

# JOURNAL OF CONTRACT LAW

## CONTENTS

### Articles

- A Good Faith Perspective on Liquidated Damages — *J W Carter and Elisabeth Peden* 157
- China Business and Contract Penalties — *Lutz-Christian Wolff* 180
- Unjust Enrichment within a Valid Contract: a Close Look at *Roxborough v Rothmans of Pall Mall Australia Ltd* — *Tang Hang Wu* 201
- Reforming the UK Law on Unfair Terms: the Draft Unfair Contract Terms Bill — *Paolisa Nebbia* 228
- Understanding Commercial Music Contracts: the Place of Contractual Theory — *Steve Greenfield and Guy Osborn* 248

Post Print Approved  
PP255003/01378

# ***JOURNAL OF CRIMINAL JUSTICE***

Vol. 35, No. 6

*an international journal*

2007

---

## ARTICLES

Announcement: Alfred Blumstein receives 2007 Stockholm Prize in Criminology		iv
Policing domestic violence: Does officer gender matter?	<i>Ivan Y. Sun</i>	581
Exploring the utility of general strain theory in explaining problematic alcohol consumption by police officers	<i>Marc L. Swatt Chris L. Gibson Nicole Leeper Piquero</i>	596
Type of contact and evaluations of police officers: The effects of procedural justice across three types of police-citizen contacts	<i>William Wells</i>	612
Age of greatest risk for victimization by forced sexual intercourse: Vulnerability of high school women	<i>Ida Johnson Etta Morgan Robert Sigler</i>	622
Parenthood and adult criminal offending: The importance of relationship quality	<i>Natasha M. Ganem Robert Agnew</i>	630
The impact of distributive and procedural justice on correctional staff job stress, job satisfaction, and organizational commitment	<i>Eric G. Lambert Nancy L. Hogan Marie L. Griffin</i>	644
Work place violence and negative affective responses: A test of Agnew's general strain theory	<i>Sameer Hinduja</i>	657
Towards rational and evidence-based crime policy	<i>Daniel P. Mears</i>	667
PUBLICATIONS RECEIVED		683
GENERAL INDEX VOLUME 35		I
TITLES INDEX VOLUME 35		III
AUTHORS INDEX VOLUME 35		VII
INSTRUCTIONS FOR CONTRIBUTORS		XV

# CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW

---

**Volume 38**

**Number 2**

**2006-2007**

---

Copyright © 2006-2007 by the Case Western Reserve Journal of International Law

## INTERNATIONAL JUSTICE AND SHIFTING PARADIGMS

FOREWORD: INTERNATIONAL JUSTICE AND SHIFTING PARADIGMS

*James T. Tsai* ..... ix

### TRANSCRIPT

TRUTH COMMISSIONS: BETWEEN IMPUNITY AND PROSECUTION

*Judge Thomas Buergenthal* ..... 217

### ARTICLES

BREAKING THE SILENCE: RAPE AS AN INTERNATIONAL CRIME

*Mark Ellis* ..... 225

UPDATING THE DOMESTIC AND INTERNATIONAL IMPACT OF THE U.S. VICTIMS OF TRAFFICKING  
PROTECTION ACT OF 2000: DOES LAW DETER CRIME?

*Susan W. Tiefenbrun* ..... 249

TRANSITIONAL JUSTICE AND POST-CONFLICT ISRAEL/PALESTINE: ASSESSING THE  
APPLICABILITY OF THE TRUTH COMMISSION PARADIGM

*Ariel Meyerstein* ..... 281

DO WE NEED NEW INTERNATIONAL LAW TO PROTECT WOMEN IN ARMED CONFLICT?

*Karima Bennouna* ..... 363

### NOTE

AGAINST THE SURGICAL REQUIREMENT FOR CHANGE OF LEGAL SEX

*Harper Jean Tobin* ..... 393

—THE JOURNAL OF—  
**BUSINESS  
LAW**

General Editor: Professor Robert Merkin

Founder Editor: Clive M. Schmitthoff

November 2007

To provide a forum whereby current developments and problems in all areas of commercial law can be considered and analysed by practitioners and academics in a fashion which extends the knowledge and understanding of both groups.

**Articles**

- A False Sense of Security? An Analysis of Legislative Approaches Towards the Prevention of Terrorist Finance in the United States and the United Kingdom  
by *Dr Nicholas Ryder* 821
- The Cultural Aspects of Corporate Governance Reform in South Korea  
by *Lilian Miles* 851
- Bank Lending and the Environment: Not Liability but Responsibility  
by *Tamara Egede and Robert Lee* 868
- The EU Product Liability Directive—Twenty Years On  
by *Peter Shears* 884

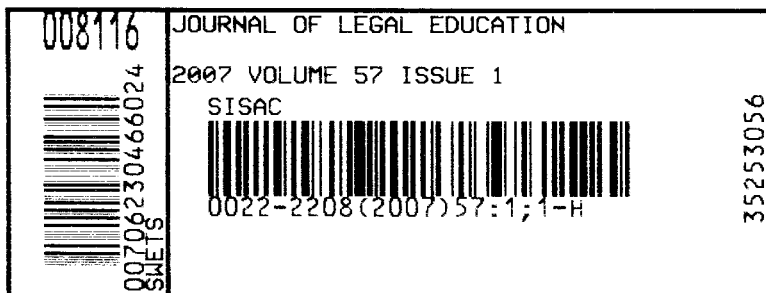
© Sweet & Maxwell and contributors 2007

All rights reserved. Crown copyright legislation is reproduced under the terms of Crown Copyright Policy Guidance issued by HMSO.

No part of this publication may be reproduced or transmitted in any form or by any means, or stored in any retrieval system of any nature without prior written permission, except for permitted fair dealing under the Copyright, Designs and Patents Act 1988, or in accordance with the terms of a licence issued by the Copyright Licensing Agency in respect of photocopying and/or reprographic reproduction. Application for permission for other use of copyright material including permission to reproduce extracts in other published works shall be made to the publishers. Full acknowledgment of author, publisher and source must be given.

# Contents

From the Editors .....	1
Legal Education in the Twenty-first Century	
Wikipedia and the Future of Legal Education by Beth Simone Noveck .....	3
The Future of the Casebook: An Argument for an Open-Source Approach by Matthew Bodie .....	10
General Articles	
Using Shakespeare to Teach Persuasive Advocacy by Stephen A. Newman .....	36
Integrating the Study of Sexuality into the Core Law School Curriculum: Suggestions for Substantive Criminal Law Courses by Henry F. Fradella .....	60
Pauli Murray's Campaign Against Harvard Law School's "Jane Crow" Admissions Policy by Mary Elizabeth Basile .....	77
Fostering Professionalism through Mentoring by Neil Hamilton and Lisa Montpetit Brabbit .....	102
Book Reviews	
<i>Lowering the Bar: Lawyer Jokes and Legal Culture</i> —Marc Galanter Reviewed by Richard Abel .....	130
<i>The Stanford Law Chronicles: Doin' Time on the Farm</i> —Alfredo Mirandé Reviewed by Audrey G. McFarlane .....	143
<i>The Making of a Civil Rights Lawyer</i> —Michael Meltsner Reviewed by Steven R. Shapiro .....	149



# INTERNATIONAL LEGAL MATERIALS

Volume 46 — September 2007

— Contents —

## TREATIES, AGREEMENTS, AND RELATED DOCUMENTS

United Nations Security Council Resolution 1769 Darfur	
Introductory Note by Jeffrey Walker.....	899
Text of Resolution .....	900
United Nations Security Council Resolution 1762: Iraq	
Introductory Note by Susan A. Notar .....	905
Text of Resolution .....	907
Extraordinary Chambers in the Courts of Cambodia: Provisional Detention Order Against Kaing Guek Eav “Duch”	
Introductory Note by Michael Newton .....	911
Text of Decision .....	913
United Parcel Service v. Canada	
Introductory Note by David Gantz .....	919
Text of Decision .....	922
International Committee of the Red Cross: Response of Jean-Marie Henckaerts to the Bellinger/Haynes Comments on Customary International Law Study	
Introductory Note by Dennis Mandsager .....	957
Text of Response .....	959
Bolivia Denounces ICSID Convention	
Introductory Note by Marco Tulio Montañes .....	969
Text .....	973
The First Chautauqua Declaration	
Introductory Note by Elizabeth Andersen .....	974
Text of Declaration .....	976
Executive Order: Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency	
Introductory Note by Mark Wojcik .....	978
Text of Executive Order .....	983
OTHER DOCUMENTS OF NOTE .....	986

VOLUME 46 — NUMBER 5 — September 2007