

CAMBRIDGE

JOURNALS

Canadian Journal of Law and Society

La Revue Canadienne Droit et Société

The Canadian Journal of Law and Society is committed to publishing innovative research that speaks to theoretical and empirical questions in law and society scholarship.

La Revue Canadienne Droit et Société (RCDS) se consacre à la publication d'études novatrices sur des questions théoriques et empiriques dans le domaine socio-juridique.



Published for the Canadian Law and Society Association

Publiée pour l'Association Canadienne Droit et Société

journals.cambridge.org/cjls-rcds

 **CAMBRIDGE**
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

NEW IN 2014 – SUBMIT YOUR PAPER

ASIAN JOURNAL OF LAW AND SOCIETY

Editors-in-Chief

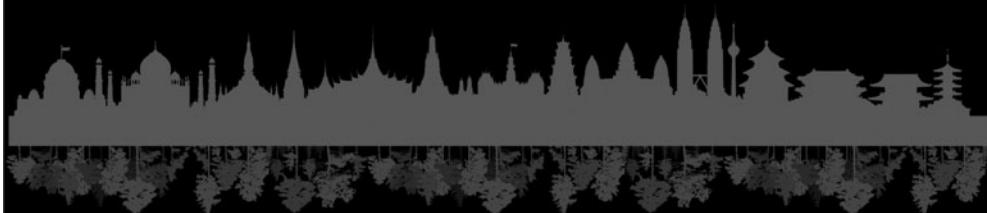
Professor Setsuo Miyazawa, *Aoyama Gakuin University, Japan*

Professor David Engel, *State University of New York, USA*

Professor Tom Ginsburg, *University of Chicago, USA*

Professor Weidong Ji, *Shanghai Jiao Tong University, China*

Professor Jan-Michiell Otto, *Leiden University, Netherlands*



The *Asian Journal of Law and Society* adds an increasingly important Asian perspective to global law and society scholarship. This independent, peer-reviewed publication encourages empirical and multi-disciplinary research and welcomes articles on law and its relationship with society in Asia, articles bringing an Asian perspective to socio-legal issues of global concern, and articles using Asia as a starting point for a comparative exploration of law and society topics. Its coverage of Asia is broad and stretches from East Asia, South Asia and South East Asia to Central Asia.

Find out how to submit your paper here

journals.cambridge.org/asianjls



CAMBRIDGE
UNIVERSITY PRESS

Legal Theory

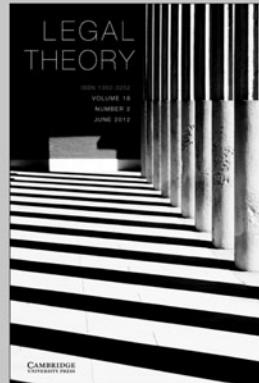
Editors

Matthew D. Adler, *Duke University, USA*

Larry Alexander, *University of San Diego Law School, USA*

David O. Brink, *University of California, San Diego, USA*

Scott J. Shapiro, *Yale Law School, USA*



Legal Theory draws contributions not only from academic law, but from a wide range of related disciplines in the humanities and social sciences, including philosophy, political science, economics, history and sociology. Topics covered fall mainly into the broad categories of analytical and normative jurisprudence, doctrinal theory, policy analyses of legal doctrines and critical theories of law.

Legal Theory

is available online at:

<http://journals.cambridge.org/leg>

To subscribe contact
Customer Services

in Cambridge:

Phone +44 (0)1223 326070

Fax +44 (0)1223 325150

Email journals@cambridge.org

in New York:

Phone +1 (845) 353 7500

Fax +1 (845) 353 4141

Email

subscriptions_newyork@cambridge.org

Price information

is available at: <http://journals.cambridge.org/leg>

Free email alerts

Keep up-to-date with new material – sign up at
<http://journals.cambridge.org/alerts>

For free online content visit:
<http://journals.cambridge.org/leg>

 **CAMBRIDGE**
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

The Cambridge Law Journal

Editor

John Bell *University of Cambridge, UK*

The Cambridge Law Journal publishes articles on all aspects of law. Special emphasis is placed on contemporary developments, but the journal's range includes jurisprudence and legal history. An important feature of the journal is the Case and Comment section, in which members of the Cambridge Law Faculty and other distinguished contributors analyse recent judicial decisions, new legislation and current law reform proposals. The articles and case notes are designed to have the widest appeal to those interested in the law – whether as practitioners, students, teachers, judges or administrators – and to provide an opportunity for them to keep abreast of new ideas and the progress of legal reform. Each issue also contains an extensive section of book reviews.

Volume 71 [2012] CLJ ISSN 0968-0773 Part 2

THE CAMBRIDGE LAW JOURNAL

July 2012

Tobrand Justice, *Gen and Pre-emptive Defense Reservation*

MARIE ELLIOTT AND ROBERT THOMAS

Concurrent Birth, Adoption and Human Rights Law

JOEL LILLIETTE

To Run, Vote and Compete: Protecting Low Level Digital Speech

JACOB ROWBOTOM

Provisional Measures and the Rule of Law

CHARLOTTE STEBBINGS

General Classes and the Competing Edges of

European Union Law in the UK

CHRIS WILLETT

For full contents see back cover

CAMBRIDGE UNIVERSITY PRESS
FOR THE FACULTY OF LAW, UNIVERSITY OF CAMBRIDGE

The Cambridge Law Journal
is available online at:
<http://journals.cambridge.org/clj>

To subscribe contact
Customer Services

in Cambridge:
Phone +44 (0)1223 326070
Fax +44 (0)1223 325150
Email journals@cambridge.org

in New York:
Phone (845) 353 7500
Fax (845) 353 4141
Email
subscriptions_newyork@cambridge.org

Free email alerts

Keep up-to-date with new material – sign up at
journals.cambridge.org/register

For free online content visit:
<http://journals.cambridge.org/clj>

 **CAMBRIDGE**
UNIVERSITY PRESS

CAMBRIDGE

JOURNALS

Leiden Journal of International Law

Published for The Foundation of the Leiden Journal of International Law

Editors-in-Chief

Carsten Stahn, *Leiden University, The Netherlands*

Eric de Brabandere, *Leiden University, The Netherlands*



Firmly established as one of Europe's leading journals in the field, the *Leiden Journal of International Law* (*LJIL*) provides a forum for two vital areas, namely international legal theory and international dispute settlement. It is unique in providing the most comprehensive coverage of the world's most important international tribunals in The Hague (such as the ICJ, ICTY, ICC and others) and elsewhere, as well as examining new trends in international legal thinking. *LJIL* is essential reading for academics and practitioners who need to stay abreast of recent developments in these areas.

Leiden Journal of International Law

is available online at:

<http://journals.cambridge.org/ljl>

To subscribe contact
Customer Services

in Cambridge:

Phone +44 (0)1223 326070

Fax +44 (0)1223 325150

Email journals@cambridge.org

in New York:

Phone (845) 353 7500

Fax (845) 353 4141

Email

subscriptions_newyork@cambridge.org

Free email alerts

Keep up-to-date with new material – sign up at

journals.cambridge.org/ljl-alerts

For free online content visit:
<http://journals.cambridge.org/ljl>

 **CAMBRIDGE**
UNIVERSITY PRESS

CAMBRIDGE

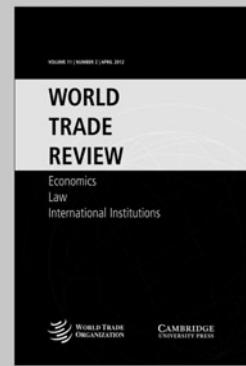
JOURNALS

World Trade Review

Editor

L. Alan Winters, University of Sussex, UK

The *World Trade Review* was established at the initiative of the Secretariat of the World Trade Organization (WTO) in close cooperation with Cambridge University Press. It is an independent journal - the Editor and all but one member of the Editorial Board are drawn from university faculties - that includes articles written from economic, legal, political and inter-disciplinary perspectives on issues of relevance to the multilateral trading system. Priority is given to papers that, along with being academically rigorous, are also accessible to government policy officials and the wider public. The journal also includes shorter articles seeking to rebut or challenge published papers.



World Trade Review

is available online at:
<http://journals.cambridge.org/wtr>

To subscribe contact Customer Services

Americas:

Phone +1 (845) 353 7500
Fax +1 (845) 353 4141
Email
subscriptions_newyork@cambridge.org

Rest of world:

Phone +44 (0)1223 326070
Fax +44 (0)1223 325150
Email journals@cambridge.org

Free email alerts

Keep up-to-date with new material – sign up at
journals.cambridge.org/register

For free online content visit:
<http://journals.cambridge.org/wtr>

 CAMBRIDGE
UNIVERSITY PRESS

Instructions for contributors

The *International Journal of Law in Context* is the companion journal to the *Law in Context* book series. It is a forum for interdisciplinary legal studies and offers intellectual space for ground-breaking critical research. It publishes contextual work about law and its relationship with other disciplines including but not limited to science, literature, humanities, philosophy, sociology, psychology, ethics, history and geography. The journal explores and expands the boundaries of law and legal studies.

Full instructions for contributors are available at:
journals.cambridge.org/ijc

Submissions

Articles submitted for publication should be sent to:
Professor Penelope Andrews
Albany Law School,
80 New Scotland Avenue,
Albany, NY 12208,
USA
pandr@albanylaw.edu

Professor Marc Hertogh
University of Groningen,
Faculty of Law, Department of Legal Theory,
PO Box 716, 9700 AS Groningen,
The Netherlands
M.L.M.Hertogh@rug.nl

Professor Jane Holder
Faculty of Laws,
University College London,
Bentham House, 4-8 Endsleigh Gardens,
London WC1H OEG,
UK
jane.holder@ucl.ac.uk

Contributors are responsible for obtaining permission to reproduce any materials, including photographs and illustrations, for which they do not hold copyright and for ensuring that the appropriate acknowledgements are included in the manuscript.

All contributions in the journal are peer-reviewed.
Upon acceptance of a paper, the authors will be asked to assign copyright to Cambridge University Press.

'Law in Other Contexts' articles should be sent to:
Professor David Nelken, King's College London, Strand,
London WC2R 2LS, UK
Email david.nelken@kcl.ac.uk

Books for review should be sent to:
Helen Reece, Department of Law, London School of Economics, Houghton Street, London WC2A 2AE UK
Email h.reece@lse.ac.uk

Manuscript preparation

- 1 Articles should be written in English. They should not have been published already, nor should they be under consideration elsewhere.
- 2 Each article should be accompanied by the following information on a separate sheet
 - the title of the article
 - the author's name, affiliation and institutional address, together with an email address, and telephone and fax numbers
 - an abstract of 100–150 words
 - articles of no more than 12,000 words, including notes.

3 Articles must be word processed and double-spaced. A4 or American Quarts paper should be used.
Three copies should be submitted.

4 Any articles containing material subject to copyright restrictions other than those owned or controlled by the contributor must be accompanied by appropriate permissions from the relevant copyright holder(s).

5 For referencing use the Harvard-style system. Surname and date should be cited in the text, with a page reference where relevant, together with an alphabetically ordered end list. Use the following style in the Reference List

Dworkin, Ronald (2000) *Sovereign Virtue*. Cambridge, Mass: Harvard University Press

Daniels. Cynthia R. (1999) 'Fathers, Mothers and Fetal Harm: Rethinking Gender Difference and Reproductive Responsibility' in Lynn M. Morgan and Meredith W. Michaels (eds) *Fetal Subjects, Feminist Positions*. Philadelphia: University of Pennsylvania Press, 83–98

Macaulay, Stewart (2003) 'The Real and the Paper Deal: Empirical Pictures of Relationships, Complexity and the Urge for Transplant Rules', *Modern Law Review* 66: 44–79

Citations in new editions of previously published works should include the date of the original edition and the new edition in the text and in the reference list e.g. Mill (1859/1989)

6 Footnotes should be used rather than end notes.
Each time a case is referred to in the text, the case report reference should be set out in the footnote. One report reference is sufficient.
References to UK statutes should be made as follows

Matrimonial Causes Act 1973, s.25

Statutory instruments should be referred to by name and date (i.e. short title) followed by the number e.g. Local Authorities (Smallholdings) Order 1974, SI 1974/396

7 Tables should be presented on separate sheets at the end of the article and should have short descriptive titles. Figures should be clearly numbered and should have explanatory captions. The author must indicate where Tables and Figures should be placed in the text.

Proofs

Only essential typographical or factual errors may be changed at proof stage. Resist the temptation to revise or add to the text. The publisher reserves the right to charge authors for correction of non-typographical errors.

Offprints

No paper offprints are provided, but the corresponding author will be sent the pdf of the published article.
Print offprints may be purchased at extra cost at proof stage.

International Journal of Law in Context

A Global Forum for Interdisciplinary Legal Studies

CONTENTS

Articles

- 277–294 ‘Commodities must be controlled’: economic crimes and market discipline in India (1939–1955)
Rohit De

- 295–314 The criminalisation of symbols of the past: expression, law and memory
Agata Fijalkowski

- 315–337 We don’t need another IRAC: identifying global legal skills
Helena Whalen-Bridge

- 338–356 The Asia-Pacific partnership and market-liberal discourse in global climate governance
Jeffrey McGee and Ros Taplin

- 357–396 Rights and constituent power in the global constitution
Chris Thornhill

- 397–415 The return of sociology in Danish socio-legal studies: a survey of recent trends
Ole Hammerslev and Mikael Rask Madsen

Book review

- 416–420 Shari'a As Discourse: Legal Traditions and the Encounter with Europe
Marinos Diamantides

Cambridge Journals Online
For further information about this journal
please go to the journal website at:
journals.cambridge.org/ijc



CAMBRIDGE
UNIVERSITY PRESS