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THE HARVARD LAW REVIEW ASSOCIATION

Harvard Law Review Volume 126 Number 7 May 2013

Harvard Law Review



Harvard Law Review Volume 126 Number 7 May 2013:

Harvard Law Review: Volume 129, Number 7 - May 2016 Harvard Law Review, 2016-05-10 The May 2016 issue Number 7 features these contents Article The Positive Law Model of the Fourth Amendment by William Baude and James Y Stern Essay Deference and Due Process by Adrian Vermeule Book Review How to Explain Things with Force by Mark Greenberg Note Free Speech Doctrine After Reed v Town of Gilbert Furthermore student commentary analyzes Recent Cases on the Affordable Care Act and the origination clause statutory interpretation and the Video Privacy Protection Act and commercial speech doctrine and the FDA's power to prosecute non misleading statements after modifying text Other commentary examines South Carolina's legislative effort to to disqualify companies who support BDS from receiving state contracts and the NLRB's adjudicative ruling to classify canvassers as employees not independent contractors Finally the issue includes several brief comments on Recent Publications The Harvard Law Review is offered in a quality digital edition featuring active Contents linked footnotes active URLs legible tables and proper ebook and Bluebook formatting The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship It comes out monthly from November through June and has roughly 2500 pages per volume Student editors make all editorial and organizational decisions This is the seventh issue of academic year 2015 2016 Harvard Law Review: Volume 130, Number 7 - May 2017

Harvard Law Review, 2017-05-10 **Harvard Law Review**, 2013 **Harvard Law Review: Volume 127, Number 7 - May 2014** Harvard Law Review, 2014-05-10 The Harvard Law Review Number 7 May 2014 includes an article two book review essays and extensive student research Specifically the issue features Article The Due Process Exclusionary Rule by Richard M Re Book Review Consent and Sensibility by Michelle E Boardman Book Review The Politics of Financial Regulation and the Regulation of Financial Politics A Review Essay by Adam J Levitin Note Judicial Review of Agency Change Note Live Free and Nullify Against Purging Capital Juries of Death Penalty Opponents In addition case notes explore Recent Cases on such diverse subjects as whether PASPA is an appropriate exercise of congressional power antitrust immunity for a state dental board bad faith requirement in WIPO domain name arbitrations whether a Guantanamo prisoner was properly detained as part of enemy forces whether a state court may remove a domestic violence convict's federal firearms disability whether recognition of foreign governments is an exclusive executive power and warrantless access to cell site location information Finally the issue features two summaries of Recent Publications The Harvard Law Review is offered in a quality digital edition featuring active Contents linked notes active URLs in notes and proper ebook and Bluebook formatting The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship *Harvard Law Review: Volume 127, Number 2 - December 2013* Harvard Law Review, 2013-12-10 The December 2013 issue of the Harvard Law Review is dedicated to the memory of Ronald Dworkin with In Memoriam essays offered by Richard Fallon Jr Charles Fried John C P Goldberg Frances Kamm Frank Michelman Martha Minow and Laurence Tribe The issue features an article by

David Pozen entitled *The Leaky Leviathan: Why the Government Condemns and Condone Unlawful Disclosures of Information*. The issue also includes essays by Nicola Lacey and Geoffrey Shaw examining a previously lost writing by H L A Hart on discretion as well as the publication of Hart's essay *Discretion* itself which he wrote while visiting at Harvard in 1956. 1957 Student Notes explore such subjects as regulation of the shadow banking system, vagueness and delegation in the CFAA and the good faith exception to the exclusionary rule. In addition, student contributions explore Recent Cases on First Amendment commercial speech doctrine and pharmaceutical marketing, school finance under state law, duty of a school to protect from bullying, warrantless search of cell phone data and untimely raising of ineffective assistance of counsel in a habeas petition after counsel failure. A Recent Legislation summary explores restrictions on War Powers in the context of Guantanamo detainees and a summary of Recent Legislative Debate involves the filibuster of a Texas abortion bill. Finally, there are also several summaries of Recent Publications. The Harvard Law Review is offered in a quality digital edition featuring active Contents, linked notes, active URLs in notes and proper formatting. The contents of Volume 127 Number 2 Dec 2013 include scholarly articles and essays by leading academic figures.

Imperial Powers and Humanitarian Interventions Raphaël Cheriau, 2021-05-03. In the second half of the nineteenth century the Zanzibar Sultanate became the focal point of European imperial and humanitarian policies, most notably Britain, France and Germany. In fact the Sultanate was one of the few places in the world where humanitarianism and imperialism met in the most obvious fashion. This crucial encounter was perfectly embodied by the iconic meeting of Dr Livingstone and Henry Morton Stanley in 1871. This book challenges the common presumption that those humanitarian concerns only served to conceal vile colonial interests. It brings the repression of the East African slave trade at sea and the expansion of empires into a new light in comparing French and British archives for the first time. Raphaël Cheriau argues that the brutal power politics of recent humanitarian interventions have shaped historians' perspectives on earlier interventions, but that he is able to escape these present-day sensibilities in his approach to British and French interventions in nineteenth-century eastern Africa. While I might challenge that suggestion, nonetheless he offers historians a valuable book that explores in detail the way imperialists of the nineteenth century did and did not use humanitarianism as a justification for their work in eastern Africa.

Elisabeth MacMahon, *The English Historical Review*. The author weaves together a rich trove of primary documents from both British and French archives, some of these have been fruitfully exploited by previous historians, others reflect Cheriau's energetic digging to go beyond the obvious. He also draws upon an equally dense corpus of published primary sources in both languages as well as several contemporary newspapers while his mastery of the secondary literature is impressive.

Edward Alpers, *Australian Institute of International Affairs*. *Harvard Law Review: Volume 128, Number 5 - March 2015*. Harvard Law Review, 2015-03-10. The Harvard Law Review March 2015 is offered in a digital edition. Contents include *Article Creating Around Copyright* Joseph P Fishman, *Book Review: Growing Up Outside the Law* Stephen Lee, *Book Review: Property Is the New Privacy* The Coming Constitutional

Revolution Suzanna Sherry Note Working Together for an Independent Expenditure Candidate Assistance with Super PAC Fundraising In addition the issue features student commentary on Recent Cases and policy positions including such subjects as defining government instrumentality under the Foreign Corrupt Practices Act invalidation of New York soda portion cap whether the Federal Energy Regulatory Commission lacks jurisdiction over rates for nonconsumption of energy standard of review for compelled disclosures under commercial speech doctrine Alien Tort Statute claims against an Abu Ghraib contractor preemption of local zoning ordinances banning hydrofracking and the Department of Justice s new presumption of electronically recording custodial interviews Finally the issue features several summaries of Recent Publications The Harvard Law Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The Review comes out monthly from November through June and has roughly 2500 pages per volume The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions This issue of the Review is March 2015 the fifth issue of academic year 2014 2015 Volume 128 The digital edition features active Contents linked notes and proper ebook and Bluebook formatting

Human Rights and Sovereign Standards in US Security

Sarah Earnshaw,2025-03-31 This book examines the history of human rights in US security imaginaries and provides a theoretical framework to explore the common sense assumptions around US foreign relations and the universality of the human The inability or unwillingness to provide fundamental freedoms is a central feature in the US presentation of postcolonial spaces as failed and rogue states as nodes of disorder and instability that are then subject to increasingly pre-emptive pacification While largely focused on contemporary history from the post WWII Universal Declaration to drone war the author critically engages with longer entwined histories such as Westphalian mythology humanitarian intervention and imperial aerial policing Bridging history law politics culture and war the theoretical bounding of the regime of truth offers a fresh reading for those knowledgeable on human rights and as security policy This volume will be of value to students and scholars of American Studies history critical International Relations IR human rights history and those interested in conceptions of liberty and US foreign relations

[Yale Law Journal: Volume 124, Number 7 - May 2015](#) Yale Law Journal,2015-06-03 The contents of the May 2015 issue Volume 124 Number 7 are Articles Defining and Punishing Offenses Under Treaties Sarah H Cleveland William S Dodge Administrative Severability Clauses Charles W Tyler E Donald Elliott Notes Class Ascertainability Geoffrey C Shaw The Right To Be Rescued Disability Justice in an Age of Disaster Adrien A Weibgen Expanding Conscience Shrinking Care The Crisis in Access to Reproductive Care and the Affordable Care Act s Nondiscrimination Mandate Elizabeth B Deutsch Features Conscience Wars Complicity Based Conscience Claims in Religion and Politics Douglas NeJaime Reva B Siegel Legal Scholarship for Judges Diane P Wood Book Review The Banality of Racial Inequality Richard R W Brooks Comment Federal Sentencing Error as Loss of Chance Kate Huddleston Quality ebook formatting includes fully linked footnotes and an active Table of Contents including linked Contents for all individual Articles

Notes and Essays proper Bluebook formatting and active URLs in footnotes **Harvard Law Review: Volume 127, Number 6 - April 2014** Harvard Law Review, 2014-04-10 The contents of Number 6 Apr 2014 include scholarly articles and student research as well as the extensive annual survey of Developments in the Law This year's subject is SEXUAL ORIENTATION AND GENDER IDENTITY Topics include Pro Gay and Anti Gay Speech in Schools Transgender Youth and Access to Gendered Spaces in Education Classification and Housing of Transgender Inmates in American Prisons Animus and Sexual Regulation and Progress Where You Might Least Expect It The Military's Repeal of Don't Ask Don't Tell Each year the special Developments issue serves in effect as a new and detailed book on a cutting edge legal subject The issue also includes an article by Jill C Anderson Misreading Like a Lawyer Cognitive Bias in Statutory Interpretation and an article by Ryan Bubb Richard H Pildes How Behavioral Economics Trims Its Sails and Why In addition student case notes explore Recent Cases on such diverse subjects as false advertising by disseminating scientific literature free speech rights of professors in public universities voter identification laws sentencing by imposing the condition of penile plethysmography aiding and abetting violations in international law and whether intercepting unencrypted wi fi violates the Wiretap Act A further student work explores the recent administrative policy of the Social Security Administration's eliminating a surgical requirement for changing trans individuals gender designation and another explores a recent administration white paper on national security and whether bulk metadata collection violates the USA PATRIOT Act Finally the issue features several summaries of Recent Publications The Harvard Law Review is offered in a quality digital edition featuring active Contents linked notes active URLs in notes and proper ebook and Bluebook formatting The contents of Number 6 Apr 2014 include scholarly essays by leading academic figures as well as substantial student research The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions Harvard Law Review: Volume 128, Number 3 - January 2015 Harvard Law Review, 2015-01-10 The Harvard Law Review January 2015 No 3 of Volume 128 is offered in a digital edition Contents include Article Uncovering Coordinated Interagency Adjudication by Bijal Shah Note Deference and the Federal Arbitration Act The NLRB's Determination of Substantive Statutory Rights Note Education Policy Litigation as Devolution Note Physically Intrusive Abortion Restrictions as Fourth Amendment Searches and Seizures Note Copyright Reform and the Takings Clause In addition the issue features student commentary on Recent Cases and policy resolutions including such subjects as constitutional protection for teacher tenure suspicionless street stop of suspect's companion warrants to search foreign emails confrontation clause in sentence selection phase of capital case subject matter jurisdiction of tribal courts physician inquiries into gun ownership and freedom of speech reviewability of FDA inaction on pet drug products and veto of a UN Security Council resolution on Syrian conflict Finally the issue features several summaries of Recent Publications The Harvard Law Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The

Review comes out monthly from November through June and has roughly 2500 pages per volume The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions This issue of the Review is January 2015 the third issue of academic year 2014 2015 Volume 128 The digital edition features active Contents linked notes and proper ebook and Bluebook formatting **Harvard Law Review: Volume 127, Number 3 - January 2014** Harvard Law Review,2014-01-15 The January 2014 issue Volume 127 Number 3 includes the following articles and student contributions Article For Profit Public Enforcement by Margaret H Lemos and Max Minzner Book Review Technological Determinism and Its Discontents by Christopher S Yoo Note More than a Formality The Case for Meaningful Substantive Reasonableness Review Note Appointing State Attorneys General Evaluating the Unbundled State Executive Note The Devil Wears Trademark How the Fashion Industry Has Expanded Trademark Doctrine to Its Detriment In addition student case notes explore recent cases on misleading law school employment data the First Amendment religious rights of for profit corporations regulation of nuclear energy forensic search of laptops at the border search of cellphone data incident to arrest obscene or lewd student speech and access to polling places for news gathering purposes Finally the issue includes several summaries of Recent Publications The issue is offered in a quality digital edition featuring active Contents linked notes active URLs in notes and proper ebook formatting The contents of Number 3 include scholarly essays by leading academic figures as well as substantial student research The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The organization is formally independent of the Harvard Law School student editors make all editorial and organizational decisions **Harvard Law Review: Volume 131, Number 3 - January 2018** Harvard Law Review,2018-01-09 The contents for this January 2018 issue of the Harvard Law Review Number 3 of Volume 131 include Article The Endgame of Administrative Law Governmental Disobedience and the Judicial Contempt Power by Nicholas R Parrillo Book Review Rethinking Autocracy at Work by Cynthia Estlund Note Congressional Intent to Preclude Equitable Relief Ex Parte Young After Armstrong Note Sixth Amendment Challenge to Courthouse Dress Codes Note The Virtues of Heterogeneity in Court Decisions and the Constitution In addition the issue features student commentary on Recent Cases and other legal actions including such subjects as standing in class actions for credit reporting right of access of press re Guantanamo Bay detainees parolees and disability rights under the ADA intent and manslaughter by encouraging suicide proposed legislation to ameliorate punitive effects of drug crimes involving marijuana and President Trump s tweets purporting to ban transgender servicemembers in the military Finally the issue includes summaries of Recent Publications The Harvard Law Review is offered in a quality digital edition since 2011 featuring active Contents linked footnotes active URLs legible tables and proper ebook and Bluebook formatting **Harvard Law Review: Volume 128, Number 6 - April 2015** Harvard Law Review,2015-04-10 The Harvard Law Review April 2015 is offered in a digital edition Contents include the annual Developments in the Law survey of a particular area of legal concern this year s topic is Policing Other contents

include Article Consent Procedures and American Federalism by Bridget Fahey Essay Anticipatory Remedies for Takings by Thomas W Merrill Book Review How a Lawless China Made Modern America An Epic Told in Orientalism by Carol G S Tan Specific subjects studied in Developments in the Law Policing are Policing and Profit Policing Students Policing Immigrant Communities and Considering Police Body Cameras In addition the issue features student commentary on Recent Cases including such subjects as the business judgment rule and mergers whistleblowing under Dodd Frank and extraterritoriality senate redistricting in New York postmortem rights of publicity standing and overlap of various tests used informing one who pleads No Contest of collateral consequences exceptions to New York marriage license requirement for out of state marriages exclusionary rule for violations of Posse Comitatus restrictions and extending federal forced labor statute to conduct criminalized under state law Finally the issue features several summaries of Recent Publications The Harvard Law Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The Review comes out monthly from November through June and has roughly 2500 pages per volume The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions This issue of the Review is Apr 2015 the 6th issue of academic year 2014 2015 Volume 128 The digital edition features active Contents linked notes and proper ebook and Bluebook formatting

Digital Privacy Aadinath Pothuvaal, 2025-02-20 *Digital Privacy* Protecting Information delves into the privacy issues faced by both consumers and businesses in today's digital age This book focuses on the exchange of data between marketers and consumers addressing the privacy challenges that arise from this data exchange We recognize that information exchange benefits both businesses and consumers by improving marketing efforts and helping consumers make informed purchasing decisions However the rapid development of technology necessitates greater attention to protecting information privacy Without proper oversight privacy breaches can hinder the benefits of data exchange To better understand the privacy dilemmas posed by new technology we explore the necessity of privacy historical and academic theories and the relationship between market exchanges and privacy The book covers the harms to privacy and examines existing and future privacy protections A key feature is the examination of the communication process highlighting inhibitors and promoters We emphasize the importance of achieving mutually agreed standards of behavior to eliminate harmful marketing practices Recommendations include prioritizing privacy in education and business practices

Infanticide Rachel Dixon, 2023-02-02 *Infanticide* examines medical expert evidence in infanticide cases focusing specifically on the shifting notion of certainty in medical testimony Beginning in the Early Modern period and concluding in the mid twentieth century it considers how courts determined whether an infant died from natural causes or other reasons including violence The book explores expert evidence in cases of infanticide and examines the extent of certainty created by medical specialists who founded their testimony on anatomical exploration and science As the book progresses it becomes clear that medical specialists were unable to scientifically establish cause of death and in doing so conveyed uncertainty in

court proceedings Rather than being regarded as a professional failing Dixon argues that the uncertainty created by medical specialists redirected the outcomes of infanticide cases The combination of uncertainty and the changing perceptions of infanticidal women by the court lead juries to find infanticidal women not guilty of a capital offence in many cases This book will be of great interest to students and scholars of Criminology Law and History *Harvard Law Review: Volume 131, Number 1 - November 2017* Harvard Law Review,2017-11-07 The November issue is the special annual review of the U S Supreme Court s previous Term Each year the Supreme Court issue is introduced by noteworthy and extensive contributions from recognized scholars In this issue for the 2016 Term articles include Foreword 1930s Redux The Administrative State Under Siege by Gillian E Metzger Essay Unprecedented Judicial Confirmation Battles and the Search for a Usable Past by Josh Chafetz Comment Churches Playgrounds Government Dollars and Schools by Douglas Laycock Comment Equality Sovereignty and the Family in Morales Santana by Kristin A Collins In addition the first issue of each new volume provides an extensive summary of the important cases of the previous Supreme Court docket covering a wide range of legal political and constitutional subjects Student commentary is thus provided on eighteen of the Leading Cases of the 2016 Term including such subjects as racial gerrymandering freedom of speech regulatory takings right to effective counsel equal protection appellate jurisdiction fair housing immigration law insider trading venue in patent cases and remedies for constitutional violations Complete statistical graphs and tables of the Court s actions and results during the Term are included these summaries and statistics including voting patterns of individual Justices have long been considered very useful to scholars of the Court in law and political science Finally the issue includes a linked Index of Cases and citations for the discussed opinions The Harvard Law Review is offered in a quality digital edition featuring active Contents linked footnotes active URLs legible tables and proper ebook and Bluebook formatting This current issue of the Review is November 2017 the first issue of academic year 2017 2018 Volume 131 The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship It comes out monthly from November through June and has roughly 2500 pages per volume Student editors make all editorial and organizational decisions

Employment Relations Amie Shaw,Ruth McPhail,Susan Ressaia ,2018-01-01 Overview This is the second edition of the well regarded local text Employment Relations This new edition takes an even more practical approach to a complex area considering both the industrial regulation and human resources dimensions of the employment relationship As well as providing a comprehensive guide to employment relations in Australia the text also offers a selective international comparative view on the management of the employment relationship The text explains and emphasises the real world connections between the important theories of industrial relations and human resources which are key components of the employment relations discipline The overarching aim is for students to gain a deeper understanding of the World of Work through the discipline of Employment Relations **Harvard Law Review: Volume 129, Number 3 - January 2016** Harvard Law Review,2016-01-10 The January 2016 issue Number 3 features these

contents Article Presidential Intelligence by Samuel J Rascoff Book Review The Struggle for Administrative Legitimacy by Jeremy K Kessler on Daniel Ernst s book about the administrative state Note Existence Value Standing Note Rethinking Closely Regulated Industries In addition student commentary analyzes Recent Cases on compelled disclosures in commercial speech due process notice of procedures to challenge a local ordinance standing after liquidation actions taken under Dodd Frank exaction and takings by acquiring equity shares in AIG religious liberty after Hobby Lobby bias intimidation laws and mens rea and whether document production is the practice of law under labor law The issue includes analysis of a Recent Court Filing by the DOJ supporting a meaningful juvenile right to counsel Finally the issue includes comments on Recent Publications The Harvard Law Review is offered in a quality digital edition featuring active Contents linked footnotes active URLs legible tables and proper ebook and Bluebook formatting The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship It comes out monthly from November through June and has roughly 2500 pages per volume Student editors make all editorial and organizational decisions This is the third issue of academic year 2015 2016 **Harvard Law Review: Volume 127, Number 8 - June 2014** Harvard Law Review,2014-06-10 Harvard Law Review Number 8 June 2014 includes an extensive Symposium on Freedom of the Press as well as an article The Criminal Court Audience in a Post Trial World by Jocelyn Simonson and a book review essay The Positive Foundations of Formalism False Necessity and American Legal Realism by Lawrence B Solum Specifically the Symposium on press freedoms features Introduction Reflections on the First Amendment and the Information Economy by Mark Tushnet The New New York Times Free Speech Lawyering in the Age of Google and Twitter by Marvin Ammori Old School New School Speech Regulation by Jack M Balkin First Amendment Common Sense by Susan Crawford More than a Feeling Emotion and the First Amendment by Rebecca Tushnet Press Exceptionalism by Sonja R West The issue includes these student contributions Note Congressional Control of Foreign Assistance to Post Coup States Note A Bad Man Is Hard to Find Note Mediation of Investor State Conflicts In addition case notes explore Recent Cases on such subjects as the FCC power to create Open Internet rules whether enforcement of a foreign judgment is state action and threat convictions in internet free speech cases as well as Recent Legislation on immigration law and local entity compliance in California The issue includes several Recent Publications summaries Finally as the final issue of volume 127 it contains a comprehensive Index of each article essay book review and student work from the year The Harvard Law Review is offered in a quality digital edition featuring active Contents linked notes active URLs in notes and proper ebook and Bluebook formatting The Review is a student run organization whose primary purpose is to publish a journal of legal scholarship The organization is formally independent of the Harvard Law School Student editors make all editorial and organizational decisions

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