

NEW YORK UNIVERSITY LAW REVIEW

Federal and State Courts: Restoring a Workable Balance
Guido Calabresi

The Constitutional Right to a Remedy
Thomas R. Phillips

Confessions of an Ambivalent Originalist
Jack N. Rakove

"We're Scared to Death":
Class Certification and Blackmail
Charles Silver

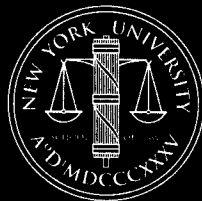
The (Un)favorable Judgment of History:
Deportation Hearings, the Palmer Raids, and the Meaning of History
Harlan Grant Cohen

Secrets and Spies:
Extraterritorial Application of the
Economic Espionage Act and the TRIPS Agreement
Robin J. Effron

Historians at the Gate:
Accommodating Expert Historical Testimony in Federal Courts
Jonathan D. Martin

Mending the Federal Circuit Split on the First Amendment Right of
Public University Professors to Assign Grades
Evelyn Sung

Volume 78



Number 4

October 2003

NEW YORK UNIVERSITY LAW REVIEW

VOLUME 78

OCTOBER 2003

NUMBER 4

Copyright © 2003 New York University Law Review

CONTENTS

SPEECHES

FEDERAL AND STATE COURTS: RESTORING A
WORKABLE BALANCE

Guido Calabresi 1293

THE CONSTITUTIONAL RIGHT TO A REMEDY

Thomas R. Phillips 1309

COMMENTARY

CONFESSIONS OF AN AMBIVALENT ORIGINALIST

Jack N. Rakove 1346

ARTICLE

“WE’RE SCARED TO DEATH”:
CLASS CERTIFICATION AND BLACKMAIL

Charles Silver 1357

NOTES

THE (UN)FAVORABLE JUDGMENT OF HISTORY:
DEPORTATION HEARINGS, THE PALMER RAIDS,
AND THE MEANING OF HISTORY

Harlan Grant Cohen 1431

SECRETS AND SPIES: EXTRATERRITORIAL
APPLICATION OF THE ECONOMIC ESPIONAGE
ACT AND THE TRIPS AGREEMENT

Robin J. Effron 1475

HISTORIANS AT THE GATE:
ACCOMMODATING EXPERT HISTORICAL
TESTIMONY IN FEDERAL COURTS

Jonathan D. Martin 1518

MENDING THE FEDERAL CIRCUIT SPLIT ON THE
FIRST AMENDMENT RIGHT OF PUBLIC UNIVERSITY
PROFESSORS TO ASSIGN GRADES

Evelyn Sung 1550
