine J.K. *University of San Francisco Law Review* : 2006(Winter) : 40(2) : 381-450p.

### *Arbitration*

Caucus mediation – Putting conciliation back into the process: The peacemaking approach to resolution, peace and healing. Calkins, Richard M. *Drake Law Review* : 2006(Winter) : 54(2) : 259-320p.

Hague choice of court convention: Validating party autonomy and providing an alternative to arbitration. Teitz, Louise Ellen. *American Journal of Comparative Law* : 2005(Summer) : 53(3) : 543-58p.

### *Arms & Ammunition*

'Of guns and laws': A South African perspective in light of the United Kingdom and United States gun laws. Masanzu, K. *Comparative*

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\* Prepared by Bhag Singh, Librarian and assisted by Gurjinder Singh of the Indian Law Institute Library, from selected journals received in the library during July to September 2006.

*and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 131-51p.

#### *Banking Law*

Statutory system of the bank supervision and the failure of BCCI. Arora, Anu. *Business Law* : 2006(Aug) : 487-510p.

#### *Bankruptcy*

Bankruptcy wildcard in cartel cases. Stephan, Andreas. *Business Law* : 2006(Aug) : 511-36p.

Discharge, waiver and the behavioral undercurrents of debtor-creditor law. Baird, Douglas G. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 17-32p.

Greed and pride in international bankruptcy: The problem of and proposed solutions to "local interest". Pottow, John A.E. *Michigan Law Review* : 2006(Aug) : 104(8) : 1899-1950p.

Honing a blunt instrument: Refining the use of judicial estoppels in bankruptcy nondisclosure cases. Dugas, Robert F. *Vanderbilt Law Review* : 2006(Jan) : 59(1) : 197-204p.

Bankruptcy. Rasmussen, Robert K. *Vanderbilt Law Review* : 2006(Jan) : 59(1) : 197-204p.

#### *Capital Punishment*

Initiating constructive debate: A critical reflection on the death penalty in Africa. Chenwi, L. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 474-91p.

Parsing personal predilections: A fresh look at the Supreme Court's cruel and unusual death penalty jurisprudence. Raeker-Jordan, Susan M. *Maine Law Review* : 2006 : 58(1) : 99-128p.

Saving laws clauses in the constitutions of the commonwealth Caribbean and the death penalty. O'Brien, Derek. *Public Law* : 2005(Spring) : 13-22p.

#### *Causation*

Causation. Lord Hoffman, Leonard. *Law Quarterly Review* : 2005(Oct) : 121 : 592-603p.

Causation and attenuation in the slavery reparations debate. Wenger, Kaimipono David. *University of San Francisco Law Review* : 2006(Winter) : 40(2) : 279-326p.

#### *Civil Procedure*

Enforcing Australian judgments in the United States (and vice versa): How the long arm of Australian Courts reaches across the pacific. Hogan-

Doran, Justin. *Australian Law Journal* : 2006(Jun) : 80(6) : 361-86p.

#### *Civil Services*

Corruption and accountability of the civil service in the United States. Schroth, Peter W. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 553-80p.

#### *Class Action*

Australian perspective on class action settlements. Morabito, Vince. *Modern Law Review*: 2006(May) : 69(3) : 347-82p.

Back in the Court's court. Rosenthal, Lee H. *UMKC Law Review* : 2006(Spring) : 74(3) : 687-708p.

Bootstrapping in choice of law after the class action fairness Act. Nagareda, Richard A. *UMKC Law Review* : 2006(Spring) : 74(3) : 661-86p.

Bringing *Shutts* into the future: Rethinking protection of future claimants in mass tort class actions. Hensler, Deborah R. *UMKC Law Review* : 2006(Spring) : 74(3) : 585-612p.

Defendant's obligation to ensure adequate representation in class actions. Bassett, Debra Lyn. *UMKC Law Review* : 2006(Spring) : 74(3) : 511-42p.

Dismissing the class: A practical approach to the class action restriction on the legal services corporation. Blank, Joshua D. and Zacks, Eric A. *Penn State Law Review* : 2005(Summer) : 110(1) : 1-40p.

Manageable nationwide class: A choice-of-law legacy of *Phillips Petroleum Co. v. Shutts*. Cabraser, Elizabeth J. *UMKC Law Review* : 2006(Spring) : 74(3) : 543-68p.

Proposed settlement rule for mass torts. McGovern, Francis E. *UMKC Law Review* : 2006(Spring) : 74(3) : 623-36p.

Rethinking certification and notice in opt-out class actions. Miller, Geoffrey P. *UMKC Law Review* : 2006(Spring) : 74(3) : 637-50p.

Rethinking place of business as choice of law in class action lawsuits. Gruenwald, Allison M. *Vanderbilt Law Review* : 2005(Nov) : 58(6) : 1925-62p.

Rewriting *Shutts* for fun, not to profit. Cooper, Edward H. *UMKC Law Review* : 2006(Spring) : 74(3) : 569-84p.

Too many riches? *Dukes v. Wal-Mart* and the efficacy of monolithic class actions. Pickens, Rachel Tallon. *University of Detroit Mercy Law Review* : 2006(Winter) : 83(2) : 71-90p.

Universes colliding: The constitutional implications of arbitral class actions. Weston, Maureen A. *William and Mary Law Review* : 2006(Mar) : 47(5) : 1711-80p.

Why enable litigation?: A positive externalities theory of the small claims class action. Rubenstein, William B. *UMKC Law Review* : 2006(Spring) : 74(3) : 709-28p.

#### *Company Law*

Allocation of profits between related entities and the oppression remedy: An analysis of *Ford Motor Co. v. Omers*. Brooks, Kim and Anand, Anita I. *Ottawa Law Review* : (2004-2005) : 36(1) : 127-68p.

An appropriate regime for the remuneration of executives. Luiz, S.M. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 57-82p.

Blaming function of entity criminal liability. Buell, Samuel W. *Indiana Law Journal* : 2006(Spring) : 81(2) : 473-538p.

Brand new deal: The branding effect of corporate deal structures. Fleischer, Victor. *Michigan Law Review* : 2006(Jun) : 104(7) : 1581-1638p.

Control and responsibility of credit rating agencies in the United States. Pinto, Arthur R. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 341-56p.

Controlling shareholders and corporate governance: Complicating the comparative taxonomy. Gilson, Ronald J. *Harvard Law Review* : 2006(Apr) : 119(6) : 1641-79p.

Responses to increasing shareholder power: Director primacy and shareholder disempowerment. Bainbridge, Stephen M. *Harvard Law Review* : 2006(Apr) : 119(6) : 1735-58p.

*Smith v Van Gokom*: Managerial liability and exculpatory clauses-A proposal to fill the gap of the missing officer protection. Honabach, Dennis R. *Washburn Law Journal* : 2006(Winter) : 45(2) : 307-42p.

"The law does not perfectly comprehend...": The inadequacy of the gross negligence duty of care standard in unincorporated business organizations. Callison, William J. *Kentucky Law Journal* : 2005-2006 : 94(3) : 451-86p.

Twenty years after *Smith v Van Gokom*: An essay on the limits of civil liability or corporate directors and the role of shareholder inspection rights. Hamermesh, Lawrence A. *Washburn Law Journal* : 2006(Winter) : 45(2) : 283-306p.

What independent Directors should expect from inside Directors: *Smith v Van Gorkom* as a guide to intra-firm governance. Wade, Cheryl L. *Washburn Law Journal* : 2006(Winter) : 45(2) : 367-86p.

#### *Comparative Law*

Against metaphysics in law: The historical background of American and Scandinavian legal realism compared. Pihlajamaki, Heikki. *American*

*Journal of Comparative Law* : 2004(Spring) : 52(2) : 469-88p.

Comparative law as comparative jurisprudence: The comparability of legal systems. Valcke, Catherine. *American Journal of Comparative Law* : 2004(Summer) : 52(3) : 713-40p.

Derivative actions and the funding problem: The way forward. Reisberg, Arad. *Business Law* : 2006(Aug) : 445-67p.

Impediments to transnational cooperation in undercover policing: A comparative study of the United States and Italy. Ross, Jacqueline E. *American Journal of Comparative Law* : 2004(Summer) : 52(3) : 569-624p.

Worlds apart: Western and central European judicial culture at the onset of the European enlargement. Kuhn, Zdenek. *American Journal of Comparative Law* : 2004(Summer) : 52(3) : 531-68p.

#### *Competition Law*

Vertical restraints on competition. Gevurtz, Franklin A. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 357-84p.

#### *Conflicts of Law*

Choice of law in the American Courts in 2003: Seventeenth annual survey. Symeonides, Symeon C. *American Journal of Comparative Law* : 2004(Winter) : 52(1) : 9-76p.

#### *Constitutional Law*

Constitutional guarantees of the judiciary: Jurisdiction, tenure and beyond. Claus, Laurence. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 459-84p.

Constitutional referendum in the United States of America. Fisch, William B. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 485-504p.

Constitutional rights and social welfare: A comment on the Canadian Chaoulli Health Care decision. King, Jeff A. *Modern Law Review* : 2006(Jul) : 69(4) : 631-43p.

Constitutionalism and policies toward women: Canada and the United States. Goldstein, Leslie F. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 294-318p.

Positive theory of the war-powers constitution. Nzelibe, Jide. *Iowa Law Review* : 2006(Mar) : 91(3) : 993-1062p.

#### *Consumer Law*

Bundling and consumer misperception. Bar-Gill, Oren. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 33-62p.

Consumer law, regulatory capitalism and the 'new learning' in regulation. Ramsay, Iain. *Sydney Law Review* : 2006(Mar) : 28(1) : 9-36p.

In defence of consumer law: The resolution of consumer disputes. O'Shea, Paul and Rickett, Charles. *Sydney Law Review* : 2006(Mar) : 28(1) : 139-70p.

Notion of consumer: European Union versus Member States. Hondius, Ewoud. *Sydney Law Review* : 2006(Mar) : 28(1) : 89-98p.

Protection of consumers economic interests by EC contract law- Some follow-up remarks. Reich, Norbert. *Sydney Law Review* : 2006(Mar) : 28(1) : 37-62p.

Rise of European consumer law- Wither national consumer law. Howells, Geraint. *Sydney Law Review* : 2006(Mar) : 28(1) : 63-88p.

Risk and the consumer in Australian Financial Services Reform. Pearson, Gail. *Sydney Law Review* : 2006(Mar) : 28(1) : 99-138p.

Toward a new model of consumer protection: The problem of inflated transaction costs. Sovern, Jeff. *William and Mary Law Review* : 2006(Mar) : 47(5) : 1635-1710p.

#### *Contract Law*

Contracts subject to non-state norms. Symeonides, Symeon C. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 209-32p.

Impossibility and changed and unforeseen circumstances. Gordley, James. *American Journal of Comparative Law* : 2004(Summer) : 52(3) : 513-30p.

Mistake in contract formation. Gordley, James. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 433-68p.

My kingdom for a horse: The meaning of words. Lord Nicholls, Donald. *Law Quarterly Review* : 2005(Oct) : 121 : 577-91p.

Protection of consumers economic interests by EC contract law- Some follow-up remarks. Reich, Norbert. *Sydney Law Review* : 2006(Mar) : 28(1) : 37-62p.

Taking information seriously: Misrepresentation and nondisclosure in contract law and elsewhere. Craswell, Richard. *Virginia Law Review* : 2006(Jun) : 92(4) : 565-632p.

Test for duress in the South African law of contract. Glover, Graham. *South African Law Journal* : 2006 : 123(1) : 98-125p.

Ultra vires problems in government contracts. Davies, A.C.L. *Law Quarterly Review* : 2006(Jan) : 122 : 98-123p.

#### *Conviction*

Co-operative model for preventing wrongful convictions. Stookey, John A. *Judicature* : 2004(Jan-Feb) : 87(4) : 159-62p.



Preventing the conviction of the innocent : a compelling and urgent need. Reno, Janet. *Judicature* : 2004(Jan-Feb) : 87(4) : 163-65p.

#### *Corporate Law*

Adulteration of fiduciary doctrine in corporate law. Flannigan, Robert. *Law Quarterly Review* : 2006(Jul) : 122 : 449-68p.

#### *Corruption*

Corruption and accountability of the civil service in the United States. Schroth, Peter W. *American Journal of Comparative Law* : 2006 : 54 (Suppl) : 553-80p.

#### *Courts*

Choice of law in the American courts in 2005: Nineteenth annual survey. Symeonides, Symeon C. *American Journal of Comparative Law* : 2005(Summer) : 53(3) : 559-652p.

Democracy, power and the Supreme Court: Campaign finance reform in comparative perspective. Dawood, Yasmin. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 269-93p.

Dialogue or defiance: Legislative reversals of Supreme Court decisions in Canada and the United States. Roach, Kent. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 347-70p.

Expected impact of the Supreme Court of New Zealand on tax cases. Harley, Geoffrey J. *New Zealand Universities Law Review* : 2006(Jun) : 22(1) : 76-102p.

Limits to the powers of ultimate appellate courts. Heydon, J.D. *Law Quarterly Review* : 2006(Jul) : 122 : 399-425p.

National self-sufficiency or intellectual arrogance? The current attitude of American Courts toward foreign law. Markesinis, Sir Basil. *Cambridge Law Journal* : 2006(Jul) : 65(2) : 301-29p.

Sharia Court of appeal in Northern Nigerai: The continuing crises of jurisdiction. Oba, Abdulmumini Adebayo. *American Journal of Comparative Law* : 2004(Fall) : 52(4) : 859-900p.

Threats and meanings: How the facts govern first amendment doctrine. Karst, Kenneth L. *Stanford Law Review* : 2006(Mar) : 58(5) : 1337-1412p.

*Credit Cards*

Credit card accountability. Issacharoff, Samuel and Delaney, Erin F. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 157-82p.

Paying with plastic : May be not so crazy. Brown, Tom and Plache, Lacey. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 63-86p.

*Credit Rating*

Control and responsibility of credit rating agencies in the United States. Pinto, Arthur R. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 341-56p.

*Criminal Justice System*

Jurisdictional competition in criminal justice: How much does it really happen? Gross, Samuel R. *Michigan Law Review* : 2006(Jun) : 104(7) : 1725-32p.

Political market for criminal justice. Barkow, Rachel E. *Michigan Law Review* : 2006(Jun) : 104(7) : 1713-24p.

Right to counsel at trial for a defendant in the criminal justice system of the United States of America, including the right to effective assistance of counsel. Bekker, P.M. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 453-73p.

*Criminal Law*

After further review : A new wave of innocence commissions. Gould, Jon B. *Judicature* : 2004(Nov-Dec) : 88(3) : 126-31p.

Anti-racketeering legislation in America. Bradley, Craig M. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 671-92p.

Barry Scheck lectures on wrongful convictions. Scheck, Barry C. *Drake Law Review* : 2006(Spring) : 54(3) : 597-620p.

Cheating the constitution. Metzger, Pamela R. *Vanderbilt Law Review* : 2006(Mar) : 59(2) : 475-538p.

Crime, criminals and competitive crime control. Logan, Wayne A. *Michigan Law Review* : 2006(Jun) : 104(7) : 1733-48p.

Decentralizing crime control: The political economy perspective. Teichman, Doron. *Michigan Law Review* : 2006(Jun) : 104(7) : 1749-62p.

Entrenched position of plea bargaining in United States legal practice. Ross, Jacqueline E. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 717-32p.

Evidence synthesis and general causation: Key methods and an assessment of reliability. Weed, Douglas L. *Drake Law Review* :

2006(Spring) : 54(3) : 639-50p.

Four threats to the presumption of innocence. Ashworth, Andrew. *South African Law Journal* : 2006 : 123(1) : 63-97p.

Habeas settlements. Malani, Anup. *Virginia Law Review* : 2006(Mar) : 92(1) : 1-68p.

Impact of joinder and severance on federal criminal cases: An empirical study. Leipold, Andrew D. and Abbasi, Hossein A. *Vanderbilt Law Review* : 2006(Mar) : 59(2) : 349-406p.

Improving prosecutorial decision making: Some lessons of cognitive science. Burke, Alafair S. *William and Mary Law Review* : 2006(Mar) : 47(5) : 1587-1634p.

Jurisprudence of risk assessment : Forecasting harm among prisoners, predators and patients. Monahan, John. *Virginia Law Review*: 2006(May) : 92(3) : 391-436p.

Managing transitional moments in criminal cases. Heytens, Toby J. *Yale Law Journal* : 2006(Mar) : 115(5) : 922-95p.

New deterrence : Crime and policy in the age of globalization. Keenan, Patrick J. *Iowa Law Review*: 2006(Jan) : 91(2) : 505-60p.

Police experiences with recording custodial interrogations. Sullivan, Thomas P. *Judicature* : 2004(Nov-Dec) : 88(3) : 132-36p.

Prosecutorial waiver into adult criminal court : A conflict of interests violation amounting to the states' legislative abrogation of juveniles' due process rights. Green, Sally T. *Penn State Law Review* : 2005(Fall) : 110(2) : 233-82p.

Right feeling and knowing right: Insanity in testators and criminals in nineteenth century American Law. Mensel, Robert E. *Oklahoma Law Review* : 2005(Fall) : 58(3) : 397-438p.

Should the United States establish a criminal cases review commission? Schehr, Robert Carl and Weathered, Lynne. *Judicature* : 2004(Nov-Dec) : 88(3) : 122-25p.

Theories of crime and punishment in German criminal law. Dubber, Markus Dirk. *American Journal of Comparative Law* : 2005(Summer) : 53(3) : 679-708p.

#### *Criminal Liability*

Blaming function of entity criminal liability. Buell, Samuel W. *Indiana Law Journal* : 2006(Spring) : 81(2) : 473-538p.

#### *Criminal Procedure*

Accusatorial system lost and regained: Reforming criminal procedure in Italy. Amodio, Ennio. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 489-500p.

### *Cyber Law*

Abusive advertising on the internet (SPAM) under United States law. Maggs, Peter B. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 385-94p.

Cyber-terrorism: Legal principle and law in the United Kingdom. Walker, Clive. *Penn State Law Review* : 2006(Winter) : 110(3) : 625-667p.

Gripping, bitching and speaking your mind: Defamation and free expression on the internet. Rowland, Diane. *Penn State Law Review* : 2006(Winter) : 110(3) : 519-38p.

Internet indecency and minors: The case for parental and school responsibility not congressional regulation. Segall, Eric J. *Penn State Law Review* : 2006(Winter) : 110(3) : 615-24p.

Intimidation and the internet. Funk, William. *Penn State Law Review* : 2006(Winter) : 110(3) : 579-98p.

Jurisdiction in internet libel cases. Barendt, Eric. *Penn State Law Review* : 2006(Winter) : 110(3) : 727-39p.

Speech and technology. Weaver, Russell L. *Penn State Law Review* : 2006(Winter) : 110(3) : 703-16p.

### *Death Penalty*

Initiating constructive debate: A critical reflection on the death penalty in Africa. Chenwi, L. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 474-91p.

### *Delegation of Power*

Legislative allocation of delegated power: Uncertainty, risk and the choice between agencies and courts. Stephenson, Matthew C. *Harvard Law Review* : 2006(Feb) : 119(4) : 1035-70p.

### *Democracy*

Bait-and-switch in direct democracy. Staszewski, Glen. *Wisconsin Law Review* : 2006(1) : 17-74p.

Concept of democracy as an element of the European convention. Schyff, G. van der. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 355-72p.

Democracy, power and the Supreme Court: Campaign finance reform in comparative perspective. Dawood, Yasmin. *(ICON) International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 269-93p.

From deference to democracy: The role of equality under the Human Rights Act 1998. Fredman, Sandra. *Law Quarterly Review* : 2006(Jan) : 122 : 53-81p.

*Disability*

Untold story of the rest of the Americans with Disabilities Act. Waterstone, Michael. *Vanderbilt Law Review* : 2005(Nov) : 58(6) : 1807-84p.

*Discrimination*

Defining constitutional discrimination: An analysis of Michigan's constitutional amendment to define marriage. Lewand, Carrie. *University of Detroit Mercy Law Review* : 2006(Winter) : 83(2) : 91-114p.

Marketing non-discrimination: Privatizing ENDA with a certification mark. Ayres, Ian and Brown, Jennifer Gerarda. *Michigan Law Review* : 2006(Jun) : 104(7) : 1639-1712p.

Racial integration and community revitalization: Applying the fair Housing Act to the low income housing tax credit. Orfield, Myron. *Vanderbilt Law Review* : 2005(Nov) : 58(6) : 1747-1806p.

Survey says.... A critical analysis of the new title IX policy and a proposal for reform. Buzuvis, Erin E. *Iowa Law Review* : 2006(Mar) : 91(3) : 821-84p.

*Disparate Impact Theory*

Coming rise of disparate impact theory. Kearney, Robert A. *Penn State Law Review* : 2005(Summer) : 110(1) : 69-110p.

*Dormant Commerce Clause Doctrine*

Confederation-era discrimination against interstate commerce and the legitimacy of the dormant commerce clause doctrine. Denning, Brannon P. *Kentucky Law Journal* : (2005-2006) : 94(1) : 37-100p.

*E-Governance*

E-Government. Reitz, John C. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 733-54p.

*Education*

Compensatory education under the individuals with Disabilities Education Act: The third circuit's partially mis-leading position. Zirkel, Perry A. *Penn State Law Review* : 2006(Spring) : 110(4) : 879-902p.

*Election*

Exploring election. Handley, K.R. *Law Quarterly Review* : 2006(Jan) : 122 : 82-97p.

*Emergency Powers*

North American emergencies: The use of emergency powers in Canada and the United States. Scheppele, Kim Lane. *(ICON) International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 213-43p.

*Employment*

Marketing non-discrimination: Privatizing ENDA with a certification mark. Ayres, Ian and Brown, Jennifer Gerarda. *Michigan Law Review* : 2006(Jun) : 104(7) : 1639-1712p.

*Equality*

Sex equality under the constitution of India: Problems, prospects and "personal laws". MacKinnon, Catharine A. *(ICON) International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 181-202p.

*Equity*

Relativity of title at law and in equity. Fox, David. *Cambridge Law Journal* : 2006(Jul) : 65(2) : 330-65p.

*Estoppel*

Estoppel and textualism. Maggs, Gregory E. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 167-86p.

Honing a blunt instrument: Refining the use of judicial estoppel in bankruptcy nondisclosure cases. Dugas, Robert F. *Vanderbilt Law Review* : 2006(Jan) : 59(1) : 197-204p.

Remedial discretion in proprietary estoppel-again. Gardner, Simon. *Law Quarterly Review* : 2006(Jul) : 122 : 492-524p.

*European Court of Human Rights*

Protocol 14 and the future of the European Court of Human Rights. Greer, Steven. *Public Law* : 2005(Spring) : 83-106p.

*Euthanasia*

Causing death for compassionate reasons in American law. Kay, Richard S. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 693-716p.

*Family Law*

Family contracts. Bonthuys, Elsje. *South African Law Journal* : 2004 : 121(4) : 879-901p.

Parenthood in a time of transition: Tensions between legal, biological and social conceptions of parenthood. Meyer, David D. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 125-44p.

#### *Federalism*

Assumptions of federalism. Chemerinsky, Erwin. *Stanford Law Review* : 2006(Apr) : 58(6) : 1763-92p.

Central-local division of power in the Americas and the renewed Mexican federalism: Old institutions, new political realities. Schiavon, Jorge A. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 392-410p.

Federalism decisions of justices Rehnquist and O'connor: Is half a loaf enough ? Epstein, Richard A. *Stanford Law Review* : 2006(Apr) : 58(6) : 1793-1826p.

Legislating new federalism: The call for grand jury reform in the states. Decker, John F. *Oklahoma Law Review* : 2005(Fall) : 58(3) : 341-96p.

Primer on the doctrine of federal sovereign immunity. Sisk, Gregory C. *Oklahoma Law Review* : 2005(Fall) : 58(3) : 439-68p.

#### *Fire Law*

Law of fire: Reshaping public land policy in an era of ecology and litigation. Keiter, Robert B. *Environmental Law* : 2006(Spring) : 36(2) : 301-84p.

#### *Foreign Law*

National self-sufficiency or intellectual arrogance ? The current attitude of American Courts toward foreign law. Markesinis, Sir Basil. *Cambridge Law Journal* : 2006(Jul) : 65(2) : 301-29p.

#### *Forensic Science*

Principles of forensic DNA for officers of the court: An interactive, computer-based training tool for attorneys and judges. Lothridge, Kevin and Jones, Robin Wilson. *Drake Law Review* : 2006(Spring) : 54(3) : 671-78p.

*Forest*

Governing the Tongass: National forest conflict & political decision making. Nie, Martin. *Environmental Law* : 2006(Spring) : 36(2) : 385-480p.

*Freedom of Religion*

Religious freedom in Canada and the United States. Eisgruber, Christopher L. and Zeisberg, Mariah. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 244-68p.

*Freedom of Speech*

Gay self-identification and the right to political legibility. Hanna, Fadi. *Wisconsin Law Review* : 2006(1) : 75-134p.

*Genetic Research*

Legal limitations on genetic research and the commercialization of its results. Malinowski, Michael J. and Rao, Radhika. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 45-66p.

*Globalization*

New deterrence : Crime and policy in the age of globalization. Keenan, Patrick J. *Iowa Law Review*: 2006(Jan) : 91(2) : 505-60p.

*Habeas Corpus*

Habeas settlements. Malani, Anup. *Virginia Law Review* : 2006(Mar) : 92(1) : 1-68p.

*Health Law*

Dependent patent claims and prosecution history estoppel: Weakening the doctrine of equivalents. Eggerding, Matthew. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 257-84p.

Does my health insurance cover it? Using evidence-based medicine and binding arbitration techniques to determine what therapies fall under experimental exclusion clauses in health insurance contracts. Clamon, Joseph B. *Drake Law Review* : 2006(Winter) : 54(2) : 473-508p.



Does the constitution apply to the actions of the United States anti-doping agency? Koller, Dionne L. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 91-136p.

International law, telemedicine & health insurance: China as a case study. McLean, Thomas R. *American Journal of Law & Medicine* : 2006 : 32(1) : 7-52p.

### *Housing*

Exclusionary amenities in residential communities. Strahilevitz, Lior Jacob. *Virginia Law Review*: 2006(May) : 92(3) : 437-500p.

### *Human Rights*

Accommodating children's rights in a post Human Rights Act era. Fortin, Jane. *Modern Law Review*: 2006(May) : 69(3) : 299-326p.

Anonymous matrix : Human rights violations by 'Private' transnational actors. Teubner, Gunther. *Modern Law Review*: 2006(May) : 69(3) : 327-46p.

Caroline verdict: Protecting individual privacy against media invasion as a matter of human rights. Barnes, Robin D. *Penn State Law Review* : 2006(Winter) : 110(3) : 599-614p.

Common legal tradition of a court established by law: Historical foundations of Art.6 para 1 European Convention on Human Rights. Muessig, Ulrike. *American Journal of Legal History* : 2005(Apr) : 47(2) : 161-82p.

Concept of democracy as an element of the European Convention. Schyff, G. van der. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 355-72p.

Extraterritorial human rights: A tool for poverty reduction? Arnell, P. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 396-414p.

From deference to democracy: The role of equality under the Human Rights Act 1998. Fredman, Sandra. *Law Quarterly Review* : 2006(Jan) : 122 : 53-81p.

Ghaidan v. Godin-Mendoza: Avoiding the deference trap. Young, Alison L. *Public Law* : 2005(Spring) : 23-34p.

Human rights in the age of terrorism. Arden, Mary. *Law Quarterly Review* : 2005(Oct) : 121 : 604-27p.

*Nulla Poena Sine Lege* in comparative perspective: Retrospectivity under the ECHR and US Constitution. Atrill, Simon. *Public Law* : 2005(Spring) : 107-31p.

Original intent and the European Convention on Human Rights. Nicol. *Public Law* : 2005(Spring) : 132-51p.

Protocol 14 and the future of the European Court of Human Rights. Greer, Steven. *Public Law* : 2005(Spring) : 83-106p.

Rule of law and human rights. Apodaca, Clair. *Judicature* : 2004(May-Jun) : 87(6) : 292-99p.

#### *Immigration*

Race for talent: Highly skilled migrants and competitive immigration regimes. Shachar, Ayelet. *New York University Law Review* : 2006(Apr) : 81(1) : 148-206p.

#### *Income Tax*

Debunking the basis myth under the income tax. Dodge, Joseph M. and Soled, Jay A. *Indiana Law Journal* : 2006(Spring) : 81(2) : 539-600p.

Superiority of an ideal consumption tax over an ideal income tax. Bankman, Joseph and Weisbach, David A. *Stanford Law Review* : 2006(Mar) : 58(5) : 1413-56p.

#### *Indigenous People*

Losing sight of the big picture: The narrowing of native title in Australia. Mykyta, Sky. *Ottawa Law Review* : (2004-2005) : 36(1) : 93-126p.

#### *Information Technology*

Generative internet. Zittrain, Jonathan L. *Harvard Law Review* : 2006(May) : 119(7) : 1974-2040p.

Internet access to court records – Balancing public access and privacy. Gomez-Velez, Natalie. *Loyola Law Review* : 2005(Fall) : 51(3) : 365-438p.

Media freedom and political debate in the digital era. Rowbottom, Jacob. *Modern Law Review* : 2006(Jul) : 69(4) : 489-513p.

#### *Insanity*

Right feeling and knowing right: Insanity in testators and criminals in nineteenth century American Law. Mensel, Robert E. *Oklahoma Law Review* : 2005(Fall) : 58(3) : 397-438p.

#### *Insolvency*

Centralizing insolvencies of Pan-European Corporate Groups: A creditor's dream or nightmare ? Mevorach, Irit. *Business Law* : 2006(Aug) : 468-86p.

Fair labour practices in South African insolvency law. Eck, Stefan van, Boraine, Andre and Steyn, Lee. *South African Law Journal* : 2004 : 121(4) : 902-25p.

Insolvency enquiries and the right against self-incrimination: Divergent approaches in South Africa and other jurisdictions. Steyn, L. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 415-34p.

Some aspects of international law in South African cross-border insolvency law. Olivier, M. and Boraine, A. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 373-95p.

#### *Insurance*

Duty of good faith: The “sleeper” of insurance obligations? Mills, Michael. *Australian Law Journal* : 2006(Jun) : 80(6) : 387-408p.

#### *Intellectual Property*

Academic discourse and proprietary rights: Putting patents in their proper place. Bagley, Margo A. *Boston College Law Review* : 2006(Mar) : 47(2) : 217-74p.

Access to and legal protection of aquaculture genetic resources-Norwegian perspectives. Rosendal, G. Kristin, Olesen, Ingrid, Bentsen, Hans B. etc. *Journal of World Intellectual Property* : 2006(Jul) : 9(4) : 392-412p.

Author’s copyright: An Islamic perspective. Amanullah, Muhammad. *Journal of World Intellectual Property* : 2006(May) : 9(3) : 301-15p.

Better than nothing: Japan’s next move on patent ability of medical methods. Ono, N. *International Review of Intellectual Property and Competition Law*: 2006 : 37(2) : 196-217p.

Constitutional duty to protect the rights of performers? Goldstein versus California and Bob Dylan—Two different stories. Grunberger, Michael. *International Review of Intellectual Property and Competition Law* : 2006 : 37(3) : 277-303p.

“Constitutionalising” Intellectual Property Law? The influence of fundamental rights on intellectual property in the European Union. Geiger, Christophe. *International Review of Intellectual Property and Competition Law* : 2006 : 37(4) : 371-406p.

Core principles of data protection law. Roos, A. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 102-30p.

Digital rights management in the United States and Europe. Bechtold, Stefan. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 323-82p.

Dilution. Long, Clarisa. *Columbia Law Review* : 2006(Jun) : 106(5) : 1029-78p.

European court of justice rules on the likelihood of confusion concerning composite trademark: Moving towards an analytical approach. Frassi, Paola A.E. *International Review of Intellectual Property and Competition Law* : 2006 : 37(4) : 438-51p.

Expansive copyright protection for all time? Avoiding article I horizontal limitations through the treaty power. Nguyen, Caroline T. *Columbia Law Review* : 2006(Jun) : 106(5) : 1079-1118p.

Forging a truly utilitarian copyright. Stadler, Sara K. *Iowa Law Review*: 2006(Jan) : 91(2) : 609-72p.

Harmonising anti-circumvention protection with copyright law: The evolution from WCT to the Norwegian anti-circumvention provisions. Rieber-Mohn, Thomas. *International Review of Intellectual Property and Competition Law*: 2006 : 37(2) : 182-95p.

How does patent protection help developing countries? Imam, Ali M. *International Review of Intellectual Property and Competition Law* : 2006 : 37(3) : 245-59p.

Innovative medium defense : A doctrine to promote the multiple goals of copyright in the wake of advancing digital technologies. Lemley, Kevin M. *Penn State Law Review* : 2005(Summer) : 110(1) : 111-62p.

Intellectual property, innovation and decentralized decisions. Wu, Tim. *Virginia Law Review* : 2006(Mar) : 92(1) : 123-48p.

Internet-specific collisions of trademarks in the domain-name system—An economic analysis based on U.S. law. Jacobs, Georg. *International Review of Intellectual Property and Competition Law*: 2006 : 37(2) : 156-78p.

Legal protection of plant-biotechnological inventions and plant varieties in light of the EC biopatent directive. Kock, Michael A; Porzig, Susann and Willnegger, Eva. *International Review of Intellectual Property and Competition Law*: 2006 : 37(2) : 135-55p.

Linguistics as a knowledge domain in the law. Ainsworth, Janet E. *Drake Law Review* : 2006(Spring) : 54(3) : 651-70p.

Location of the parody defence in copyright law: Some comparative perspectives. Visser, C. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 321-43p.

Measuring the strength of national pharmaceutical intellectual property regimes: Creating a new pharmaceutical IP index. Pugatch, Meir Perez. *Journal of World Intellectual Property* : 2006(Jul) : 9(4) : 373-91p.

Museums and databases. Galli, Paolo. *International Review of Intellectual Property and Competition Law* : 2006 : 37(4) : 452-72p.

Patent protection of computer-implemented inventions vis-à-vis open

source software. Esteve, Asuncion. *Journal of World Intellectual Property* : 2006(May) : 9(3) : 276-300p.

Protection of copyright works on the internet—an overview. Jansen, M. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 344-54p.

Protection of traditional knowledge associated with biological and genetic resources. Leidwein, Alois. *Journal of World Intellectual Property* : 2006(May) : 9(3) : 251-75p.

Role of intellectual property in the global challenge for immunization. Reis, Tarcisio Hardman. *Journal of World Intellectual Property* : 2006(Jul) : 9(4) : 413-25p.

Search for intent-based doctrines of secondary liability in copyright law. Hogberg, Sverker K. *Columbia Law Review* : 2006(May) : 106(4) : 909-58p.

Singapore's emerging knowledge economy: Role of intellectual property and its possible implications for Singaporean Society. Ramcharan, Robin. *Journal of World Intellectual Property* : 2006(May) : 9(3) : 316-43p.

Software patenting. Zekos, Georgios I. *Journal of World Intellectual Property* : 2006(Jul) : 9(4) : 426-44p.

Software patenting: Legal standards in Europe and the US in view of strategic limitations of the IP Systems. Laub, Christoph. *Journal of World Intellectual Property* : 2006(May) : 9(3) : 344-72p.

Term 'well-known' in South African trade-mark legislation: Some comparative interpretations. Kelbrick, R. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 435-52p.

Towards a horizontal standard for limiting Intellectual Property Rights? – WTO panel reports shed light on the three step test in copyright law and related tests in patent and trademark law. Senftleben, Martin. *International Review of Intellectual Property and Competition Law* : 2006 : 37(4) : 407-37p.

Trademark decision in Armenia. Lewinski, Silke von. *International Review of Intellectual Property and Competition Law*: 2006 : 37(2) : 179-81p.

Vagueness in the scope of copyright. Spence, Michael and Endicott, Timothy. *Law Quarterly Review* : 2005(Oct) : 121 : 657-90p.

Why "Bad" patents survive in the market and how should we change? – The private and social costs of patents. Kesan, Jay P. and Gallo, Andres A. *Emory Law Journal* : 2006 : 55(1) : 61-140p.

#### *International Arbitration*

New experiences of international arbitration in the United States. Drahozal, Christopher R. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 233-56p.

*International Law*

Binding armed opposition groups. Sivakumaran, Sandesh. *International & Comparative Law Quarterly* : 2006(Apr) : 55(2) : 369-94p.

Can public communication protect victims? Huguenin-Benjamin, Roland. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 661-72p.

Challenges in applying human rights law to armed conflict. Lubell, Noam. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 737-54p.

Characteristics of international administration in crisis areas: A view from the United States of America. Morrison, Fred L. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 443-58p.

Enforcement of jurisdiction agreements within the Brussels regime. Merrett, Louise. *International & Comparative Law Quarterly* : 2006(Apr) : 55(2) : 315-36p.

ICRC communication : Generating support. Daccord, Yves. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 693-706p.

Legal implications of Australia's Maritime Identification System. Klein, Natalie. *International & Comparative Law Quarterly* : 2006(Apr) : 55(2) : 337-68p.

Liability and responsibility of the state of registration or the flag state in respect of sea-going vessels, aircraft and spacecraft registered by National Registration Authorities. Sucharitkul, Sompong. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 409-42p.

Name, rank, date of birth, serial number and the right to remain silent. Geib, Robin. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 721-36p.

Negotiorum gestio : A civilian concept in the common law? Sheehan, Duncan. *International & Comparative Law Quarterly* : 2006(Apr) : 55(2) : 253-80p.

Procuring guilty pleas for international crimes: The limited influence of sentence discounts. Combs, Nancy Amoury. *Vanderbilt Law Review* : 2006(Jan) : 59(1) : 69-154p.

Public communication strategies of international humanitarian organizations. Dijkzeul, Dennis and Moke, Markus. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 673-92p.

Some aspects of international law in South African cross-border insolvency law. Olivier, M. and Boraine, A. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 373-95p.

Treaty interpretation and the incorporation of extraneous legal rules. French, Duncan. *International & Comparative Law Quarterly* : 2006(Apr)

: 55(2) : 281-314p.

Visual communication. Diraison, Fiona Le. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 707-20p.

War and media : Constancy and convulsion. Mercier, Arnaud. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 649-60p.

When courts make law: How the international criminal tribunals recast the laws of war. Danner, Allison Marston. *Vanderbilt Law Review* : 2006(Jan) : 59(1) : 1-68p.

World community and its laws. Keith, K.J. *New Zealand Universities Law Review* : 2006(Jun) : 22(1) : 2-16p.

#### *International Organizations*

Role of provisionally applied treaties in international organizations. Michie, A. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 39-56p.

#### *Internet*

Abusive advertising on the internet (SPAM) under United States law. Maggs, Peter B. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 385-94p.

Gripping, bitching and speaking your mind: Defamation and free expression on the internet. Rowland, Diane. *Penn State Law Review* : 2006(Winter) : 110(3) : 519-38p.

Internet indecency and minors: The case for parental and school responsibility not congressional regulation. Segall, Eric J. *Penn State Law Review* : 2006(Winter) : 110(3) : 615-24p.

Intimidation and the internet. Funk, William. *Penn State Law Review* : 2006(Winter) : 110(3) : 579-98p.

Jurisdiction in internet libel cases. Barendt, Eric. *Penn State Law Review* : 2006(Winter) : 110(3) : 727-39p.

#### *Islamic Law*

From Islamic to middle eastern law: A restatement of the field (Part II). Mallat, Chibli. *American Journal of Comparative Law* : 2004(Winter) : 52(1) : 209-86p.

Politics of (Mis)recognition: Islamic law pedagogy in American academia. Abu-Odeh, Lama. *American Journal of Comparative Law* : 2004(Fall) : 52(4) : 789-824p.

#### *Judges*

Civil, criminal and disciplinary liability of judges. Haley, John O. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 281-92p.

Confessions of an angry judge. O'Brien, Gregory C. *Judicature* :

2004(Mar-Apr) : 87(5) : 251-53p.

Judge in the Scottish parliament chamber. Winetrobe, Barry K. *Public Law* : 2005(Spring) : 3-12p.

### *Judgments*

Enforcing Australian judgments in the United States (and vice versa): How the long arm of Australian Courts reaches across the pacific. Hogan-Doran, Justin. *Australian Law Journal* : 2006(Jun) : 80(6) : 361-86p.

### *Judicial Process*

Predictive decision-making. Abramowicz, Michael. *Virginia Law Review* : 2006(Mar) : 92(1) : 69-122p.

### *Judicial Review*

Chevron step zero. Sunstein, Cass R. *Virginia Law Review* : 2006(Apr) : 92(2) : 187-250p.

China's WTO commitment on independent judicial review: Impact on legal and political reform. Hung, Veron Mei-Ying. *American Journal of Comparative Law* : 2004(Winter) : 52(1) : 77-132p.

Core of the case against judicial review. Waldron, Jeremy. *Yale Law Journal* : 2006(Apr) : 115(6) : 1346-1407p.

From ambiguity to legality: The future of English judicial review. Edlin, Douglas E. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 383-402p.

### *Judiciary*

Adjusting the rear-view mirror: Rethinking the use of history in Supreme Court jurisprudence. Gordon, Mitchell. *Marquette Law Review* : 2006(Spring) : 89(3) : 475-540p.

Beyond golf clubs and the judicialization of politics: Why Europe has a constitution properly so called. Kumm, Mattias. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 505-30p.

Constitutional guarantees of the judiciary: Jurisdiction, tenure and beyond. Claus, Laurence. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 459-84p.

Contestable judicial elections : Maintaining respectability in the post-white era. Lambert, Joseph E. *Kentucky Law Journal* : (2005-2006) : 94(1) : 1-16p.

Democracy, power and the Supreme Court: Campaign finance reform in comparative perspective. Dawood, Yasmin. *(ICON) International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 269-93p.

Dialogue or defiance: Legislative reversals of Supreme Court decisions in Canada and the United States. Roach, Kent. *(ICON)*



*International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 347-70p.

Elected to decide: Is the decision-avoidance doctrine of great weight deference appropriate in this court of last resort? Roggensack, Patience Drake. *Marquette Law Review* : 2006(Spring) : 89(3) : 541-66p.

House of Lords and the Northern Ireland conflict—A sequel. Dickson, Brice. *Modern Law Review*: 2006(May) : 69(3) : 383-417p.

Legislating new federalism: The call for grand jury reform in the states. Decker, John F. *Oklahoma Law Review* : 2005(Fall) : 58(3) : 341-96p.

Rat race: Insider advice on landing judicial clerkships. Aldisert, Ruggero J., Kirkpatrick, Ryan C. etc. *Penn State Law Review* : 2006(Spring) : 110(4) : 835-52p.

Verdicts of conscience: Nullification and the modern jury trial. Rubenstein, Arie M. *Columbia Law Review* : 2006(May) : 106(4) : 959-93p.

What makes the D.C. Circuit Different? A historical view. Roberts, John G. *Virginia Law Review*: 2006(May) : 92(3) : 375-90p.

#### *Jurisprudence*

Against metaphysics in law: The historical background of American and Scandinavian legal realism compared. Pihlajamaki, Heikki. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 469-88p.

Tot capita tot sententiae : An extension or misapplication of Rawlsian justice. Panagia, Giancarlo. *Penn State Law Review* : 2005(Fall) : 110(2) : 283-344p.

Towards a theory of contextual transplants. Small, Richard G. *Emory International Law Review* : 2005(Fall) : 19(3) : 1431-56p.

#### *Juvenile Justice*

New rehabilitation. Filler, Daniel M. and Smith, Austin E. *Iowa Law Review* : 2006(Mar) : 91(3) : 951-92p.

#### *Law*

Towards a theory of contextual transplants. Small, Richard G. *Emory International Law Review* : 2005(Fall) : 19(3) : 1431-56p.

#### *Legal Education*

As a last resort, ask the students: What they say makes someone an effective law teacher. Levy, James B. *Maine Law Review* : 2006 : 58(1) : 49-98p.

*Legal History*

Disciplinary evolution and scholarly expansion: Legal history in the United States. Hoeflich, Michael H. and Sheppard, Steve. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 23-44p.

New developments in United States succession law. Scalise, Ronald J. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 103-24p.

*Legal System*

Bilingualism and translation in the U.S. legal system: A study of the Louisiana experience. Bermann, George A. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 89-102p.

*Legal Theory*

Instrumental value of beauty in the pursuit of justice. Spyke, Nancy Perkins. *University of San Francisco Law Review* : 2006(Winter) : 40(2) : 451-78p.

Legal limitations on genetic research and the commercialization of its results. Malinowski, Michael J. and Rao, Radhika. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 45-66p.

*Legislation*

Legislation with retrospective effect, with particular reference to tax loopholes and avoidance. Prebble, John, Prebble, Rebecca and Smith, Catherine Vidler. *New Zealand Universities Law Review* : 2006(Jun) : 22(1) : 17-49p.

*Legislative Exclusion*

Things fall apart : A constitutional analysis of legislative exclusion. Houck, Oliver A. *Emory Law Journal* : 2006 : 55(1) : 1-60p.

*Legislature*

Getting the math right: Why California has too many seats in the house of representatives. Edelman, Paul H. *Vanderbilt Law Review* : 2006(Mar) : 59(2) : 297-348p.

*Media*

Caroline verdict: Protecting individual privacy against media invasion as a matter of human rights. Barnes, Robin D. *Penn State Law Review* : 2006(Winter) : 110(3) : 599-614p.

Media freedom and political debate in the digital era. Rowbottom, Jacob. *Modern Law Review* : 2006(Jul) : 69(4) : 489-513p.

Media under fire : Fact and fiction in conditions of war. Eilders, Christiane. *International Review of the Red Cross*: 2005(Dec) : 87(860) : 639-48p.

#### *Mediation*

Caucus mediation—putting conciliation back into the process: The peacemaking approach to resolution, peace and healing. Calkins, Richard M. *Drake Law Review* : 2006(Winter) : 54(2) : 259-320p.

#### *Medical Law*

Obscene contracts: The doctrine of unconscionability and hospital billing of the uninsured. Nation III, George A. *Kentucky Law Journal* : (2005-2006) : 94(1) : 101-38p.

Wanting, liking and learning: Neuroscience and paternalism. Camerer, Colin F. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 87-110p.

#### *Migration Law*

United States migration law: Essentials for comparison. Okeke, Chris Nwachukwu and Nafziger, James A.R. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 531-52p.

#### *Mortgage*

Mortgagee powers Rhetoric. Conaglen, Matthew. *Modern Law Review* : 2006(Jul) : 69(4) : 583-600p.

#### *Outsourcing*

Outsourcing and offshoring under the general agreement on trade in services. Lapid, Karen. *Journal of World Trade*: 2006(Feb) : 40(2) : 341-64p.

#### *Parenthood*

Parenthood in a time of transition: Tensions between legal, biological and social conceptions of parenthood. Meyer, David D. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 125-44p.

Paternalism and psychology. Glaeser, Edward L. *University of Chicago Law Review*: 2006(Winter) : 73(1) : 133-56p.

#### *Parliament*

Judge in the Scottish parliament chamber. Winetrobe, Barry K. *Public Law* : 2005(Spring) : 3-12p.

*Pharmaceuticals*

False Claims Act Liability for off-label promotion of pharmaceutical products. Greene, Stephanie. *Penn State Law Review* : 2005(Summer) : 110(1) : 41-68p.

*Plea Bargaining*

Entrenched position of plea bargaining in United States legal practice. Ross, Jacqueline E. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 717-32p.

*Pluralism*

Militant democracy, legal pluralism and the paradox of self-determination. Macklem, Patrick. (*ICON*) *International Journal of Constitutional Law* : 2006(Jul) : 4(3) : 488-516p.

*Poverty*

Extraterritorial human rights: A tool for poverty reduction? Arnell, P. *Comparative and International Law Journal of Southern Africa* : 2005(Nov) : 38(3) : 396-414p.

*Precautionary Principle*

Whither the precautionary principle? An American assessment from an administrative law perspective. Wood, Stephen G., Wood, Stephen Q. and Wood, Rachel A. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 581-614p.

*Precedent*

Doctrine of precedent in the United States of America. Sellers, Mortimer N.S. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 67-88p.

*President*

Positive theory of the war-powers constitution. Nzelibe, Jide. *Iowa Law Review* : 2006(Mar) : 91(3) : 993-1062p.

*Prisons & Prisoners*

By the light of virtue : Prison rape and the corruption of character. Sigler, Mary. *Iowa Law Review*: 2006(Jan) : 91(2) : 561-608p.

*Privacy*

Caroline verdict: Protecting individual privacy against media invasion

as a matter of human rights. Barnes, Robin D. *Penn State Law Review* : 2006(Winter) : 110(3) : 599-614p.

Concerns and ideas about the developing English Law of privacy (And how knowledge of Foreign Law might be of help). Markesinis, Basil, O'Conneide, Calm, Fedtke, Jorg etc. *American Journal of Comparative Law* : 2004(Winter) : 52(1) : 133-208p.

Decrypting the fourth amendment: Warrantless NSA surveillance and the enhanced expectation of privacy provided by encrypted voice over internet protocol. Jordon, David Alan. *Boston College Law Review* : 2006(May) : 47(3) : 505-46p.

On-line anonymity, de-individuation and freedom of expression and privacy. Williams, Katherine S. *Penn State Law Review* : 2006(Winter) : 110(3) : 687-702p.

Privacy in the Common Law. Moreham, N.A. *Law Quarterly Review* : 2005(Oct) : 121 : 628-56p.

Securing informationships: Recognizing a right to privacy in fourth amendment jurisprudence. DeFilippis, Andrew J. *Yale Law Journal* : 2006(Mar) : 115(5) : 1086-1121p.

#### *Private International Law*

European Private International Law, the environment and obstacles for public authorities. Betlem, Gerrit and Bernasconi, Christophe. *Law Quarterly Review* : 2006(Jan) : 122 : 124-57p.

Formalistic and discretionary approaches to characterization in Private International Law. Schulze, Christian. *South African Law Journal* : 2006 : 123(1) : 161-79p.

Ordre public in China's Private International Law. Xiao, Yongping and Huo, Zhengxin. *American Journal of Comparative Law* : 2005 (Summer) : 53(3) : 653-78p.

#### *Privity*

Securing informationships: Recognizing a right to privacy in fourth amendment jurisprudence. DeFilippis, Andrew J. *Yale Law Journal* : 2006(Mar) : 115(5) : 1086-1121p.

#### *Property*

Boundaries of property rights: La Notion de Beins. Levasseur, Alain A. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 145-66p.

Evolution and chaos in property rights system : The third world tragedy of contested access. Fitzpatrick, Daniel. *Yale Law Journal* : 2006(Mar) : 115(5) : 996-1049p.

Information asymmetries and the rights to exclude. Strahilevitz, Lior Jacob. *Michigan Law Review* : 2006(Aug) : 104(8) : 1835-98p.

*Property Law*

Some thoughts on the law of property in Swaziland. Scott, S. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 152-77p.

*Property Rights*

Property rights and regulatory innovation: Comparing constitutional cultures. Schneiderman, David. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 371-91p.

*Public Law*

Theory and values in Public Law: An interpretation. Loughlin, Martin. *Public Law* : 2005(Spring) : 48-66p.

*Rape*

Rape sentencing with the aid of sentencing guidelines. Terblanche, S. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 1-38p.

*Remedies*

Linkage between justiceability and remedies- and their connections to substantive rights. Fallon, Richard H. *Virginia Law Review* : 2006(Jun) : 92(4) : 633-706p.

*Rent Law*

Between theory and practice: New perspectives on the Roman Law of letting and hiring. Plessis, Paul Du. *Cambridge Law Journal* : 2006(Jul) : 65(2) : 423-37p.

*Right to Information*

Clouding accountability: Canada's government secrecy and national security law "complex". Forcese, Craig. *Ottawa Law Review* : (2004-2005) : 36(1) : 49-92p.

Opacity of transparency. Fenster, Mark. *Iowa Law Review* : 2006(Mar) : 91(3) : 885-950p.

*Rights to Exclude*

Information asymmetries and the rights to exclude. Strahilevitz, Lior Jacob. *Michigan Law Review* : 2006(Aug) : 104(8) : 1835-98p.

*Roman Law*

Between theory and practice: New perspectives on the Roman Law of letting and hiring. Plessis, Paul Du. *Cambridge Law Journal* : 2006(Jul) : 65(2) : 423-37p.

*Rulemaking Power*

Rulemaking power of independent regulatory agencies. Custos, Dominique. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 615-40p.

*Sales Law*

Harmonization of legal warranties in European Sales Law: An economic analysis. Parisi, Francesco. *American Journal of Comparative Law* : 2004(Spring) : 52(2) : 403-32p.

*Same Sex Relationship*

Recognition of same-sex legal relationships in the United States. Hay, Peter. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 257-80p.

*Secrecy Law*

Clouding accountability: Canada's government secrecy and national security law "complex". Forcese, Craig. *Ottawa Law Review* : (2004-2005) : 36(1) : 49-92p.

*Secularism*

Expanding secularism's scope: An Indian case study. Yildirim, Seval. *American Journal of Comparative Law* : 2004(Fall) : 52(4) : 901-18p.

*Sentencing*

Rape sentencing with the aid of sentencing guidelines. Terblanche, S. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 1-38p.

*Service Law*

Institutions, constitutions, actor strategies and ideas: Explaining variation in paid parental leave policies in Canada and the United States. White, Linda A. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 319-46p.

*Social Welfare*

Constitutional rights and social welfare: A comment on the Canadian Chaoulli Health Care Decision. King, Jeff A. *Modern Law Review* : 2006(Jul) : 69(4) : 631-43p.

*Sports Law*

Doping in sports and the use of state power. Mehlman, Maxwell J., Banger, Elizabeth and Wright, Mathew M. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 15-74p.

Intersection of sports and disability: Analyzing reasonable accommodations for athletes with disabilities. Weston, Maureen A. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 137-64p.

Making the WADA prohibited list: Show me the data. Melethil, Srikumaran. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 75-90p.

Problem of the sports doctor: Serving two (or is it three or four?) masters. Furrow, Barry R. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 165-84p.

Sports medicine conflicts: *Team physicians v. Athlete-Patients*. Calandrillo, Steve P. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 185-210p.

Sports medicine: Doping, disability & health quality: Keynote address. Pound, Richard W. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 7-14p.

Team physicians as co-employees: A prescription that deprives professional athletes of an adequate remedy for sports medicine malpractice. Mitten, Matthew J. *Saint Louis University Law Journal* : 2005(Fall) : 50(1) : 211-22p.

Who will protect the "Disruptive" dialysis patient? Smetanka, Stella L. *American Journal of Law & Medicine* : 2006 : 32(1) : 53-92p.

*Succession Law*

New developments in United States succession law. Scalise, Ronald J. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 103-24p.

*Sustainable Development*

Biosafety protocol and the promotion of sustainable development: With one hand it giveth with the saving clause it taketh away? Tladi, D. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 83-101p.



*Terrorism*

Human rights in the age of terrorism. Arden, Mary. *Law Quarterly Review* : 2005(Oct) : 121 : 604-27p.

Is coercive interrogation of terrorist suspects effective? A response to bagaric and clarke. Rumney, Philip N.S. *University of San Francisco Law Review* : 2006(Winter) : 40(2) : 479-514p.

*Textualism*

Estoppel and textualism. Maggs, Gregory E. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 167-86p.

*Tort Law*

Facts about qualified immunity. Chen, Alan K. *Emory Law Journal* : 2006 : 55(2) : 229-78p.

Model mass tort: The PPA experience. Rothstein, Barbara J., McGovern, Francis E. and Dion, Sarah Jael. *Drake Law Review* : 2006(Spring) : 54(3) : 621-38p.

Modernizing the critique of per diem pain and suffering damages. Totaro, Martin V. *Virginia Law Review* : 2006(Apr) : 92(2) : 289-326p.

Politics and economics of tort law: Judicially imposed periodical payments of damages. Lewis, Richard. *Modern Law Review*: 2006(May) : 69(3) : 418-42p.

Pure economic loss in American tort law: An unstable consensus. Gruning, David. *American Journal of Comparative Law* : 2006 : 54(Suppl) : 187-208p.

Safe-conduct theory of the alien tort statute. Lee, Thomas H. *Columbia Law Review* : 2006(May) : 106(4) : 830-908p.

*Treaties*

Role of provisionally applied treaties in international organizations. Michie, A. *Comparative and International Law Journal of Southern Africa* : 2006(Mar) : 39(1) : 39-56p.

*Tribes*

Lost in the shuffle: State-recognized tribes and the tribal gaming industry. Koenig, Alexa and Stein, Jonathan. *University of San Francisco Law Review* : 2006(Winter) : 40(2) : 327-80p.

*Trusts*

Public trusts. Barratt, John. *Modern Law Review* : 2006(Jul) : 69(4) : 514-42p.

*War Powers*

Positive theory of the war-powers constitution. Nzelibe, Jide. *Iowa Law Review* : 2006(Mar) : 91(3) : 993-1062p.

*Water Law*

Louisiana wetlands and water law: Recent jurisprudence and post-Katrina and Rita imperatives. Seidemann, Ryan M. *Loyola Law Review* : 2005(Winter) : 51(4) : 861-910p.

*Wills*

Deviance of the will : Policing the bounds of testamentary freedom in nineteenth-century America. Blumenthal, Susanna L. *Harvard Law Review* : 2006(Feb) : 119(4) : 959-1034p.

*Women*

Conceptualizing violence against pregnant women. Tuerkheimer, Deborah. *Indiana Law Journal* : 2006(Spring) : 81(2) : 667-712p.

Constitutionalism and policies toward women: Canada and the United States. Goldstein, Leslie F. (*ICON*) *International Journal of Constitutional Law* : 2006(Apr) : 4(2) : 294-318p.

*World Trade Organization*

World trade organization, democracy and development: A view from the South. Chimni, B.S. *Journal of World Trade*: 2006(Feb) : 40(1) : 5-36p.

*Wrongful Convictions*

Co-operative model for preventing wrongful convictions. Stookey, John A. *Judicature* : 2004(Jan-Feb) : 87(4) : 159-62p.

## LIST OF SELECT FOREIGN CASES\*

### *Constitutional Law*

- Rendon v. Transportation Security Administration 424 F.3d 475.  
 Dalton v. NSW Crime Commission [2006] HCA 17 [2006] 80 ALJR 860.  
 Theophanous v. Commonwealth [2006] HCA 18 [2006] 80 ALJR 886.  
 Smith v. Massachusetts [2005] 543 US 462.  
 Combet v. Commonwealth [2005] HCA 61 [2006] 80 ALJR 247.

### *Criminal Law*

- Musladin v. Lamarque 427 F.3d 647.  
 R v. Jones and Others [2006] UKHL [2006] 2 All ER 741.  
 R v. Renda and Others appeals [2005] EWCA Crim 2826 [2006] 2 All ER 553.  
 R v. Weir and other appeals [2005] EWCA Crim 2866 [2006] 2 All ER 570.  
 Director of Public Prosecutions v. Hall [2005] EWHC 2612 (Admin) [2006] 3 All ER 170.  
 Mallard v. The Queen [2005] HCA 68 [2006] 80 ALJR 160.

### *Evidence*

- Lee v. Department of Justice 413 F.3d 53.

### *Extradition*

- R (on the application of Bermingham and others) v. Director of the Serious Fraud Office [2006] EWHC 200 (Admin) [2006] 3 All ER 239.  
 Bohning v. Government of the United States of America [2005] EWHC 2613 (Admin) [2006] 3 All ER 394.  
 Welsh and another v. Secretary of State for the Home Department and another [2006] EWHC 156 (Admin) [2006] 2 All ER 204.  
 Office of the King's Prosecutor, Brussels v. Cando Armas and

---

\* Prepared by Bhag Singh, Librarian and assisted by Sonam Singh of the Indian Law Institute Library, from case comments included in foreign journals and websites of Foreign Apex Courts.

another [2005] UKHL 67 [2006] 2 AC 1.

Boudhiba v. Central Examining Court No 5 of the National court of Justice, Madrid [2006] EWHC 167 (Admin) [2006] 3 All ER 574.

#### *Human Rights*

M v. Secretary of State for Work and Pensions [2004] EWCA Civ 1343 [2006] QB 381.

R (on the application of Al-Skeini) v. Secretary of State for Defence [2005] 2 WLR 1401.

#### *Intellectual Property Rights*

Mere Exchange L.L.C v. eBay, Inc. F.3d 1323.

Davidson & Associates v. Jung 422 F.3d 630.

#### *International Law*

Republic of Ecuador v. Occidental Exploration and Production Co [2005] EWCA Civ 1116 [2006] QB 433.

Neilson v. Overseas Project Corporation of Victoria Ltd [2005] HCA 54 [2005] 79 ALJR 1736.

#### *Negligence*

Badger v. Ministry of Defence [2006] EWHC 2941 (QB) [2006] 3 All ER 173.

Sweeney v. Boylan Nominees Pty Ltd (t/as Quirks Refrigeration) [2006] HCA 19 [2006] 80 ALJR 900.

Vairy v. Wyong Shire Council [2005] HCA 62 [2006] 80 ALJR 1.

#### *Torts*

Harriton v. Stephens [2006] HCA 15 [2006] 80 ALJR 791.

Waller v. James [2006] HCA 16 [2006] 80 ALJR 846.

Neindorf v. Junkovic [2005] HCA 75 [2006] 80 ALJR 341.

Manley v. Alexander [2005] HCA 79 [2006] 80 ALJR 413.

## LIST OF SELECT FOREIGN ARTICLES\*

### *Administrative Law*

Best practices. Zaring, David. *New York University Law Review*: 2006(Apr): 81(1): 294-350p.

Centralized oversight of the regulatory state. Bagley, Nicholas and Revesz, Richard L. *Columbia Law Review*: 2006(Oct): 106(6): 1260-1329p.

Good governance at the supranational scale: Globalizing administrative law. Esty, Daniel C. *Yale Law Journal*: 2006(May): 115(7): 1490-1563p.

Recovering American Administrative Law: Federalist foundation, 1787-1801. Mashaw, Jerry L. *Yale Law Journal*: 2006(Apr): 115(6): 1256-1345p.

Rulemaking power of independent regulatory agencies. Custos, Dominique. *American Journal of Comparative Law*: 2006: 54(Suppl): 615-40p.

Whither the precautionary principle? An American assessment from an administrative law perspective. Wood, Stephen G., Wood, Stephen Q. and Wood, Rachel A. *American Journal of Comparative Law*: 2006: 54(Suppl): 581-614p.

### *Adoption*

Legal status of aboriginal customary adoption across Canada: Comparisons, contrasts and convergences. Baldassi, Cindy L. *UBC Law Review*: 2006: 39(1): 63-100p.

### *Adverse Possession*

Less than nine points: Adverse possession and the right to peaceful enjoyment of property. Lee, Robert G. *Journal of Business Law*: 2006(Dec): 853-58p.

---

\* Prepared by Bhag Singh, Librarian and assisted by Gurjinder Singh of the Indian Law Institute Library, from selected journals received in the library during October to December 2006.

### *Advertising*

Abusive advertising on the Internet (SPAM) under United States law. Maggs, Peter B. *American Journal of Comparative Law*: 2006: 54(Suppl): 385-94p.

Combining reflexive law and false advertising law to standardize “cruelty-free” labeling of cosmetics. Winders, Delcianna J. *New York University Law Review*: 2006(Apr): 81(1): 454-86p.

### *Agricultural Trade*

Reforming by WTO legal order for agricultural trade: Issues for European rural policy in the DOHA round. Cardwell, Michael and Rodgers, Christopher. *International & Comparative Law Quarterly*: 2006(Oct): 55(4): 805-38p.

### *Alternate Dispute Resolution*

Caucus mediation – Putting conciliation back into the process: The peacemaking approach to resolution, peace and healing. Calkins, Richard M. *Drake Law Review*: 2006(Winter): 54(2): 259-320p.

Court-based mediation in the Netherlands: Research, evaluation and future expectations. Niemeijer, Bert and Pel, Machteld. *Penn State Law Review*: 2005(Fall): 110(2): 345-80p.

Mediation program helps Miss. and La. rebuild after Katrina and Rita. Zuckerman, Susan. *Dispute Resolution Journal*: 2006(Aug-Oct): 12-19p.

Navigating the mediation process: Overcoming invisible barriers to resolution. Picker, Bennett G. *Dispute Resolution Journal*: 2006(Aug-Oct): 20-25p.

Use of humor in mediation. Cruthirds, Kevin W. *Dispute Resolution Journal*: 2006(Aug-Oct): 32-41p.

### *Anti-dumping*

Macroeconomic fluctuations and anti-dumping filings: Evidence from a new generation of protectionist countries. Hallworth, Taro and Piracha, Matloob. *Journal of World Trade*: 2006(Jun): 40(3): 407-24p.

### *Antitrust Law*

Civil monetary remedies available to federal antitrust enforcers. Calkins, Stephen. *University of San Francisco Law Review*: 2006(Spring): 40(3): 567-600p.

Federalism and antitrust reform. Hovenkamp, Herbert. *University of San Francisco Law Review*: 2006(Spring): 40(3): 627-50p.

Five myths about antitrust damages. Lande, Robert H. *University of San Francisco Law Review*: 2006(Spring): 40(3): 651-74p.

Half time at the antitrust modernization commission. Foer, Albert A. *University of San Francisco Law Review*: 2006(Spring): 40(3): 601-26p.

#### *Arbitration*

Arbitration costs and contingent fee contracts. Drahozal, Christopher R. *Vanderbilt Law Review*: 2006(Apr): 59(3): 729-92p.

#### *Asylum*

Austria: Asylum law in conflict with the Constitution. Kotschy, Bettina. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 689-701p.

#### *Atrocity*

Mass justice for mass atrocity: Rethinking local justice as transitional justice. Waldorf, Lars. *Temple Law Review*: 2006(Spring): 79(1): 1-88p.

#### *Banking Law*

Breaking the bank: Reconsidering Central Bank of Denver after Enron and Sarbanes-Oxley. Taylor, Celia R. *Missouri Law Review*: 2006(Spring): 71(2): 367-90p.

#### *Bankruptcy*

Bankruptcy reform and the financial well-being of women: How intersectionality matters in money matters. Kalsem, Kristin Brandser. *Brooklyn Law Review*: 2006(Spring): 71(3): 1181-1232p.

#### *Behavioral Genetics*

Addition, genetics and criminal responsibility. Morse, Stephen J. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 165-208p.

Behavioral genetics and crime, in context. Jones, Owen D. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 81-100p.

Behavioral genetics research and criminal DNA databases. Kaye, D.H. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 259-300p.

Behavioral genetics: The science of antisocial behavior. Baker, Laura A., Bezdjian, Serena and Raine, Adrian. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 7-46p.

Considering convergence: A policy dialogue about behavioral genetics, neuroscience and law. Garland, Brent and Frankel, Mark S. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 101-14p.

Genetics and responsibility: To know the criminal from the crime. Farahany, Nita A. and Coleman, James E. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 115-64p.

Misinformation, misrepresentation and misuse of human behavioral genetics research. Kaplan, Jonathan. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 47-80p.

Revisiting the legal link between genetics and crime. Denno, Deborah W. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 209-58p.

#### *Capital Punishment*

Beyond Lawrence: Metaprivacy and punishment. Greene, Jamal. *Yale Law Journal*: 2006(Jun): 115(8): 1862-1929p.

#### *Case Law*

Developing case law: The future of consultation and accommodation. Christie, Gordon. *UBC Law Review*: 2006: 39(1): 139-84p.

#### *Causation*

Causation and remoteness under the Trade Practices Act. Wright, David. *Australian Law Journal*: 2006(May): 80(5): 316-28p.

#### *Children*

Children's rights and American Law: A response to what's wrong with children's rights. Davidson, Howard. *Emory International Law Review*: 2006(Spring): 20(1): 69-80p.

Municipal legal obligations of state parties to the convention on the rights of the child: The South African model. Vyver, Johan D. van der. *Emory International Law Review*: 2006(Spring): 20(1): 9-42p.



Overcoming religious objections to the Convention on the Rights of the Child. Smolin, David M. *Emory International Law Review*: 2006(Spring): 20(1): 81-110p.

Prospects for ratification of the Convention on the Rights of the Child. Weissbrodt, David. *Emory International Law Review*: 2006(Spring): 20(1): 209-16p.

Ratify the UN Convention on the Rights of the Child, but don't expect any miracles. Guggenheim, Martin. *Emory International Law Review*: 2006(Spring): 20(1): 43-68p.

Religious right and the opposition to US ratification of the Convention on the Rights of the Child. Gunn, T. Jeremy. *Emory International Law Review*: 2006(Spring): 20(1): 111-28p.

Right of religious liberty of the child: Its meaning, measure and justification. Brennan, Patrick McKinley. *Emory International Law Review*: 2006(Spring): 20(1): 129-56p.

Role of the United States in the drafting of the Convention on the Rights of the Child. Cohen, Cynthia Price. *Emory International Law Review*: 2006(Spring): 20(1): 185-98p.

United Nations convention on the rights of the child: Should it be ratified and why? Browning, Don S. *Emory International Law Review*: 2006(Spring): 20(1): 157-84p.

What does the children's convention require? Doek, Jaap E. *Emory International Law Review*: 2006(Spring): 20(1): 199-208p.

What's right for children? Carter, Jimmy. *Emory International Law Review*: 2006(Spring): 20(1): 1-8p.

Working with the Convention on the Rights of the Child. Marty, Martin E. *Emory International Law Review*: 2006(Spring): 20(1): 217-40p.

### *Citizenship*

Education, equality and national citizenship. Liu, Goodwin. *Yale Law Journal*: 2006(Nov): 116(2): 330-411p.

Home and away: The construction of citizenship in an emigration context. Barry, Kim. *New York University Law Review*: 2006(Apr): 81(1): 11-59p.

Perfecting political diaspora. Spiro, Peter J. *New York University Law Review*: 2006(Apr): 81(1): 207-33p.

Political economy of emigration and immigration. Trebilcock, Michael J. and Sudak, Matthew. *New York University Law Review*: 2006(Apr): 81(1): 234-93p.

Race for talent: Highly skilled migrants and competitive immigration regimes. Shachar, Ayelet. *New York University Law Review*: 2006(Apr): 81(1): 148-206p.

Rethinking emigrant citizenship. Fitzgerald, David. *New York University Law Review*: 2006(Apr): 81(1): 90-116p.

#### *Civil Procedure*

First Modern Civil Procedure Course as taught by C.C. Langdell, 1870-78. Kimball, Bruce A. and Reyes, Pedro. *American Journal of Legal History*: 2005(Jul): 47(3): 257-303p.

#### *Civil Rights*

Blame frame: Justifying (Racial) injustice in America. Hanson, Jon and Hanson, Kathleen. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 413-80p.

Conceptions of library deprivation. Lazarus, Liora. *Modern Law Review*: 2006(Sept): 69(5): 738-69p.

Courting disaster: Looking for change in all the wrong places. Rosenberg, Gerald N. *Drake Law Review*: 2006(Summer): 54(4): 795-830p.

Developing citizens. Dailey, Anne C. *Iowa Law Review*: 2006(Jan): 91(2): 431-504p.

Enjoyment of rights and freedoms: A new conception of the 'Ambit' under Article 14 ECHR. Baker, Aaron. *Modern Law Review*: 2006(Sept): 69(5): 714-37p.

Equal protection of free exercise: Two approaches and their history. Meyler, Bernadette. *Boston College Law Review*: 2006(Mar): 47(2): 275-344p.

Racial integration and community revitalization: Applying the fair housing act to the low income housing tax credit. Orfield, Myron. *Vanderbilt Law Review*: 2005(Nov): 58(6): 1747-1806p.

Reconstruction redux: Rehnquist, Morrison, and the civil rights cases. Ugarte, Francisco M. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 481-508p.

Right to remain silent? : What the Voting Rights Act can and should say about felony disenfranchisement. Zetlin-Jones, David. *Boston College Law Review*: 2006(Mar): 47(2): 411-54p.

Survey says.... A critical analysis of the new title IX policy and a proposal for reform. Buzuvis, Erin E.: *Iowa Law Review*: 2006(Mar): 91(3): 821-84p.

Untold story of the rest of the Americans with disabilities act. Waterstone, Michael. *Vanderbilt Law Review*: 2005(Nov): 58(6): 1807-84p.

When liberty and security collide: Foreign policy litigation and the federal judiciary. Randazzo, Kirk A. *Kentucky Law Journal*: 2005-06: 94(4): 629-48p.

*Class Action*

Settlement class actions, the case-or-controversy requirement and the nature of the adjudicatory process. Redish, Martin H. and Kastanek, Andrianna D. *University of Chicago Law Review*: 2006(Spring): 73(2): 545-616p.

*Common Law*

Deodands: A study in the creation of Common Law Rules. Pervukhin, Anna. *American Journal of Legal History*: 2005(Jul): 47(3): 237-56p.

*Company Law*

Revolution that never came and the revolution coming-de Lasteyrie du Salliant, Marks & Spencer, SEVIC System and the changing Corporate Law in Europe. Angelette, Benjamin. *Virginia Law Review*: 2006(Oct): 92(6): 1189-1224p.

Right of publicity and autonomous self-definition. McKenna, Mark P. *University of Pittsburgh Law Review*: 2006(Fall): 67(1): 225-94p.

*Comparative Law*

Federal Common Law in the European Union: A comparative perspective from the United States. Lenaerts, Koen and Gutman, Kathleen. *American Journal of Comparative Law*: 2006(Winter): 54(1): 1-122p.

From the fiduciary theory to information abuse: The changing fabric of insider trading law in the U.K., Australia and Singapore. Loke, Alexander F. *American Journal of Comparative Law*: 2006(Winter): 54(1): 123-72p.

Judicial participation in plea negotiations: A comparative law. Turner, Jenia Iontcheva. *American Journal of Comparative Law*: 2006(Winter): 54(1): 199-268p.

*Competition Law*

Overview of law relating to competition in India. Vahini, Versha. *Asia Law Review*: 2006(Jun): 3(1): 77-96p.

*Constitutional Law*

Afghanistan: The new Constitution and International Law. Schoiswohl, Michael. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 664-76p.

Austria: Asylum Law in conflict with the Constitution. Kotschy, Bettina. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 689-701p.

Burkean minimalism. Sunstein, Cass R. *Michigan Law Review*: 2006(Nov): 105(2): 353-408p.

Canada: The Constitution and same-sex marriage. Hogg, Peter. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 712-21p.

Central-local division of power in the Americas and the renewed Mexican federalism: Old institutions, new political realities. Schiavon, Jorge A. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 392-410p.

Comparing constitutions: Ideas, ideals and ideology-toward a layered narrative. Frankenberg, Gunter. (*ICON*) *International Journal of Constitutional Law*: 2006(Jul): 4(3): 439-59p.

Constitutional avoidance in the executive branch. Morrison, Trevor W. *Columbia Law Review*: 2006(Oct): 106(6): 1189-1259p.

Constitutional comparativism in South Africa. Ackermann, L.W.H. *South African Law Journal*: 2006: 123(3): 497-515p.

Constitutional court for the Eu? Vesterdorf, Bo. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 607-17p.

Constitutional framework for indigenous governance. Reilly, Alexander. *Sydney Law Review*: 2006(Sep): 28(3): 403-36p.

Constitutional issues in the legislative process of Korea: Problems and perspectives. Kwon, Youngsol. *Asia Law Review*: 2006(Jun): 3(1): 1-12p.

Constitutional safeguards for silent experiments in living: Libraries, the right to read, and a first amendment theory for an unaccompanied right to receive information. Blitz, Marc Jonathan. *UMKC Law Review*: 2006(Summer): 74(4): 799-882p.

Development of constitutionalism in Mongolia. Amarsanna, Jugnee. *Asia Law Review*: 2006(Jun): 3(1): 97-112p.

Dialogic promise: Assessing the normative potential of theories of constitutional dialogue. Bateup, Christine. *Brooklyn Law Review*: 2006(Spring): 71(3): 1109-80p.

Emergencies and democratic failure. Posner, Eric A. and Vermeule, Adrian. *Virginia Law Review*: 2006(Oct): 92(6): 1091-1146p.

Europe's constitutional future. Shaw, Jo. *Public Law*: 2005(Spring): 132-51p.

From administrative rule of law to constitutionalism? The changing perspectives of the Chinese public law. Zhang, Qianfan. *Asia Law Review*: 2006(Jun): 3(1): 47-76p.

From administrative rule of law to constitutionalism? The changing perspectives of the Chinese Public Law. Zhang, Qianfan. *Asia Law Review*: 2006(Jun): 3(1): 47-76p.

Mexican constitutionalism after presidencialismo. Zamora, Stephen and Cossio, Jose Ramon. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 411-37p.

North American emergencies: The use of emergency powers in Canada and the United States. Scheppele, Kim Lane. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 213-43p.

Positive theory of the war-powers constitution. Nzelibe, Jide: *Iowa Law Review*: 2006(Mar): 91(3): 993-1062p.

Property rights and regulatory innovation: Comparing constitutional cultures. Schneiderman, David. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 371-91p.

Religious freedom in Canada and the United States. Eisgruber, Christopher L. and Zeisberg, Mariah. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 244-68p.

Riddle of Hiram Revels. Primus, Richard A. *Harvard Law Review*: 2006(Apr): 119(6): 1680-1734p.

Saving laws clauses in the constitutions of the commonwealth Caribbean and the death penalty. O'Brien, Derek. *Public Law*: 2005(Spring): 13-22p.

Sex equality under the constitution of India: Problems, prospects and "personal laws". MacKinnon, Catharine A. (*ICON*) *International Journal of Constitutional Law*: 2006(Apr): 4(2): 181-202p.

Tagging bills in Parliament: Section 75 or Section 76? Murray, Christina and Simeon, Richard. *South African Law Journal*: 2006: 123(2): 232-63p.

Things fall apart: A constitutional analysis of legislative exclusion. Houck, Oliver A. *Emory Law Journal*: 2006: 55(1): 1-60p.

Unconstitutional constitution? A comparative perspective. Jacobsohn, Gary Jeffrey. (*ICON*) *International Journal of Constitutional Law*: 2006(Jul): 4(3): 460-87p.

### *Consumerism*

Mixed bundling, profit sacrifice and consumer welfare. Crane, Daniel A. *Emory Law Journal*: 2006: 55(3): 423-86p.

### *Contract Law*

Battle of forms: A comparative analysis. Eiselen, S. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 214-40p.

Continuum: A new approach to the place of tort in a contractual matrix. Thomson, William. *Victoria University of Wellington Law Review*: 2006(May): 37(1): 131-52p.

Developing a test for economic duress in the South African law of contract: A comparative perspective. Glover, Graham. *South African Law Journal*: 2006: 123(2): 285-314p.

Diverging perspectives on electronic contracting in the U.S. and EU. Winn, Jane K. and Bix, Brian H. *Cleveland State Law Review*: 2006: 54(1&2): 175-90p.

Towards a European insurance contract law? Recent developments in Brussels. Clarke, Malcolm A. and Heiss, Helmut. *Journal of Business Law*: 2006(Sep): 600-07p.

United Nations Convention on the use of electronic communications in international contracts: An overview and analysis. Gabriel, Henry D. *Uniform Law Review*: 2006: 11(2): 285-304p.

### *Courts*

Addressing disability and promoting wellness in the federal courts. Carlton, Richard. *Judicature*: 2006(Jul-Aug): 90(1): 26-29p.

Can reasonableness protect the poor? A review of South Africa's socio-economic rights jurisprudence. Steinberg, Carol. *South African Law Journal*: 2006: 123(2): 264-84p.

Does the right to trial by jury place constitutional limits on prejudgment interest? Bender, Thomas R. *Suffolk University Law Review*: 2006: 39: 935-54p.

Fatal in theory and strict in fact: An empirical analysis of strict scrutiny in the federal courts. Winkler, Adam. *Vanderbilt Law Review*: 2006(Apr): 59(3): 793-872p.

New role of state Supreme Courts as engines of court reform. Shepard, Randall T. *New York University Law Review*: 2006(Nov): 81(5): 1535-52p.

Role of courts in social change: Looking forward? Tushnet, Mark V. *Drake Law Review*: 2006(Summer): 54(4): 909-28p.

Sexual orientation, social change and the courts. Schacter, Jane C. *Drake Law Review*: 2006(Summer): 54(4): 861-94p.

Some observations on the role of social change on the courts. Torres, Gerald. *Drake Law Review*: 2006(Summer): 54(4): 895-908p.

### *Criminal Justice*

Reconfiguring crime control and criminal justice: Governmentality and problem solving courts. Sirotich, Frank. *UNB Law Journal*: 2006: 55: 11-26p.

*Criminal Law*

Addition, genetics and criminal responsibility. Morse, Stephen J. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 165-208p.

Behavioral genetics and crime, in context. Jones, Owen D. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 81-100p.

Behavioral genetics research and criminal DNA databases. Kaye, D.H. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 259-300p.

Behavioral genetics: The science of antisocial behavior. Baker, Laura A., Bezdjian, Serena and Raine, Adrian. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 7-46p.

Breaking down the misprision walls: Looking back on the federal sentencing guidelines after Booker, through a Bloomian Lens. Brough, Daniel K. *North Dakota Law Review*: 2006: 82(2): 413-64p.

Cognitive dissonance in the classroom: Rationale and rationalization in the law of evidence. Seaman, Julie A. *Saint Louis University Law Journal*: 2006: 50(4): 1097-1114p.

Considering convergence: A policy dialogue about behavioral genetics, neuroscience and law. Garland, Brent and Frankel, Mark S. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 101-14p.

Death of dying declarations in a Post-*Crawford* world. Polelle, Michael J. *Missouri Law Review*: 2006(Spring): 71(2): 285-316p.

Eggshell victims, private precautions and the societal benefits of shifting crime. Mikos, Robert A. *Michigan Law Review*: 2006(Nov): 105(2): 307-52p.

Fixing a hole: How the criminal law can bolster reparations theory. Muller, Eric L. *Boston College Law Review*: 2006(Jul): 47(4): 659-704p.

Genetics and responsibility: To know the criminal from the crime. Farahany, Nita A. and Coleman, James E. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 115-64p.

Group status and criminal defenses: Logical relationship or marriage of convenience? Milhizer, Eugene R. *Missouri Law Review*: 2006(Summer): 71(3): 547-636p.

Intimacy discount: Prosecutorial discretion, privacy and equality in the statutory rape caseload. Levine, Kay L. *Emory Law Journal*: 2006: 55(4): 691-750p.

Meanings of hearsay. O'Brien, John C. *Saint Louis University Law Journal*: 2006: 50(4): 1091-96p.

Measuring the impact of punishment and forgiveness: A framework for evaluating transitional justice. Hazan, Pierre. *International Review of the Red Cross*: 2006(Mar): 88(861): 19-48p.

Mental element in complicity. Simester, A.P. *Law Quarterly Review*: 2006(Oct): 122: 578-601p.

Misinformation, misrepresentation and misuse of human behavioral genetics research. Kaplan, Jonathan. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 47-80p.

Navigating the nuances of modern expert witness law: How to teach about experts. Carlson, Ronald L. *Saint Louis University Law Journal*: 2006: 50(4): 1115-32p.

Problems with fact-finding. Ipp, David. *Australian Law Journal*: 2006(Oct): 80(10): 667-74p.

Revisiting the legal link between genetics and crime. Denno, Deborah W. *Law and Contemporary Problems*: 2006(Winter/Spring): 69(1&2): 209-58p.

Striking off: Criminal lawyers and disclosure of their convictions. Mire, Le Suzanne. *Australian Law Journal*: 2005(Oct): 79(10): 641-48p.

Teaching evidence. Rothstein, Paul. *Saint Louis University Law Journal*: 2006: 50(4): 999-1038p.

Teaching evidence: Using casebooks, problems, transcripts, simulations, video clips and interactive DVDs. Mendez, Miguel A. *Saint Louis University Law Journal*: 2006: 50(4): 1133-46p.

Teaching the rules of "truth". Aiken, Jane H. *Saint Louis University Law Journal*: 2006: 50(4): 1075-90p.

Theft principle in private law. Tarrant, John. *Australian Law Journal*: 2006(Aug): 80(8): 531-40p.

True threats and the issue of intent. Crane, Paul T. *Virginia Law Review*: 2006(Oct): 92(6): 1225-77p.

Using graphics to teach evidence. McMunigal, Kevin C. *Saint Louis University Law Journal*: 2006: 50(4): 1175-90p.

### *Criminal Procedure*

Transparency and participation in criminal procedure. Bibas, Stephanos. *New York University Law Review*: 2006(Jun): 81(3): 911-66p.

### *Cyber Crime*

Cyber crime in the private sector: Partnerships between the private sector and law enforcement. Wilson, Janine. *Australian Law Journal*: 2006(Oct): 80(10): 675-93p.



*Defamation*

Defamation and the quiescent anarchy of the Internet: A case study of cyber targeting. Myers, David A. *Penn State Law Review*: 2006(Winter): 110(3): 667-86p.

Foundations of Australian Defamation Law. Mitchell, Paul. *Sydney Law Review*: 2006(Sep): 28(3): 477-504p.

Gripping, bitching and speaking your mind: Defamation and free expression on the Internet. Rowland, Diane. *Penn State Law Review*: 2006(Winter): 110(3): 519-38p.

Proposed model statute on group defamation. Polelle, Michael J. *Penn State Law Review*: 2006(Winter): 110(3): 717-26p.

*Democracy*

Exclusivity-the roadblock to democracy? Ghosh, Shubha. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 799-828p.

Intellectual property, privatization and democracy: A response to professor Rose. McKenna, Mark P. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 829-42p.

Reconsidering the law of democracy: Of political questions, prudence and, the judicial role. Fuentes-Rohwer, Luis. *William and Mary Law Review*: 2006(Apr): 47(6): 1899-1952p.

Why property and democracy are not always allies. Brown, Michael F. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 843-50p.

*Detention*

Our evolving judicature: Security certificates, detention review, and the Federal Court. Berger, Benjamin L. *UBC Law Review*: 2006: 39(1): 101-38p.

*Dispute Resolution*

Judicial mediator's perspective: The impact of gender on dispute resolution: Mediation as a different voice. Klein, Karen K. *North Dakota Law Review*: 2005: 81(4): 771-94p.

*Domestic Violence*

End of domestic violence. Reece, Helen. *Modern Law Review*: 2006(Sept): 69(5): 770-91p.

Marriage mimicry: The law of domestic violence. Colker, Ruth. *William and Mary Law Review*: 2006(Apr): 47(6): 1841-98p.

### *Drugs*

Economics of pharmaceutical price regulation and importation refocusing the debate. Vernon, John A., Golec, Joseph H. and Hughen, W. Keener. *American Journal of Law & Medicine*: 2006: 32(2&3): 175-92p.

Fade to black: Importation and counterfeit drugs. Liang, Bryan A. *American Journal of Law & Medicine*: 2006: 32(2&3): 279-323p.

How parallel trade affects drug policies and prices in Canada and the United States. Hollis, Aidan and Ibbott, Peter. *American Journal of Law & Medicine*: 2006: 32(2&3): 193-218p.

Oy Canada! Trade's non-solution to "the problem" of U.S. drug prices. Gilman, Daniel. *American Journal of Law & Medicine*: 2006: 32(2&3) : 247-78p.

State regulation of Canadian pharmacies: A prescription to violate the supremacy clause. Kleiman, Mary Ellen Fleck. *American Journal of Law & Medicine*: 2006: 32(2&3): 219-46p.

### *Education*

Constitutional lessons for the next generation of public single-sex elementary and secondary schools. Jenkins, Kimberly J. *William and Mary Law Review*: 2006(Apr): 47(6): 1953-2044p.

Education, equality and national citizenship. Liu, Goodwin. *Yale Law Journal*: 2006(Nov): 116(2): 330-411p.

Fourth annual Henry lecture: Families alone: The changing economics of rearing children. Warren, Elizabeth. *Oklahoma Law Review*: 2005(Winter): 58(4): 551-86p.

Who is the child left behind? : The racial meaning of the new school reform. Lawrence III, Charles R. *Suffolk University Law Review*: 2006: 39(3): 699-718p.

### *Elections*

Bad legislative intent. Hasen, Richard L. *Wisconsin Law Review*: 2006(3): 843-96p.

Constitutionality of prohibition on pre-election poll and exit poll in Thailand. Sruckhosit, Narongdech. *Asia Law Review*: 2006(Jun): 3(1): 13-46p.

### *Emergency*

Emergencies and democratic failure. Posner, Eric A. and Vermeule, Adrian. *Virginia Law Review*: 2006(Oct): 92(6): 1091-1146p.

*Environmental Law*

Agriculture and the polluter pays principle. Nanda, Ved P. *American Journal of Comparative Law*: 2006: 54(Suppl): 317-40p.

Agriculture and the polluter pays principles: An introduction. Grossman, Margaret Rosso. *Oklahoma Law Review*: 2006(Spring): 59(1): 1-52p.

Antarctic environmental liability: The stockholm annex and beyond. Bederman, David J. and Keskar, Soniya P. *Emory International Law Review*: 2005(Fall): 19(3): 1383-1406p.

Changing the bathwater and keeping the baby: Exploring new ways of evaluating intent in environmental discrimination cases. Lewis, Browne C. *Saint Louis University Law Journal*: 2006(Winter): 50(2): 469-516p.

Counterpoint: Opportunities lost and opportunities gained: Separating truth from myth in the western ranching debate. Stimpert, Marc. *Environmental Law*: 2006(Spring): 36(2): 481-530p.

Department of defense affirmative cost recovery against private third parties. Collier, Renee M. and Evans, Timothy J. *Air Force Law Review*: 2006: 58: 125-46p.

Electronic waste control legislation: Observations on a new dimension in state environmental regulation. Konoval, George J. *Air Force Law Review*: 2006: 58: 147-74p.

European private international law, the environment and obstacles for public authorities. Betlem, Gerrit and Bernasconi, Christophe. *Law Quarterly Review*: 2006(Jan): 122: 124-57p.

Federal environmental remediation contractual and insurance-based risk allocation schemes: Are they getting the job done? Momber, Amy L. *Air Force Law Review*: 2006: 58: 61-124p.

Federal Sovereign Immunity versus State Environmental Fines. May, Lori L. and Porier, Jonathan P. *Air Force Law Review*: 2006: 58: 207-34p.

It's not easy being green: Are DoD INRMPS a defensible substitute for critical habitat designation? May, Lori L. and Porier, Jonathan P. *Air Force Law Review*: 2006: 58: 175-206p.

Law of fire: Reshaping public land policy in an era of ecology and litigation. Keiter, Robert B. *Environmental Law*: 2006(Spring): 36(2) : 301-84p.

Polluter pays principle in Canadian agriculture. Bowden, Marie-Ann. *Oklahoma Law Review*: 2006(Spring) : 59(1) : 53-88p.

Polluter pays principle in European Community Law and its impact on United Kingdom farmers. Cardwel, Michael. *Oklahoma Law Review*: 2006(Spring): 59(1): 89-114p.

Sustainable development versus environmentalism: Competing paradigms for the South African EIA regime. Lynn Field, Tracy. *South*

*African Law Journal*: 2006: 123(3): 409-36p.

Terrorism, natural disasters, and environmental reporting. Rudolph, Thomas E. *Air Force Law Review*: 2006: 58: 235-84p.

Unifying role of harm in Environmental Law. Lin, Albert C. *Wisconsin Law Review*: 2006(3): 897-86p.

Who is telling the truth? Psychology, common sense and the law. McClellan, Peter. *Australian Law Journal*: 2006(Oct): 80(10): 655-66p.

### *Equality*

Education, equality and national citizenship. Liu, Goodwin. *Yale Law Journal*: 2006(Nov): 116(2): 330-411p.

### *European Court of Justice*

Comparing constitutional review by the European Court of Justice and the U.S. Supreme Court. Rosenfeld, Michel. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 618-51p.

### *Evidence*

Cognitive psychology of circumstantial evidence. Heller, Kevin Jon. *Michigan Law Review*: 2006(Nov): 105(2): 241-306p.

Presuppositions of evidence law. Leubsdorf, John. *Iowa Law Review*: 2006(May): 91(4): 1209-58p.

### *Exceptionalism*

Law's migration: American exceptionalism, silent dialogues, and federalism's multiple ports of entry. Resnik, Judith. *Yale Law Journal*: 2006(May): 115(7): 1564-1674p.

### *Exit Poll*

Constitutionality of prohibition on pre-election poll and exit poll in Thailand. Srukhosit, Narongdech. *Asia Law Review*: 2006(Jun): 3(1): 13-46p.

### *Family Law*

Family law and civil union partnerships-status, contract and access to symbols. Austin, Graeme W. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 183-98p.

*Federalism*

Federalism, deportation and crime victims afraid to call the police. Kittrie, Orde F. *IOWA Law Review*: 2006(Jul): 91(5): 1449-1508p.

Federalism, positive law and the emergence of the American administrative state: Prohibition in the Taft Court era. Post, Robert. *William and Mary Law Review*: 2006(Oct): 48(1): 1-184p.

*Freedom of Expression*

Delictual liability arising from the use of defective software: Comparative notes on the positions of parties in English law and South African law. Alheit, K. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 265-308p.

*Good Governance*

Good governance at the supranational scale: Globalizing administrative law. Esty, Daniel C. *Yale Law Journal*: 2006(May): 115(7): 1490-1563p.

*Habeas Corpus*

Great unobtainable writ: Indigent pro se litigation after the antiterrorism and effective Death Penalty Act of 1996. O'Bryant, Thomas C. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 299-338p.

Sex predators and federal habeas corpus: Has the great writ gone AWOL? Dries, Stephen C. *Suffolk University Law Review*: 2006: 39(3): 673-98p.

Two theories of Habeas Corpus. Semeraro, Steven. *Brooklyn Law Review*: 2006(Spring): 71(3): 1233-90p.

*Hate Speech*

Delictual liability arising from the use of defective software: Comparative notes on the positions of parties in English law and South African law. Alheit, K. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 265-308p.

*Health Law*

Immunisation and the law: Slippery slope to a healthy society. Kerr, Jessica. *Victoria University of Wellington Law Review*: 2006(May): 37(1): 93-130p.

### *Homosexuality*

Construction of homosexuality in New Zealand judicial writing. Clark, Edward. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 199-222p.

I'm not gay-not that there's anything wrong with that!: Are unwanted imputations of gayness defamatory? Knight, R. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 249-80p.

In the name of the father: The paternal function, sexuality, law and citizenship. Baron, Paula D. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 307-34p.

No straight answer: homophobia as both an aggravating and mitigating factor in New Zealand homicide cases. McDonald, Elisabeth. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 223-48p.

Sexual citizen. Naffine, Ngaire. *Victoria University of Wellington Law Review*: 2006(Jul): 37(2): 175-82p.

### *Human Rights*

Domestic violence and the Human Rights Act 1998: A New means of legal intervention? Choudhry, Shazia and Herring, Jonathan. *Public Law*: 2006(Winter): 752-84p.

Germany: Status of the European Convention on Human Rights in domestic law. Hoffmeister, Frank. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 722-31p.

Human rights: Where do we go from here? Lustgarten, Laurence. *Modern Law Review*: 2006(Sept): 69(5): 843-54p.

Israel: Religious law, religious courts and human rights within the constitutional structure. Scolnicov, Anat. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 732-40p.

Law and politics after the Human Rights Act. Nicol, Danny. *Public Law*: 2006(Winter): 722-51p.

Legislative Scrutiny Committees and Parliamentary Conceptions of Human Rights. Evans, Carolyn. *Public Law*: 2006(Winter): 785-806p.

Sublime and the beautiful: Incommensurability and Human Rights. Alder, John. *Public Law*: 2006(Winter): 697-721p.

### *Immigration*

Forced to choose: Torture, family reunification and United States immigration policy. Nessel, Lori A. *Temple Law Review*: 2005(Winter): 78(4): 897-948p.

*Income Tax*

New "I do": Towards a marriage-neutral income tax. Motro, Shari. *IOWA Law Review*: 2006(Jul): 91(5): 1509-70p.

*Indigenous Governance*

Constitutional framework for indigenous governance. Reilly, Alexander. *Sydney Law Review*: 2006(Sep): 28(3): 403-36p.

*Information Technology*

Cartoon controversy: A note on freedom of expression, hate speech and blasphemy. Goolam, N. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 333-50p.

From snail mail to e-mail- a South African perspective on the web of conflicting rules on the time of e contracting. Pistorius, T. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 178-213p.

Internet and the piracy of copyrightable computer software in South Africa: Some comparative perspectives. Lidovho, G.J. *South African Law Journal*: 2006: 123(2): 338-75p.

Manner, method, receipt or dispatch: The use of electronic media is nothing new to the law. Raymond, Anjanette H. *Loyola Law Review*: 2006(Spring): 52(1): 1-38p.

*Insurance*

Common law, civil law and the single European market for insurances. Ruhl, Giesela. *International & Comparative Law Quarterly*: 2006(Oct): 55(4): 879-910p.

Towards a European insurance contract law? Recent developments in Brussels. Clarke, Malcolm A. and Heiss, Helmut. *Journal of Business Law*: 2006(Sep): 600-07p.

*Intellectual Property*

Anonymous, untitled, mixed media: Mixing intellectual property law with other legal philosophies to protect traditional cultural expressions. Torsen, Molly. *American Journal of Comparative Law*: 2006(Winter): 54(1): 173-98p.

Capturing ideas: Copyright and the law of first possession. Drassinower, Abraham. *Cleveland State Law Review*: 2006: 54(1&2): 191-204p.

Comment on information propertization and its legal milieu. Radin, Margaret Jane. *Cleveland State Law Review*: 2006: 54(1&2): 23-40p.

Computer programs and copyright: The South African perspective. Villiers, Roux de. *South African Law Journal*: 2006: 123(2): 315-37p.

Copyfraud. Mazzone, Jason. *New York University Law Review*: 2006(Jun): 81(3): 1026-1100p.

Cybertrespass and trespass to documents. Collins, Kevin Emerson. *Cleveland State Law Review*: 2006: 54(1&2): 41-68p.

Foreword: Propertization, contract, competition and communication: Law's struggle to adapt to the transformative powers of the Internet. Barnhizer, David. *Cleveland State Law Review*: 2006: 54(1&2): 1-22p.

Highest form of flattery? Application of the fair use defense against copyright claims for unauthorized appropriation of litigation documents. Isaacs, Davida H. *Missouri Law Review*: 2006(Spring) : 71(2) : 391-446p.

Intellectual property rights in bilateral investment treaties and access to medicines: The case of Latin America. Bernieri, Rosa Castro. *Journal of World Intellectual Property*: 2006(Sept): 9(5): 548-72p.

Intellectual property, privatization and democracy: A response to professor Rose. McKenna, Mark P. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 829-42p.

International protection of India's geographical indications with special reference to "Darjeeling" tea. Das, Kasturi. *Journal of World Intellectual Property*: 2006(Sept): 9(5): 459-95p.

Optimal enforcement of music copyright in Sub-Saharan Africa: Reality or a myth? Ouma, Marisella N. *Journal of World Intellectual Property*: 2006(Sept): 9(5): 592-627p.

Original intent and the copyright clause: *Eldred v. Ashcroft* get it right. Dallan, Craig W. *Saint Louis University Law Journal*: 2006(Winter): 50(2): 307-60p.

Patent buy-outs for global disease innovations for low and middle-income countries. Outterson, Kevin. *American Journal of Law & Medicine*: 2006: 32(2&3): 159-74p.

Paying for delay: Pharmaceutical patent settlement as a regulatory design problem. Hemphill, C. Scott. *New York University Law Review*: 2006(Nov): 81(5) : 1553-1623p.

Propertization metaphors for bargaining power and control of the self in the information age. Barnhizer, Daniel D. *Cleveland State Law Review*: 2006: 54(1&2): 69-114p.

Rankings, reductionism and responsibility. Pasquale, Frank. *Cleveland State Law Review*: 2006: 54(1&2): 115-40p.

Research agreements and joint ownership of Intellectual Property Rights in Private International Law. Westkamp, Guido. *International*



*Review of Intellectual Property and Competition Law (IIC)*: 2006: 37(6): 637-61p.

Three-step test, a threat to a balanced copyright law? Geiger, Christophe. *International Review of Intellectual Property and Competition Law (IIC)*: 2006: 37(6): 683-99p.

Trademarks and cyberspace. Zekos, Georgios I. *Journal of World Intellectual Property*: 2006(Sept): 9(5): 496-547p.

TRIPS-Plus intellectual property rules: Impact on Thailand's public health. Kuanpoth, Jakkrit. *Journal of World Intellectual Property*: 2006(Sept): 9(5): 573-91p.

Vanishing public domain: Antibiotic resistance, pharmaceutical innovation and Intellectual Property Law. Outterson, Kevin. *University of Pittsburgh Law Review*: 2006(Fall): 67(1): 67-124p.

#### *Intergovernmental Liability*

Intergovernmental liability rules. Lehavi, Amnon. *Virginia Law Review*: 2006(Sep): 92(5): 929-90p.

#### *International Commercial Law*

Harmonizing international commercial law through codification. Sappideen, Razeen. *Journal of World Trade*: 2006(Jun): 40(3): 425-52p.

#### *International Criminal Court*

On co-operation by states not party to the international criminal court. Wenqi, Zhu. *International Review of the Red Cross*: 2006(Mar): 88(861): 87-110p.

#### *International Criminal Justice*

International and internationalized criminal tribunals: A synopsis. Geib, Robin and Bulinckx, Noemie. *International Review of the Red Cross*: 2006(Mar): 88(861): 49-64p.

International criminal justice: Tightening up the rules of the game. Cote, Luc. *International Review of the Red Cross*: 2006(Mar) : 88(861) : 133-44p.

On co-operation by states not party to the international criminal court. Wenqi, Zhu. *International Review of the Red Cross*: 2006(Mar): 88(861): 87-110p.

Over of the international criminal jurisdictions operating in Africa. Williamson, Jamie A. *International Review of the Red Cross*: 2006(Mar): 88(861): 111-32p.

Relationship between international humanitarian law and the international criminal tribunals. Posse, Hortensia D.T.G. *International Review of the Red Cross*: 2006(Mar): 88(861): 65-86p.

#### *International Law*

Afghanistan: The new Constitution and International Law. Schoiswohl, Michael. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 664-76p.

Application of treaties and the decisions of International Tribunals in the United States and France: Reflections on recent practice. Rogoff, Martin A. *Maine Law Review*: 2006: 58(2): 405-72p.

Australia: Freedom of speech and insult in the High Court. Stone, Adrienne and Evans, Simon. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 677-88p.

Collective security and the international enforcement of International Law: French and American perspectives. Llopis, Ana Peyro. *Maine Law Review*: 2006: 58(2): 543-64p.

Concerning French International Law Manuals: A critical review of the principal French textbooks in Public International Law. Toublanc, Alix. *Maine Law Review*: 2006: 58(2): 587-600p.

Contrasting perspectives on preemptive strike: The United States, and the war on terror. Clavier, Sophie. *Maine Law Review*: 2006: 58(2): 565-86p.

Convergences and divergences: The United States and France in multinational diplomacy. Lewin, Andre. *Maine Law Review*: 2006: 58(2): 395-404p.

Evolving practice in the field: Informing the international legal obligation to "protect". Howland, Todd. *Denver Journal of International Law and Policy*: 2006(Spring): 34(1): 89-118p.

Exorbitant jurisdiction. Clermont, Kevin M. and Palmer, John R.B. *Maine Law Review*: 2006: 58(2): 473-506p.

France, Europe, the United States. Berramdane, Abdelkhaleq. *Maine Law Review*: 2006: 58(2): 377-94p.

French and American perspective on International Law: Legal cultures and International Law. Jouannet, Emmanuelle. *Maine Law Review*: 2006: 58(2): 291-336p.

International law: A welfarist approach. Posner, Eric A. *University of Chicago Law Review*: 2006(Spring): 73(2): 487-544p.

International war crimes & other criminal courts: Ten recommendations for where we go from here and how to get there looking to a permanent international criminal tribunal. Aronofsky, David. *Denver Journal of International Law and Policy*: 2006(Spring): 34(1): 17-32p.

Past and future of the claim of preemptive self-defense. Reisman, W. Michael and Armstrong, Andrea. *American Journal of International Law*: 2006(Jul): 100(3): 525-50p.

Practicing what we preach: Humane treatment for detainees in the war on terror. Moore, Jennifer. *Denver Journal of International Law and Policy*: 2006(Spring): 34(1): 33-62p.

Reflection on the prosecution of war crimes by International Tribunals. Meron, Theodor. *American Journal of International Law*: 2006(Jul): 100(3): 551-79p.

Regulating the battlefield of the future: The legal limitations on the conduct of psychological operations (PSYOP) under international law. Smyczek, Peter J. *Air Force Law Review*: 2005: 57: 209-40p.

Thought versus action: The influence of legal tradition on French and American approaches to international law. Falstrom, Dana Zartner. *Maine Law Review*: 2006: 58(2): 337-76p.

Unilateral and multilateral preventive self-defense. Bellier, Stephanie. *Maine Law Review*: 2006: 58(2): 507-42p.

United States agency –level bid protest mechanism: A model for bid challenge procedures in developing nations. Troff, Eric A. *Air Force Law Review*: 2005: 57: 113-54p.

Wartime detention of enemy combatants: What if there were a war and no one could be detained without an attorney? Hemingway, Thomas L. *Denver Journal of International Law and Policy*: 2006(Spring): 34(1): 63-88p.

#### *International Organizations*

Understanding change in international organizations: Globalization and innovation in the ILO. Helfer, Laurence R. *Vanderbilt Law Review*: 2006(Apr): 59(3): 649-728p.

#### *International Trade*

Are Plurilateral Trade Agreements possible outside of the World Trade Organization? Pagani, Fabrizio. *Journal of World Trade*: 2006(Oct): 40(5): 797-812p.

Core labour standards in trade agreements: From multilateralism to bilateralism. Granger, Clotilde and Siroen, Jean-Marc. *Journal of World Trade*: 2006(Oct): 40(5): 813-36p.

Development of China and world trade. Tong, Zhiguang. *Journal of World Trade*: 2006(Feb): 40(1): 129-36p.

Dispute settlement at the World Trade Organization: Do Municipal Laws promoting private party identification of trade disputes affect state participation? Walsh, Thomas W. *Journal of World Trade*: 2006(Oct):

40(5): 889-908p.

Doha round of multilateral trade negotiations and trade in agriculture.

Das, Dilip K. *Journal of World Trade*: 2006(Feb): 40(2): 259-90p.

How can least-developed countries and other small, weak and vulnerable economies also gain from the Doha Development Agenda on the road to Hong Kong? Ismail, Faizel. *Journal of World Trade*: 2006(Feb): 40(1): 37-68p.

International justice and the trading regime. Gathii, James Thuo. *Emory International Law Review*: 2005(Fall): 19(3): 1407-30p.

Liberalization of trade in services and trade negotiations. Jara, Alejandro and Dominguez, M. del Carmen. *Journal of World Trade*: 2006(Feb): 40(1): 113-28p.

New regionalism in Asia: A comparative analysis of emerging regional and bilateral trading agreements involving ASEAN, China and India. Sen, Rahul. *Journal of World Trade*: 2006(Aug): 40(4): 553-96p.

No country left behind: The exporting of U.S. legal norms under the guise of economic integration. Baker, Mark B. *Emory International Law Review*: 2005(Fall): 19(3): 1321-82p.

Non-discrimination, "Likeness" and market definition in world trade organization jurisprudence. Goco, Jonell B. *Journal of World Trade*: 2006(Feb): 40(2): 315-40p.

Optimum currency area in South Asia: Is it plausible? Banik, Nilanjan, Biswas, Basudeb and Saunders, Peter J. *Journal of World Trade*: 2006(Jun) : 40(3) : 387-406p.

Outsourcing and offshoring under the general agreement on trade in services. Lapid, Karen. *Journal of World Trade*: 2006(Feb): 40(2): 341-64p.

Premise and practice of UK launch aid. Kaivanto, Kim. *Journal of World Trade*: 2006(Jun): 40(3): 495-526p.

Regional adaptive synergies in the world trading system. Close, Patricia M. *Journal of World Trade*: 2006(Oct): 40(5): 865-88p.

Risk and precaution in World Trade Organization Law. Cheyne, Ilona. *Journal of World Trade*: 2006(Oct): 40(5): 837-64p.

Rule-based dispute resolution in international trade law. Brewster, Rachel. *Virginia Law Review*: 2006(Apr): 92(2): 251-88p.

Simple model of anti-import campaigns. Lee, Shi-Young, Lee, Sanghack and Jun, Sung Hee. *Journal of World Trade*: 2006(Jun): 40(3): 453-66p.

Technical assistance to least-developed countries in the context of the Doha Development Round: High risk of failure. Saner, Raymond and Paez, Laura. *Journal of World Trade*: 2006(Jun): 40(3): 467-94p.

Tipping the apple cart: The limits of science and law in the SPS agreement after Japan-Apples. Goh, Gavin. *Journal of World Trade*: 2006(Aug): 40(4): 655-86p.

Trade liberalization for the second largest country in Europe: Going west or east or can it be both? Riabokon, Oleg V. *Journal of World Trade*: 2006(Feb): 40(1): 69-112p.

Transaction costs and international litigation. Spigelman, James. *Australian Law Journal*: 2006(Jul): 80(7): 438-53p.

Tuna-Dolphin wars. Murphy, Dale D. *Journal of World Trade*: 2006(Aug): 40(4): 597-618p.

UNIDROIT principles and CISG- Sources of inspiration for English Courts? Bonell, Michael Joachim. *Uniform Law Review*: 2006: 11(2): 305-18p.

What is a "Service supplied in the exercise of governmental authority" under Article I:3(b) and (c) of the general agreement on trade in service? Leroux, Eric H. *Journal of World Trade*: 2006(Jun): 40(3): 345-86p.

#### *Judicial Review*

Right to judicial review. Eylon, Yuval and Harel, Alon. *Virginia Law Review*: 2006(Sep): 92(5): 991-1022p.

#### *Judiciary*

Australia: Freedom of speech and insult in the High Court. Stone, Adrienne and Evans, Simon. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 677-88p.

Comparing constitutional review by the European Court of justice and the U.S. Supreme Court. Rosenfeld, Michel. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 618-51p.

Congress, the federal courts, and forum non conveniens: Friction on the frontier of the inherent power. Lear, Elizabeth T. *Iowa Law Review*: 2006(May): 91(4): 1147-1208p.

Evaluating the Supreme Court's establishment clause jurisprudence in the wake of *Van Orden v. Perry* and *McCreary County v. ACLU*. Harwood, Christopher B. *Missouri Law Review*: 2006(Spring): 71(2): 317-66p.

Harder they fall: A hand up for impaired judges. Zimmerman, Isaiah M. *Judicature*: 2006(Jul-Aug): 90(1): 16-25p.

Helping judges in distress. Zimmerman, Isaiah M. *Judicature*: 2006(Jul-Aug): 90(1): 10-15p.

History and the generation of decisional rules. Vera, Gwen G. de. *Philippine Law Journal*: 2005(Sep): 80(1): 26-52p.

Independent judiciary: The life and writings of Robert N.C. Nix, Jr. Haddon, Phoebe A. *Temple Law Review*: 2005(Summer): 78(2): 331-50p.

Judicial impartiality & recusal: Reflections on the vexing issue of racial bias. McClellan, Frank M. *Temple Law Review*: 2005(Summer): 78(2): 351-78p.

Judicial independence and the minority jurist: The shining example of Chief Justice Robert N.C. Nix, Jr. Iheukwumere, Emmanuel O. *Temple Law Review*: 2005(Summer): 78(2): 379-404p.

Second-guessing the spymasters with a judicial role in espionage deals. Radsan, A. John. *Iowa Law Review*: 2006(May): 91(4): 1259-1318p.

Selection of U.S. Supreme Court justices. Dorsen, Norman. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 652-63p.

### *Juvenile Justice*

Children as victims and witnesses of domestic homicide: Lessons learned from domestic violence death review committees. Jaffe, Peter G. and Juodis, Marcus. *Juvenile and Family Court Journal*: 2006 (Summer): 57(3): 13-28p.

### *Labour Law*

Changes to the industrial relations system: Reforms of shattered icons? Munro, Paul. *University of New South Wales*: 2006: 29(1): 128-65p.

Corporations power and federalism: Key aspects of the constitutional validity of the Work Choices Act. Barnett, Darrell. *University of New South Wales*: 2006: 29(1): 91-127p.

Evolution of the contract of Employment Post Work Choices. Riley, Joellen. *University of New South Wales*: 2006: 29(1): 166-80p.

Industrial relations, the constitution and federalism: Facing the avalanche. Craven, Greg. *University of New South Wales*: 2006: 29(1): 203-14p.

Minimum wage laws and wage regulation: Do changes to a minimum wage affect employment levels? Butler, Joel. *University of New South Wales*: 2006: 29(1): 181-202p.

Reform of labour laws: An international comparison. Brooks, Brian. *University of New South Wales*: 2006: 29(1): 22-46p.

Representation of employees within the firm: The United States report. Finkin, Matthew W. *American Journal of Comparative Law*: 2006: 54(Suppl): 395-408p.

Unleashing (labour) market forces: The social policy implications of industrial relations reform. Saunders, Peter. *University of New South Wales*: 2006: 29(1): 80-90p.

Voice for whom ? Employee representation and labour legislation in Australia. Patmore, Greg. *University of New South Wales*: 2006: 29(1): 8-21p.

#### *Law Reform*

Law reform, human rights and modern governance: Australia's debt to Lord Scarman. Kirby, Michael. *Australian Law Journal*: 2006(May): 80(5): 299-315p.

#### *Legal Aid*

D'Orta-Ekenaike v Victoria Legal Aid: A controversy quelled. Craddock, G.P. *Australian Law Journal*: 2006(Aug): 80(8): 513-30p.

#### *Legal Education*

Cognitive dissonance in the classroom: Rationale and rationalization in the law of evidence. Seaman, Julie A. *Saint Louis University Law Journal*: 2006: 50(4): 1097-1114p.

First modern civil procedure course as taught by C.C. Langdell, 1870-78. Kimball, Bruce A. and Reyes, Pedro. *American Journal of Legal History*: 2005(Jul): 47(3): 257-303p.

Meanings of hearsay. O'Brien, John C. *Saint Louis University Law Journal*: 2006: 50(4): 1091-96p.

Navigating the nuances of modern expert witness law: How to teach about experts. Carlson, Ronald L. *Saint Louis University Law Journal*: 2006: 50(4): 1115-32p.

Teaching evidence. Rothstein, Paul. *Saint Louis University Law Journal*: 2006: 50(4): 999-1038p.

Teaching evidence: Using casebooks, problems, transcripts, simulations, video clips and interactive DVDs. Mendez, Miguel A. *Saint Louis University Law Journal*: 2006: 50(4): 1133-46p.

Teaching the rules of "truth". Aiken, Jane H. *Saint Louis University Law Journal*: 2006: 50(4): 1075-90p.

Using graphics to teach evidence. McMunigal, Kevin C. *Saint Louis University Law Journal*: 2006: 50(4): 1175-90p.

#### *Legal Profession*

Attorney-client privilege and associated confidentiality concerns in the Post-Enron Era. Richmond, Douglas R. *Penn State Law Review*: 2005(Fall): 110(2): 381-448p.

Coercing clients: Can lawyer gatekeeper rules work? Zacharias, Fred C.: *Boston College Law Review*: 2006(May): 47(3): 455-504p.

Equality for women: Integration and acceptance of women in the legal profession and the impact of women in the legal profession. Voglewede, Jane C. *North Dakota Law Review*: 2005: 81(4): 833-36p.

Failed attempt to undermine the third wave: Attorney fee shifting movement in Japan. Wilson, Matthew J. *Emory International Law Review*: 2005(Fall): 19(3): 1457-88p.

Gouging the government: Why a federal contingency fee lobbying prohibition is consistent with first amendment freedoms. Capps, Meredith A. *Vanderbilt Law Review*: 2005(Nov): 58(6): 1885-1924p.

Of shining knights and cunning pettifoggers: The symbolic world of the model rules of professional conduct. Miller, Nelson P. and Vestrand, John: *Penn State Law Review*: 2006(Spring): 110(4): 853-78p.

Reflection on the influence of women on the North Dakota legal community. Maring, Mary Muehlen. *North Dakota Law Review*: 2005: 81(4): 823-32p.

Thinking like a lawyer. Davis, Peggy Cooper and Francois, Aderson Belgarde. *North Dakota Law Review*: 2005: 81(4): 795-806p.

#### *Legal Research*

Legal research and the social sciences. McCrudden, Christopher. *Law Quarterly Review*: 2006(Oct): 122: 632-50p.

#### *Legal Systems*

Doin' the Transsystemic: Legal systems and legal traditions. Glenn, H. Patrick. *McGill Law Journal*: 2005(Dec): 50(4): 863-98p.

Prolegomenon to a pedestrian cartography of mixed legal jurisdictions: The case of Israel/ Palestine. Drummond, Susan. *McGill Law Journal*: 2005(Dec): 50(4) : 899-950p.

#### *Local Government*

Big differences for small governments: Local governments and the takings clause. Serkin, Christopher. *New York University Law Review*: 2006(Nov): 81(5): 1553-1623p.

#### *Marine Insurance*

Insured's duty of disclosure and test of materiality in marine and non-marine insurance laws in China. Jing, Zhen. *Journal of Business Law*: 2006(Oct): 681-704p.



*Media*

Journalism police. Ashdown, Gerald G. *Marquette Law Review*: 2006(Summer): 89(4): 739-60p.

*Mediation*

Judicial mediator's perspective: The impact of gender on dispute resolution: Mediation as a different voice. Klein, Karen K. *North Dakota Law Review*: 2005: 81(4): 771-94p.

Mediation program helps Miss. and La. rebuild after Katrina and Rita. Zuckerman, Susan. *Dispute Resolution Journal*: 2006(Aug-Oct): 12-19p.

Navigating the mediation process: Overcoming invisible barriers to resolution. Picker, Bennett G. *Dispute Resolution Journal*: 2006(Aug-Oct): 20-25p.

Use of humor in mediation. Cruthirds, Kevin W. *Dispute Resolution Journal*: 2006(Aug-Oct): 32-41p.

*Medical Law*

Bridging the relations-regulatory gap: A pragmatic information policy for patient safety and medical malpractice. Sage, William M., Zivin, Joshua Graff and Chase, Nathaniel B. *Vanderbilt Law Review*: 2006(May): 59(4): 1263-1308p.

Dishonest medical mistakes. Mehlman, Maxwell J. *Vanderbilt Law Review*: 2006(May): 59(4): 1137-74p.

High-deductible health plans: New twists on old challenges from tort and contract. Morreim, E. Haavi. *Vanderbilt Law Review*: 2006(May): 59(4): 1207-62p.

Judicial hellholes: Medical malpractice claims, verdicts and the "doctor exodus" in Illinois. Vidmar, Neil and Robinson, Russell M. *Vanderbilt Law Review*: 2006(May): 59(4): 1309-42p.

Medical malpractice litigation and tort reform: It's the incentives, stupid. Hyman, David A. and Silver, Charles. *Vanderbilt Law Review*: 2006(May): 59(4): 1085-1136p.

Medical malpractice standard setting: Developing malpractice "safe harbors" as a new role for QIOs? Blumstein, James F. *Vanderbilt Law Review*: 2006(May): 59(4): 1017-50p.

Million dollar medical malpractice cases in Florida: Post-verdict and pre-suit settlements. Vidmar, Neil and Paul Lee, Kara Mackillop. *Vanderbilt Law Review*: 2006(May): 59(4): 1343-82p.

Plaintiffs lawyers, specialization and medical malpractice. Daniels, Stephen and Martin, Joanne. *Vanderbilt Law Review*: 2006(May): 59(4):

1051-74p.

Rethinking peer review: Detecting and addressing medical malpractice claims risk. Moore, Ilene N., Pichert, James W., Hickson, Gerald B. etc. *Vanderbilt Law Review*: 2006(May): 59(4): 1175-1206p.

#### *Mortgage*

Liability of original mortgagors and sureties upon default by the mortgagor by assumption. Devonshire, Peter. *UBC Law Review*: 2006: 39(1): 185-208p.

#### *Municipal Law*

Constitutional responsibility in municipal law: Issues of theory and practice in Russia. Knyazev, Sergey D. and Aranovskiy, Konstantin V. *Asia Law Review*: 2006(Jun): 3(1): 113-26p.

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Legal analysis of natural resources management in Korea. Jaekyong, Chun. *Asia Law Review*: 2006(Jun): 3(1): 127-40p.

#### *Ombudsman*

Challenging the authority of the Ombudsman: The parliamentary Ombudsman's special report on wartime detainees. Kirkham, Richard. *Modern Law Review*: 2006(Sept): 69(5): 792-818p.

#### *Parliament*

Tagging bills in Parliament: Section 75 or section 76? Murray, Christina and Simeon, Richard. *South African Law Journal*: 2006: 123(2): 232-63p.

#### *Partnership*

Limited liability partnership-New business entity in Singapore. Yeo, H.Y. and Lee, C.S. *Journal of Business Law*: 2006(Dec): 859-80p.

#### *Personal Law*

Phenomenon of personal laws in India: Some lessons for South Africa. Rautenbach, C. *Comparative and International Law Journal of Southern Africa*: 2006(Jul): 39(2): 241-64p.

*Plea Bargaining*

Value of plea-bargaining. Howe, Scott W. *Oklahoma Law Review*: 2005(Winter): 58(4): 599-636p.

*Polluter Pays Principle*

Agriculture and the polluter pays principles: An introduction. Grossman, Margaret Rosso. *Oklahoma Law Review*: 2006(Spring): 59(1): 1-52p.

Polluter pays principle in Canadian agriculture. Bowden, Marie-Ann. *Oklahoma Law Review*: 2006(Spring): 59(1): 53-88p.

Polluter pays principle in European Community Law and its impact on United Kingdom farmers. Cardwel, Michael. *Oklahoma Law Review*: 2006(Spring): 59(1): 89-114p.

*Practice & Procedure*

Jurisdiction to adjudicate: A revised analysis. Spencer, A. Benjamin. *University of Chicago Law Review*: 2006(Spring): 73(2): 617-72p.

*President*

Can the president be torturer in chief? Koh, Harold Hongju. *Indiana Law Journal*: 2006(Fall): 81(4): 1145-68p.

Evolving Vice Presidency. Albert, Richard. *Temple Law Review*: 2005(Winter): 78(4): 811-96p.

Executive and the avoidance canon. Powell, H. Jefferson. *Indiana Law Journal*: 2006(Fall): 81(4): 1313-18p.

Finding effective constraints on executive power: Interrogation, detention, and torture. Pearlstein, Deborah N. *Indiana Law Journal*: 2006(Fall): 81(4): 1255-96p.

Loaded dice and other problems: A further commander in chief. Schroeder, Christopher H. *Indiana Law Journal*: 2006(Fall): 81(4): 1325-32p.

Lost constitutional moorings: Recovering the war power. Fisher, Louis. *Indiana Law Journal*: 2006(Fall): 81(4) : 1199-1254p.

Regulating the commander in chief: Some theories. Prakash, Saikrishna. *Indiana Law Journal*: 2006(Fall): 81(4): 1319-24p.

Statutory commander in chief. Kinkopf, Neil. *Indiana Law Journal*: 2006(Fall): 81(4): 1169-98p.

Unitariness and myopia: The executive branch, legal process and torture. Pillard, Cornelia. *Indiana Law Journal*: 2006(Fall): 81(4): 1297-1312p.

War powers outside the courts. Treanor, William Michael. *Indiana Law Journal*: 2006(Fall): 81(4): 1333-44p.

#### *Prisons & Prisoners*

Confronting mass imprisonment and restoring fairness to collateral review of criminal cases. Stevenson, Bryan A. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 339-68p.

Corrections quandary: Mental illness and prison rules. Fellner, Jamie. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 391-412p.

The power of the pen: Jailhouse lawyers, literacy, and civic engagement. Feierman, Jessica. *Harvard Civil Rights-Civil Liberties Law Review*: 2006(Summer): 41(2): 369-90p.

#### *Privacy*

Potential framework for privacy? A reply to hello!. Mulheron, Rachael. *Modern Law Review*: 2006(Sept): 69(5): 679-713p.

#### *Privatization*

Comment on privatization and democratization. Drobak, John N. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 783-98p.

Exclusivity-the roadblock to democracy ? Ghosh, Shubha. *Saint Louis University Law Journal*: 2006(Spring): 50(3) : 799-828p.

Intellectual property, privatization and democracy: A response to Professor Rose. McKenna, Mark P. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 829-42p.

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Natural property rights and privatization: A comment on professor Rose. Claeys, Eric R. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 721-34p.

Privatization and democratization-reflections on the power of eminent domain. Salsich, Peter W. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 751-60p.

Privatization-the road to democracy? Rose, Carol M. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 691-720p.

#### *Property*

Less than nine points: Adverse possession and the right to peaceful

enjoyment of property. Lee, Robert G. *Journal of Business Law*: 2006(Dec): 853-58p.

Natural property rights and privatization: A comment on professor Rose. Claeys, Eric R. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 721-34p.

Transforming society through law: St. George Tucker, women's property rights and an active republican judiciary. McGarvie, Mark Douglas. *William and Mary Law Review*: 2006(Feb): 47(4): 1393-1426p.

Unpacking the household: Informal Property Rights around the hearth. Ellickson, Robert C. *Yale Law Journal*: 2006(Nov): 116(2): 226-329p.

Why property and democracy are not always allies. Brown, Michael F. *Saint Louis University Law Journal*: 2006(Spring): 50(3): 843-50p.

#### *Public Law*

From administrative rule of law to constitutionalism? The changing perspectives of the Chinese public law. Zhang, Qianfan. *Asia Law Review*: 2006(Jun): 3(1): 47-76p.

#### *Racism*

Belgium: Vlaams Blok party convicted indirectly of racism. Brems, Eva. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 702-11p.

#### *Reasonableness*

Can reasonableness protect the poor? A review of South Africa's socio-economic rights jurisprudence. Steinberg, Carol. *South African Law Journal*: 2006: 123(2): 264-84p.

#### *Refugee Law*

Opening the doors to women? An examination of recent development in asylum and refugee law. Farrone, Marissa. *Saint Louis University Law Journal*: 2006(Winter): 50(2): 661-90p.

#### *Rehnquist – Justice*

Contemporary theories of rights (1948). Rehnquist, William Hubbs. *Stanford Law Review*: 2006(Apr): 58(6): 1997-2050p.

Federalism decisions of Justices Rehnquist and O'Connor: Is half a loaf enough? Epstein, Richard A. *Stanford Law Review*: 2006(Apr): 58(6): 1793-1826p.

William Rehnquist, the separation of powers and the riddle of the sphinx. Bybee, Jay S. and Samahon, Tuan N. *Stanford Law Review*: 2006(Apr): 58(6): 1735-62p.

Young Mr. Rehnquist's theory of moral rights - mostly observed. Kmiec, Douglas W. *Stanford Law Review*: 2006(Apr): 58(6): 1827-70p.

#### *Same Sex Marriage*

Are you two interdependent? Family, property and same-sex couples in Australia's superannuation regime. Stewart, Miranda. *Sydney Law Review*: 2006(Sep): 28(3): 437-76p.

Canada: The Constitution and same-sex marriage. Hogg, Peter. *International Journal of Constitutional Law (ICON)*: 2006(Oct): 4(4): 712-21p.

Rites wrangle: Same-sex marriage advocates vow to fight on, despite a summer of rulings against their cause. Filisko, G.M. *ABA Journal*: 2006(Nov): 92: 44-55p.

#### *Securities*

Cross-listing, global shares and dematerialized shares. Marano, Pierpaolo and Ferretti, Isabella. *Uniform Law Review*: 2006: 11(2): 267-84p.

Federalism in Corporate/ Securities Law: Reflections on Delaware, California and State Regulation of insider trading. Langevoort, Donald C. *University of San Francisco Law Review*: 2006(Summer): 40(4): 879-92p.

Federalism in securities regulation: A brief introduction and reflection. Wood, Christopher M. *University of San Francisco Law Review*: 2006(Summer): 40(4): 795-804p.

Matter of fairness: The need for a new look at selective waiver in SEC investigations. Dore, Michael H. *Marquette Law Review*: 2006(Summer): 89(4): 761-94p.

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#### *Securitization*

Developing a franchise: Could securitization be a serious funding option for franchisors in the United Kingdom? Burns, Tom. *Journal of Business Law*: 2006(Oct): 656-80p.

Re-characterization in “True sale” securitizations: The “substance over form” delusion. Selvam, Vijay. *Journal of Business Law*: 2006(Oct): 637-43p.

#### *Sentencing*

Breaking down the misprision walls: Looking back on the federal sentencing guidelines after Booker, through a Bloomian Lens. Brough, Daniel K. *North Dakota Law Review*: 2006: 82(2): 413-64p.

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Different voicing of unwelcomeness: Relational reasoning and sexual harassment. Jackson, Margaret Moore. *North Dakota Law Review*: 2005: 81(4): 739-70p.

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Role of courts in social change: Looking forward? Tushnet, Mark V. *Drake Law Review*: 2006(Summer): 54(4): 909-28p.

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Some observations on the role of social change on the courts. Torres, Gerald. *Drake Law Review*: 2006(Summer): 54(4): 895-908p.

#### *Sustainable Development*

Implementing the sustainable development directive of the Constitution. Gatmaytan, Dante B. *Philippine Law Journal*: 2005(Sep): 80(1): 1-25p.

Sustainable development versus environmentalism: Competing paradigms for the South African EIA regime. Lynn Field, Tracy. *South African Law Journal*: 2006: 123(3): 409-36p.

#### *Tax Law*

Expected impact of the Supreme Court of New Zealand on tax cases. Harley, Geoffrey J. *New Zealand Universities Law Review*: 2006(Jun): 22(1): 76-102p.

Income Tax discrimination and the political and economic integration of Europe. Graetz, Michael J. and Warren, Alvin C. *Yale Law Journal*: 2006(Apr): 115(6): 1186-1255p.

Legislation with retrospective effect, with particular reference to tax loopholes and avoidance. Prebble, John, Prebble, Rebecca and Smith,

Catherine Vidler. *New Zealand Universities Law Review*: 2006(Jun): 22(1): 17-49p.

Progressive case for a universal transaction tax. Chartier, Gary. *Maine Law Review*: 2006: 58(1): 1-16p.

Restricting the legislative power to tax in the United States. Mazza, Stephen W. and Kaye, Tracy A. *American Journal of Comparative Law*: 2006: 54(Suppl): 641-70p.

#### *Terrorism*

Responding to crisis: Legislating against terrorism. Bonner, David. *Law Quarterly Review*: 2006(Oct): 122: 602-31p.

#### *Tobacco*

Punishing Tobacco industry misconduct: The case for exceeding a single digit ratio between punitive and compensatory damages. Guardino, Sara D. and Daynard, Richard A. *University of Pittsburgh Law Review*: 2006(Fall): 67(1): 1-66p.

#### *Torts Law*

Continuum: A new approach to the place of tort in a contractual matrix. Thomson, William. *Victoria University of Wellington Law Review*: 2006(May): 37(1): 131-52p.

Homing devices in choice of tort law: Australian, British and Canadian approaches. Mortensen, Reid. *International & Comparative Law Quarterly*: 2006(Oct): 55(4): 839-78p.

Two models of tort (and takings). Hershovitz, Scott. *Virginia Law Review*: 2006(Oct): 92(6): 1147-88p.

#### *Trusts Law*

ERISA: No further inquiry into conflicted plan administrator claim denials. Bogan, Donald T. and Fu, Benjamin. *Oklahoma Law Review*: 2005(Winter): 58(4): 637-84p.

#### *War Crimes*

Reflection on the prosecution of war crimes by International Tribunals. Meron, Theodor. *American Journal of International Law*: 2006(Jul): 100(3): 551-79p.



*War Law*

Civilians at war: Re-examining the status of civilians accompanying the armed forces. Heaton, J. Ricou. *Air Force Law Review*: 2005: 57: 155-208p.

*Women*

Equality for women: Integration and acceptance of women in the legal profession and the impact of women in the legal profession. Voglewede, Jane C. *North Dakota Law Review*: 2005: 81(4): 833-36p.

Heeding the voice of native women: Toward an ethic of decolonization. Martell, Carrie A. and Deer, Sarah. *North Dakota Law Review*: 2005: 81(4): 807-22p.

Opening the doors to women? An examination of recent development in asylum and refugee law. Farrone, Marissa. *Saint Louis University Law Journal*: 2006(Winter): 50(2): 661-90p.

Protecting the dignity and autonomy of women: Rethinking the place of constructive consent in the tort of sexual battery. Adjin-Tettey, Elizabeth. *UBC Law Review*: 2006: 39(1): 3-62p.

Transforming society through law: St. George Tucker, women's property rights and an active republican judiciary. McGarvie, Mark Douglas. *William and Mary Law Review*: 2006(Feb): 47(4): 1393-1426p.

*World Trade Organization*

Are Plurilateral Trade Agreements possible outside of the World Trade Organization? Pagani, Fabrizio. *Journal of World Trade*: 2006(Oct): 40(5): 797-812p.

Dispute settlement at the World Trade Organization: Do Municipal Laws promoting private party identification of trade disputes affect state participation? Walsh, Thomas W. *Journal of World Trade*: 2006(Oct): 40(5): 889-908p.

Like products, animal welfare and the World Trade Organization. Swinbank, Alan. *Journal of World Trade*: 2006(Aug): 40(4): 687-712p.

Reforming by WTO legal order for agricultural trade: Issues for European rural policy in the DOHA round. Cardwell, Michael and Rodgers, Christopher. *International & Comparative Law Quarterly*: 2006(Oct): 55(4): 805-38p.

Risk and precaution in World Trade Organization Law. Cheyne, Ilona. *Journal of World Trade*: 2006(Oct): 40(5): 837-64p.

**LIST OF SELECT FOREIGN CASES\****Administrative Law*

Mckinnon v. Secretary, Department of Treasury [2006] HCA 45 [2006] 80 ALJR 1549.

*Antitrust Law*

Clarett v. NFL 369 F.3d 124.

*Arbitration*

Kershaw Mechanical Services Ltd v. Kendrick Construction Ltd [2006] EWHC 727 (TCC) [2006] 3 All ER 79.

*Civil Procedure*

Australian Liquor Marketers Pty Ltd v. Berney [2006] HCA 41 [2006] 80 ALJR 1441.

Composite Buyers Pty Ltd v. Williamson [2006] HCA 41 [2006] 80 ALJR 1509.

Mobil Oil Australia Pty Ltd v. Trendlen Pty Ltd [2006] HCA 42 [2006] 80 ALJR 1503.

Exxon Mobil Corporation v. Allapattah Services, Inc. 125 S. Ct. 2611.

*Conflict of Laws*

Harding v. Wealands [2006] UKHL 32 [2006] 4 All ER 1.

*Constitutional Law*

Vasiljkovic v. Commonwealth [2006] HCA 40 [2006] 80 ALJR 1399.

Shephard v. United States [2005] 540 U.S. 13.

Comfort v. Lynn School Committee 418 F.3d 1.

Medellin v. Dretke 125 S.Ct. 2088.

Harry A v. Duncan 351 F. Supp. 2d 1060.

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\* Prepared by Bhag Singh, Librarian and assisted by Sonam Singh, Indian Law Institute Library, from case comments included in foreign journals and websites of Foreign Apex Courts.

*Consumer Protection*

Kittery Retail Ventures, LLC v. Town of Kittery 125 S. Ct. 1603.

*Criminal Law*

Mansfields v. Director of Public Prosecutions [2006] HCA 38 [2006] 80 ALJR 1366.

Bounds v. The Queen [2006] HCA 39 [2006] 80 ALJR 1380.

Jones v. Whalley [2006] UKHL 41 [2006] 4 All ER 113.

State v. Flores 93 F. 3d 1264.

Regina v. Coutts [2006] UKHL 39 [2006] 1 WLR 2155.

Director of Public Prosecutions v. Collins [2006] UKHL 40 [2006] 1 WLR 2223.

Regina v. Carmona [2006] EWCA Crim 508 [2006] 1 WLR 2264.

*Death Penalty*

Griffith & Ors v. The Queen [2005] UKHL 31.

*Extradition*

R (on the application of Amoako) v. Director of Public Prosecutions [2006] EWHC 1572

(Admin) [2006] 4 All ER 230.

Auguste v. Ridge 395 F.3d 123.

*Human Rights*

Regina (Al-Skeini and others) v. Secretary of State for Defence (The Redress Trust and another intervening) [2005] EWHC Civ 1609 [2006] 3 WLR 508.

A and others v. Secretary of State for the Home Department (No.2) [2005] UKHL 71.

*Intellectual Property Rights*

Corbis Corp. v. Amazon .Com, Inc. 351 F.Supp.2d 1090.

*Tort Law*

Young v. City of Providence 404 F. 3d 4.

Coete v. Forestry Tasmania [2006] HCA 26 [2006] 80 ALJR 1089.