

Note

The Crime of Political Genocide: Repairing the
Genocide Convention's Blind Spot

Beth Van Schaack 2259

Book Notes

Impeaching Judges at the Fringe

Michael Abramowicz 2293

Reckoning with Race and Criminal Justice

Risa L. Goluboff 2299

Case Note

Silence Cannot Be Harmless

Gregory S. Chernack 2305

The *Yale Law Journal* is published eight times a year (monthly from October through June, excluding February) by The Yale Law Journal Company, Inc. Editorial and general offices are located in the Sterling Law Building at Yale University. POSTMASTER: Send address changes to the *Yale Law Journal*, P.O. Box 208215, New Haven, Connecticut 06520-8215.

Subscriptions and Claims: Subscriptions are \$40.00 per year payable in advance (add \$6.00 for foreign mailing). Remittance must be made by U.S. Dollar Draft payable at a U.S. bank. Payments in cash cannot be guaranteed. Inquire for multivolume prepaid rates and agency rates. Subscription requests for an entire volume must be received before the publication of the first issue of that volume. Subscription requests received after the first issue of a volume has been printed will run for the eight issues (spanning two volumes) published after the receipt of the request, unless otherwise indicated by the subscriber. Subscription requests for an entire volume that are received midvolume will be subject to an additional postage and handling charge. Domestic claims for nonreceipt of issues should be made within 90 days of the month of publication, overseas claims within 180 days; thereafter, the regular back issue rate will be charged for replacement. All subscriptions will be renewed automatically unless the subscriber provides timely notice of cancellation. Address changes must be made at least one month before publication date. Please provide an old mailing label or the entire old address; the new address must include the zip code. Address changes or other requests for subscription information should be directed to the Business Manager.

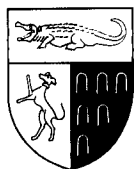
Single and Back Issues: Each issue of the current volume of the *Journal* can be purchased for \$9.00 from The Yale Law Journal Company, Inc. (check must accompany order). Back issues of volumes 104 or 105 can also be purchased for \$12.00 from The Yale Law Journal Company, Inc. (check must accompany order). For back issues from volumes 1-105, inquire of Fred B. Rothman & Company, 10368 West Centennial Road, Littleton, Colorado 80127 (\$14.00 for issues; \$60.00 for bound volumes in one book for volumes 1-73, 75-82, 84-87, and 89; \$70.00 for bound volumes in two books for volumes 74, 83, 88, and 90-105; \$6,160.00 for bound set of volumes 1-105; \$3,040.00 for microform set of volumes 1-104; check must accompany order).

Manuscripts: The *Journal* invites the submission of unsolicited articles, comments, essays, and reviews. Article submissions should include an abstract of not more than 250 words. Manuscripts should be double-sided if possible, and cannot be returned unless a self-addressed, postage-paid envelope is submitted with the manuscript. The address for overnight deliveries is: *Yale Law Journal*, 127 Wall Street, New Haven, Connecticut 06511.

Copyright: Copyright © 1997 by The Yale Law Journal Company, Inc. Articles herein may be duplicated for classroom use, provided that (1) each copy is distributed at or below cost, (2) the author and the *Yale Law Journal* are identified, (3) proper notice of copyright is affixed to each copy, and (4) The Yale Law Journal Company, Inc., is notified of the use.

Production: Citations in the *Journal* conform to *The Bluebook: A Uniform System of Citation* (16th ed. 1996), copyright by the *Columbia*, *Harvard*, and *University of Pennsylvania Law Reviews* and the *Yale Law Journal*. The *Journal* is printed by Joe Christensen, Inc., in Lincoln, Nebraska. Second-class postage paid at New Haven, Connecticut, and additional mailing offices. Publication number ISSN 0044-0094.

Internet Address: The *Yale Law Journal* Homepage is located at <<http://www.yale.edu/yalelj>>.



The Yale Law Journal

Articles

Same-Sex Marriage, Conflict of Laws,
and the Unconstitutional Public Policy Exception
Larry Kramer

Transitional Jurisprudence:
The Role of Law in Political Transformation
Ruti Teitel

Symposium

Property Rules, Liability Rules, and Inalienability:
A Twenty-Five Year Retrospective

Emily Sherwin
Richard A. Epstein
James E. Krier and Stewart J. Schwab
Saul Levmore
Carol M. Rose
Guido Calabresi
A. Douglas Melamed

Essay

Feminism in Central and Eastern Europe:
Risks and Possibilities of American Engagement
Frances Elisabeth Olsen

Note

The Crime of Political Genocide:
Repairing the Genocide Convention's Blind Spot

Book Notes

Case Note

Volume 106

May 1997

Number 7

The Yale Law Journal

Volume 106, Number 7, May 1997

Contents

Articles

Same-Sex Marriage, Conflict of Laws, and the
Unconstitutional Public Policy Exception

Larry Kramer 1965

Transitional Jurisprudence: The Role of Law in
Political Transformation

Ruti Teitel 2009

Symposium:

***Property Rules, Liability Rules, and Inalienability:
A Twenty-Five Year Retrospective***

Introduction: Property Rules as Remedies

Emily Sherwin 2083

A Clear View of *The Cathedral*: The Dominance of
Property Rules

Richard A. Epstein 2091

The Cathedral at Twenty-Five: Citations and
Impressions

James E. Krier and Stewart J. Schwab 2121

Unifying Remedies: Property Rules, Liability
Rules, and Startling Rules

Saul Levmore 2149

The Shadow of *The Cathedral*

Carol M. Rose 2175

Remarks: The Simple Virtues of *The Cathedral*

Guido Calabresi 2201

Remarks: A Public Law Perspective

A. Douglas Melamed 2209

Essay

Feminism in Central and Eastern Europe:
Risks and Possibilities of American
Engagement

Frances Elisabeth Olsen 2215

Case Notes

Speaking in Code

John P. Collins, Jr. 2691

The First Amendment and Murder Manuals

Avital T. Zer-Ilan 2697

Index to Volume 106

2703

The *Yale Law Journal* is published eight times a year (monthly from October through June, excluding February) by The Yale Law Journal Company, Inc. Editorial and general offices are located in the Sterling Law Building at Yale University. POSTMASTER: Send address changes to the *Yale Law Journal*, P.O. Box 208215, New Haven, Connecticut 06520-8215.

Subscriptions and Claims: Subscriptions are \$40.00 per year payable in advance (add \$6.00 for foreign mailing). Remittance must be made by U.S. Dollar Draft payable at a U.S. bank. Payments in cash cannot be guaranteed. Inquire for multivolume prepaid rates and agency rates. Subscription requests for an entire volume must be received before the publication of the first issue of that volume. Subscription requests received after the first issue of a volume has been printed will run for the eight issues (spanning two volumes) published after the receipt of the request, unless otherwise indicated by the subscriber. Subscription requests for an entire volume that are received midvolume will be subject to an additional postage and handling charge. Domestic claims for nonreceipt of issues should be made within 90 days of the month of publication, overseas claims within 180 days; thereafter, the regular back issue rate will be charged for replacement. All subscriptions will be renewed automatically unless the subscriber provides timely notice of cancellation. Address changes must be made at least one month before publication date. Please provide an old mailing label or the entire old address; the new address must include the zip code. Address changes or other requests for subscription information should be directed to the Business Manager.

Single and Back Issues: Each issue of the current volume of the *Journal* can be purchased for \$9.00 from The Yale Law Journal Company, Inc. (check must accompany order). Back issues of volumes 104 or 105 can also be purchased for \$12.00 from The Yale Law Journal Company, Inc. (check must accompany order). For back issues from volumes 1-105, inquire of Fred B. Rothman & Company, 10368 West Centennial Road, Littleton, Colorado 80127 (\$14.00 for issues; \$60.00 for bound volumes in one book for volumes 1-73, 75-82, 84-87, and 89; \$70.00 for bound volumes in two books for volumes 74, 83, 88, and 90-105; \$6,160.00 for bound set of volumes 1-105; \$3,040.00 for microform set of volumes 1-104; check must accompany order).

Manuscripts: The *Journal* invites the submission of unsolicited articles, comments, essays, and reviews. Article submissions should include an abstract of not more than 250 words. Manuscripts should be double-sided if possible, and cannot be returned unless a self-addressed, postage-paid envelope is submitted with the manuscript. The address for overnight deliveries is: *Yale Law Journal*, 127 Wall Street, New Haven, Connecticut 06511.

Copyright: Copyright © 1997 by The Yale Law Journal Company, Inc. Articles herein may be duplicated for classroom use, provided that (1) each copy is distributed at or below cost, (2) the author and the *Yale Law Journal* are identified, (3) proper notice of copyright is affixed to each copy, and (4) The Yale Law Journal Company, Inc., is notified of the use.

Production: Citations in the *Journal* conform to *The Bluebook: A Uniform System of Citation* (16th ed. 1996), copyright by the Columbia, Harvard, and University of Pennsylvania Law Reviews and the *Yale Law Journal*. The *Journal* is printed by Joe Christensen, Inc., in Lincoln, Nebraska. Second-class postage paid at New Haven, Connecticut, and additional mailing offices. Publication number ISSN 0044-0094.

Internet Address: The *Yale Law Journal* Homepage is located at <<http://www.yale.edu/yalelj>>.



The Yale Law Journal

06 JUN 1997

Articles

Same-Sex Marriage, Conflict of Laws,
and the Unconstitutional Public Policy Exception
Larry Kramer

Transitional Jurisprudence:
The Role of Law in Political Transformation
Ruti Teitel

Symposium

Property Rules, Liability Rules, and Inalienability:
A Twenty-Five Year Retrospective

Emily Sherwin
Richard A. Epstein
James E. Krier and Stewart J. Schwab
Saul Levmore
Carol M. Rose
Guido Calabresi
A. Douglas Melamed

Essay

Feminism in Central and Eastern Europe:
Risks and Possibilities of American Engagement
Frances Elisabeth Olsen

Note

The Crime of Political Genocide:
Repairing the Genocide Convention's Blind Spot

Book Notes

Case Note

Volume 106

May 1997

Number 7

The Yale Law Journal

Volume 106, Number 7, May 1997

	✓

Contents

Articles

Same-Sex Marriage, Conflict of Laws, and the
Unconstitutional Public Policy Exception

Larry Kramer 1965

Transitional Jurisprudence: The Role of Law in
Political Transformation

Ruti Teitel 2009

Symposium:

***Property Rules, Liability Rules, and Inalienability:
A Twenty-Five Year Retrospective***

Introduction: Property Rules as Remedies

Emily Sherwin 2083

A Clear View of *The Cathedral*: The Dominance of
Property Rules

Richard A. Epstein 2091

The Cathedral at Twenty-Five: Citations and
Impressions

James E. Krier and Stewart J. Schwab 2121

Unifying Remedies: Property Rules, Liability
Rules, and Startling Rules

Saul Levmore 2149

The Shadow of *The Cathedral*

Carol M. Rose 2175

Remarks: The Simple Virtues of *The Cathedral*

Guido Calabresi 2201

Remarks: A Public Law Perspective

A. Douglas Melamed 2209

Essay

Feminism in Central and Eastern Europe:
Risks and Possibilities of American
Engagement

Frances Elisabeth Olsen 2215